

CLIMATE ACTION AND RESILIENCE COMMITTEE

Council of the County of Maui

MINUTES

June 15, 2020

Council Chamber, 8th Floor

CONVENE: 9:02 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Kelly Takaya King, Chair
Councilmember Shane M. Sinenci, Vice-Chair
Councilmember Riki Hokama
Councilmember Tasha Kama
Councilmember Alice Lee
Councilmember Tamara Paltin
Councilmember Keani N.W. Rawlins-Fernandez

STAFF: Nicole Siegel, Legislative Analyst
Kasie Apo Takayama, Legislative Analyst
James Forrest, Legislative Attorney
Stacey Vinoray, Committee Secretary
Jean H. Pokipala, Council Services Assistant Clerk

Kate Griffiths, Executive Assistant to Councilmember Kelly Takaya King
Dawn Lono, Executive Assistant to Councilmember Shane M. Sinenci
Davideane Kama-Sickels, Executive Assistant to Councilmember Tasha Kama
Christi Keliikoa, Executive Assistant to Councilmember Tamara Paltin
Sarah Freistat Pajimola, Executive Assistant to Councilmember Keani N.W. Rawlins-Fernandez

ADMIN.: Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel
Anthony Joyce, Civil Defense Staff Specialist I, Maui Emergency Management Agency
Michele McLean, Director, Department of Planning
Eric Nakagawa, Director, Department of Environmental Management
James Buika, Planner V, Department of Planning

OTHERS: John Seebart, Volunteer, Kahana Bay Steering Committee
Lyndon Ibele, Volunteer, Maalaea Village Association
Tiare Irvine, Common Cents Collective
Ty Emanuel
Albert Perez, Maui Tomorrow

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Rita Ryan, Climate Reality Project – Hawaii Chapter, 350.org –
Hawaii Chapter
Peter Cannon
Plus (2) additional attendees

Jamie Caplan, Jamie Caplan Consulting, LLC
Caroline Cunningham, Jamie Caplan Consulting, LLC

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

CHAIR KING: . . .*(gavel)*. . . All right. Good morning. It is 9:02 a.m. and this is the Climate Action and Resilience Committee meeting of June 15, 2020. Welcome everybody. The meeting will please now come to order. My name is Kelly King, I'm the Chair of this Committee, and with us today we have Council...I'm just going to go in order that they show up on my screen. Councilmember Alice Lee, Council Chair.

COUNCILMEMBER LEE: Good morning. Today's good morning is manuia le taeao and that is all the way from Samoa, Madam Chair.

CHAIR KING: Wow. Okay. Say that again. One more time.

COUNCILMEMBER LEE: Manuia le taeao.

CHAIR KING: Manuia le taeao. All right. Good morning to you. And Vice-Chair, Committee Vice-Chair Shane Sinenci.

VICE-CHAIR SINENCI: Aloha and manuia le kaeao [*sic*].

CHAIR KING: Wow. That was . . .*(inaudible)*. . . Aloha kakahiaka to you too, Councilmember. Okay, Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka kakou. I just wanted to send my condolences out to the ohana of Charles Robinson who passed away this weekend and yeah.

CHAIR KING: Aloha kakahiaka. Okay, Member Tasha Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, all the way from Kahului, Maui, and it's a beautiful day in the neighborhood.

CHAIR KING: Nice, aloha. Okay, Council Vice-Chair Keani Rawlins-Fernandez. Aloha from Molokai.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka and manuia le taetao [*sic*]. Yeah, I said it wrong.

CHAIR KING: Aloha kakahiaka. That was beautiful. Councilmember Riki Hokama.

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COUNCILMEMBER HOKAMA: Good morning, Chair. And for those of you on Maui, this is the last day for Hashi's Car Wash in Wailuku.

CHAIR KING: Oh.

COUNCILMEMBER HOKAMA: Thank you.

CHAIR KING: That's sad as well. Okay, are they gonna have a big long line?

COUNCILMEMBER HOKAMA: It started last week. It started from last week.

CHAIR KING: Okay, well, sorry to hear that. That's a permanent thing, Mr. Hokama?

COUNCILMEMBER HOKAMA: Yes, I believe they have another very good local business entrepreneur that's gonna take over, another seasoned local businessman, so hopefully will continue the services. Yeah, looking forward to it. Thank you.

CHAIR KING: All right, thank you for that information. All right, folks, just before we continue on if everyone can silence their cell phones in case they get back on and there's background noise and go...that goes for any testifiers, too, please mute yourselves and we're gonna...I don't see any non-voting Members but Councilmember Molina and Sugimura are willing to join us at any time. Today, we have with us from the Administration from the Maui Emergency Management Agency, Dr. Anthony Joyce, who's the Civil Defense Staff Specialist I; Michele McLean, the Director of the Planning Department; Eric Nakagawa, the Director of Department of Environmental Management. We're not sure who is going to join us from Office of Economic Development from that...we're hoping for the Environmental Specialist Makale'a Ane but we have not heard back. And we have our Deputy Corp. Counsel Richelle Thomson. So, thank you all for being there. Other representatives that should be on the call today are Jamie Caplan, who's the principal of Jamie Caplan Consulting LLC and Tara Owens, Coastal Processes and Hazards Specialist, at the University of Hawai'i Sea Grant Program. We have our Committee Staff with us, Nicole Siegel, Legislative Analyst; Kasie Apo Takayama, Legislative Analyst; Stacey Vinoray, Committee Secretary; Jean Pokipala, Council Services Assistant Clerk; and James Forrest, our Legislative Attorney. And if it sounds like we have a doubling up on legislative analysts, we're still in training mode with some of our staff just to let the public know that we do...we have had new some staff come on in the recent weeks and months and so we're getting them all up to speed. So, Members, we have today three items on today's agenda. CAR-19, Recognizing the 2019-2020 Update to the County's Hazard Mitigation Plan, and this was referred to us by the PSLU Committee Chair, Tamara Paltin. So, thank you for sending this over. And we also have CAR-11, Recommending Community Liaisons to Assist the 2020 Maui County Hazard Mitigation Plan Update. That's an old item that's leftover and it's already been done so after we get done with the first item hopefully we can file the second item since that issue has been already taken care of this year. And we have CAR-9, Sea-Level Rise, Shoreline Erosion, and Managed Retreat.

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. . .BEGIN PUBLIC TESTIMONY. . .

CHAIR KING: Let's begin, if we can with public testimony, and I'll go to Nicole Siegel to find out if we have any testifiers this morning. Ms. Siegel?

MS. SIEGEL: It looks like we do have some testifiers this morning. We have five so far, it looks like.

CHAIR KING: Okay. So, testifiers wanting to provide video testimony should have joined the online meeting via BlueJeans meeting link, <https://mauicounty.us/join/498712703>. I'm not gonna read that whole thing. It's posted on the agenda. Testifiers wanting to provide audio testimony should have participated via phone conferencing by dialing 1-408-915-6290 and entering meeting code 498 712 703, which is also noted on today's agenda. Written testimony is encouraged by sending your comments to car.committee@mauicounty.us, and we have received at least one written testimony. Oral testimony is limited to three minutes per item. If you're still testifying beyond that time, I will kindly ask you to complete your testimony. And when testifying please state your name, your organization if you're testifying on behalf of an organization, or if you are a paid lobbyist, please inform the Committee. Please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or to chat with other testifiers. If you are here to provide testimony, please be courteous to others by turning off your video and muting your microphone while waiting for your turn to testify. And for those participants who wish to view the meeting only without providing testimony, please view a live cablecast on *Akaku* Channel 53. You can also visit mauicounty.us/agendas to access live and archived meeting videos. I remind Committee Members, Administration, and the public to please be patient if we run into technological issues and it looks like everything's running smoothly so far today. So, Members, let's proceed with oral testimony if there are no questions or comments. Ms. Siegel?

MS. SIEGEL: Chair, the first person signed up to testify is logged in as anonymous. Anonymous, are you testifying this morning?

MR. SEEBART: Hello, can you hear me?

CHAIR KING: Yes, we can.

MR. SEEBART: Okay, this is John Seebart. I'm sorry I'm anonymous but I...

CHAIR KING: We know who you are.

MR. SEEBART: I wanted to testify on sea-level rise. So, I want to make it clear I'm a volunteer and I sit on the board of the Kahana Bay Steering Committee and I represent kuleana property that is surrounded by condos. So, I don't have any financial interest whatsoever in any of the condos or the properties, but it is in my neighborhood and I'm really active in my neighborhood. That's my interest and I've been at it here for five

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years, so this is my background. The...I wanted to thank the Council for all that they've done and the committees with the sand studies and also for continuing the Sea Grant Program and Tara Owens who, you know, is a marvelous asset to the shoreline planning. And I wanted to just make...say a word on the CDF...CFD, excuse me, you know, it...I listened to the testimony time and time again and I don't know...the thing is, is the CFD is just a, for those that don't know, is just a mechanism by which the County can assist local property owners in almost...in very many situations where they want to do...*(inaudible)*...and to approve the ability of the County to do CFDs considering the long-range problems we're facing. It helps that these smaller communities can fund, self-fund and what the County is doing CFD...*(inaudible)*...

CHAIR KING: Can...Mr. Seebart, are you testifying under the CAR-9, which addresses sea-level rise and erosion?

MR. SEEBART: Yeah.

CHAIR KING: We don't have the CFD issue on our agenda, so if...

MR. SEEBART: Oh, I thought that was part of it.

CHAIR KING: No.

MR. SEEBART: Okay. All right, well, anyway it's very supportive. So, in any turn of the road I'd like to see that supported. So, but the sea-level rise, you know, we're on the Kahana Bay, we're trying to adopt that and we'd like to see it go forward, not only for us but for Maui County in general, and but in any case it does not obligate the County to anything to do it...*(inaudible)*...

CHAIR KING: Okay.

MR. SEEBART: Okay.

CHAIR KING: Is that it?

MR. SEEBART: That's about all I have to say.

CHAIR KING: Okay, we'll put that under the issue of erosion.

MR. SEEBART: Yeah.

CHAIR KING: Questions, Committee Members? Seeing none, next testifier...oh, I'm sorry, we have one question for you. Our Vice...Council-Vice-Chair Keani Rawlins-Fernandez.

MR. SEEBART: Yes?

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COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, mahalo for your testimony. I just I wanted to quickly clarify. You said that you represent the kuleana landowner and you're a resident at Kahana Bay?

MR. SEEBART: I live on Kaopala Bay, which is about, you know, little, about a quarter mile north of Kahana Bay. I have no financial or property interest in the Kahana Bay Steering Committee myself. I represent Felimon Sadang that one kuleana property that's surrounded by. I do that on a voluntary basis. I've been at it, been representing him now, him directly now for, gosh, I'm guessing but about three or four years and prior to that I was attending the meetings before the Kahana Bay Steering Committee was formed and we were various other entities that came and went but the issue to me is that Maui long term faces these interests. I mean, you look at the map of the POOIS [sic] the . . .(inaudible). . .

COUNCILMEMBER RAWLINS-FERNANDEZ: That answered...

CHAIR KING: You answered her question, Mr. Seebart.

MR. SEEBART: Yeah.

CHAIR KING: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Mahalo, Chair.

MR. SEEBART: Yeah.

CHAIR KING: Okay, mahalo. And mahalo for being here. Any other questions? If not, thank you for your testimony.

MR. SEEBART: Yes.

CHAIR KING: Ms. Seebart...Ms. Siegel?

MS. SIEGEL: Chair, the next person signed up to testify has a phone number ending in 6366. I went ahead and unmuted you. Are you testifying today?

UNIDENTIFIED SPEAKER: No, for some reason they put me on the list once again and . . .(inaudible). . .

CHAIR KING: Okay. Well, thank you for being here. Next testifier, Ms. Siegel?

MS. SIEGEL: Chair, the next person signed up to testify is Lynn. Lynn, it looks like you're muted. Are you testifying today?

CHAIR KING: Lynn, can you unmute yourself? I don't think we have you muted. Lynn? Going once, going twice, okay, we'll come back to Lynn, and move on to our next testifier.

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MS. SIEGEL: Chair, the next person signed up to testify is logged in as CA Cunningham.

CHAIR KING: Okay. Mister or Ms. Cunningham?

MS. CAPLAN: I actually...this is Jamie Caplan. Caroline is part of our team, so she's not gonna testify. We'll just give the presentation when you're ready.

CHAIR KING: Okay, that's Caroline Cunningham?

MS. CAPLAN: Yes, Caroline Cunningham.

CHAIR KING: Okay, thank you, Jamie. Next testifier, Ms. Siegel?

MS. SIEGEL: The next person signed up to testify is logged in as Lyndon.

CHAIR KING: Lyndon?

MS. SIEGEL: L-Y-N-D-O-N.

MR. IBELE: I am here. Can you hear me?

CHAIR KING: Yes, we can.

MR. IBELE: Oh, okay, thank you. My name is Lyndon Ibele and...

CHAIR KING: Can you spell your last name for us?

MR. IBELE: It is I-B-E-L-E.

CHAIR KING: Okay.

MR. IBELE: And I am a property owner in Maalaea. I've owned a condo there for 20 years, and I'm Vice President of the Maalaea Village Association. And I hadn't really planned to testify, but I guess I will since I'm on here. So, MVA, Maalaea Village Association convened a meeting of interested residents in February to discuss shoreline erosion and had a panel of experts there to help educate the community and subsequent to that there's been a community task force of volunteers that got together and met about two weeks ago to talk about working together to try to address shoreline erosion beach restoration issues. . . . *(inaudible)*. . . for Maalaea. This is kind of a critical issue for all of Maalaea because the entire village would be threatened if we had to relocate or try to set back according to new guidelines, so just want to thank the Committee for its efforts, your Committee for its efforts to try to address climate change and beach erosion, sea-level rise, and speaking on behalf of Maalaea Village Association are very appreciative of the guidance and involvement from your Committee. Thank you.

CHAIR KING: Okay, thank you, Mister...is it Ibele?

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MR. IBELE: Ibele.

CHAIR KING: Ibele, okay.

MR. IBELE: Ibele, yes, and we have met, Kelly.

CHAIR KING: Okay. And you're not a paid lobbyist, just to be clear.

MR. IBELE: That is correct. I am not a paid lobbyist.

CHAIR KING: Make that clear to everybody else. Any questions for our testifier? Okay, we have a question from Pro Temp Tasha Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I just wanted to be clear that the place that you're talking about is Maalaea?

MR. IBELE: Correct.

COUNCILMEMBER KAMA: Okay. Just wanted to make sure that we have the enunciation proper. Thank you.

MR. IBELE: Thank you.

CHAIR KING: Thank you, Member Kama. Any other questions for the testifier? If not, thank you for testifying this morning. We appreciate your input. Next testifier, Ms. Siegel?

MS. SIEGEL: Chair, the next person signed in to testify is logged in as Tiare Irvine.

CHAIR KING: Okay, Ms. Irvine?

MS. IRVINE: Hi, everyone. I can also turn on my video.

CHAIR KING: Go ahead.

MS. IRVINE: I don't know if video's gonna work, so I'll just speak. My name is Tiare Irvine. I am a resident of Maui. I was born here and raised in Ulupalakua. I'm currently residing in Pukalani, and I'm testifying with regard to a couple of things. I want to be appropriate to the agenda, so this comment is regarding shoreline erosion but more broadly couched in a conversation about County use of funds and sustainability metrics. I, for the last year, have been developing carbon tracking technology to enable carbon accounting using financial information, which makes, you know, use of funds towards sustainability efforts a particularly interesting and useful place to offer this technology. In addition to that, the sustainability metrics that our team has been anchoring around are local money multiplier impacts so looking at the local dollars spent into any sort of effort including an effort to mitigate shoreline erosion. On top of that, the technology that we are developing is a community design tool to essentially

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take current landscape photos and offer digital objects that can be added to those photos to create new visions for what our future could look like. Collectively, this tool is also available to individual residents as a design tool for implementing sustainability solution. And so the ask that I have is that, you know, as we move toward initiate, launching a bond, a fund of our own that will offer financing to local residents to be able to make these investments and develop these designs, our ask is to work with the County over the remaining 2021 Fiscal Year, I guess we'll call it, so the next 12 months to align this tool as best as we can to the existing realities within the County around how bond funds are issued or how any County funds really are issued. And see if we can create a, you know, because the technology is still in development our intention and our hope is to be able to create a technology that is best aligned with and serves the County. And so to be able to do that, we would like to work with the County on various, specifically I think with Councilmember King and our team have discussed as well as Councilmember Hokama and I have discussed the possibility of beginning around the wastewater use of funds and how those funds may be deployed to support a more sustainable iteration around County management of wastewater. However, because the design tool is a visual design tool, shoreline mitigation certainly is also in the wheelhouse and as you might imagined I have been...when I've been leaving the property, which has been very few and far between over the last few months, I go around to the various beaches and take shots of, you know, the Baldwin Beach Park, the pavilion, what that looks like, and, you know, the intention is to, again, be able to start creating an inventory of...

CHAIR KING: Irvine? Ms. Irvine?

MS. IRVINE: Did I go over my time?

CHAIR KING: You went over your time, so if you could just wrap it up in one sentence that would be great.

MS. IRVINE: Yes, yes. Just, yeah, just again, I think I wanted to bring it back to what's relevant to the agenda today which is the shoreline response plan. So, thank you. I really appreciate it.

CHAIR KING: Okay, well thank you.

MS. IRVINE: You're all heroes.

CHAIR KING: Thank you for being on the call. And this Committee, just so you know that we're looking at bringing this, the discussion about the carbon bond into the next meeting in July, which we'll have a lot more time for. I guess, we'll have a whole day thanks to our Vice-Chair's ---

MS. IRVINE: Yay.

CHAIR KING: --inventive ideas. We have one question for you from Vice-Chair Keani Rawlins-Fernandez.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Irvine. Mahalo for your testimony. Really quickly, what group were you speaking on behalf of?

MS. IRVINE: C3, which stands for Common Cents Collective, cents as in C-E-N-T-S. Yeah, that's our current name. We haven't done our final branding yet, but C3 will do for today. Thank you.

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

CHAIR KING: Thank you for that question. And we have another question for you from Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. My question I was wondering if you could clarify. I didn't quite understand. I think that you had said something about an app that would put structures in a picture that would help to, communities to envision the future. I don't...I guess I was wondering if you can clarify how that helps because, I mean, you could paint anything in a picture, but how does that help you understand the effects of whatever it is that you're putting in the picture with the ecosystem?

MS. IRVINE: Thank you so much for that question, Councilmember Paltin. So, what we're doing is we're meta tagging graphic objects with information about those objects. So, if it's say like--what kind of tree would we see growing?--like a palm tree down or a banyan tree. Say the banyan tree graphic image is tagged with, meta tagged with information about the carbon uptake capacity of a banyan tree, the soil erosion capacity of a banyan tree, how much...what its impact on that landscape is using a library of data that we're hoping to crowd source so that it's not just a consolidated ownership model but rather a publicly owned data archive that we're working with various organizations. There's a company called FarmLogs that is the technology company that, the sensor technology that captures some of this information. But the point is and your question is so valuable is and that it's a meta tagging feature on the...so the terminology we're using to describe the dashboard...the landscape is the imaginal landscape kind of interface and then we have this impact object library and the impact objects are the, essentially the vendor marketplace of all of the possible solutions that could go into a given landscape and have an impact on it. And we're really focusing on impacts that sequester carbon and that eliminate fossil fuel emissions and that have a local money impact through local business contracting. Those are our three...

CHAIR KING: Okay. And this is something you're working on, correct?

MS. IRVINE: Yes, yes.

CHAIR KING: Okay, so . . .(inaudible). . .

MS. IRVINE: And I can share the URL.

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CHAIR KING: We can . . . *(inaudible)* . . .

MS. IRVINE: I can share the website. There's a little more...

CHAIR KING: Yeah, we can get into this, in more detail in the next meeting, but I think it's something that they're in the process of putting together, so if we can...

COUNCILMEMBER PALTIN: And then if I could just clarify is that meant to be only for...is it for anything or is it for living organisms like trees? Would you also use it for like sea walls or T-groins?

MS. IRVINE: In theory it could be used for anything, but for now we're focusing on building the marketplace of impact objects only to include like vetted things that will sequester carbon so on that...in that case would be, yes, living things for the most part but then will also eliminate fossil fuel emissions so things like solar panels, electric vehicle charging, various type of perhaps like rain water catchment systems that allow you to be more energy efficient with your use of water on a property. Or other source of like very solutions oriented for the time being because the point is to encourage adoption of solutions that will get the County to fossil fuel free and net carbon neutral.

COUNCILMEMBER PALTIN: Okay, thank you.

CHAIR KING: Thank you for the question, Ms. Paltin.

MS. IRVINE: Thank you.

CHAIR KING: Any other questions for the testifier? If not, okay, we'll look forward to continuing work together and bringing some of these ideas back for a deeper discussion on this Committee. Thank you, Ms. Irvine.

MS. IRVINE: Thank you.

CHAIR KING: Ms. Siegel, do we have another testifier?

MS. SIEGEL: Yes, Chair. The next person signed up to testify their phone number ends in 6964.

CHAIR KING: Six-nine-six-four.

MR. EMANUEL: Aloha. My name is Ty Emanuel, I represent the Royal Kahana Condominium on Kahana Bay. And I would just like to thank the County. The County has worked collaboratively with the various organizations that are now the Kahana Bay Steering Committee on finding and implementing an erosion solution for our area, the coastline, and I just want to thank the County for the past support and ongoing support dating back at least to the 2016 offshore sand study that was done in partnership with the Kahana Bay Condominiums. And I would also like to speak in support of the proposed CFD for that project.

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CHAIR KING: Okay, thank you for your testimony. And you are, just to clarify, you're an owner at Kahana Bay?

MR. EMANUEL: Yes, I'm an owner and a board member --

CHAIR KING: Oh, board member.

MR. EMANUEL: --at the Royal Kahana.

CHAIR KING: Okay. Oh, Royal Kahana.

MS. SIEGEL: Would you be able to spell out your name for us, please?

MR. EMANUEL: Yes, my first name is Ty, T-Y. My last name is Emanuel, E-M-A-N-U-E-L.

MS. SIEGEL: Thank you.

CHAIR KING: Okay, thank you, Mr. Emanuel. Any questions? If not, next testifier?

MS. SIEGEL: Chair, the next person signed up to testify is Albert Perez.

CHAIR KING: Okay, Mr. Perez? Do you have a video? Albert, are you there?

MR. PEREZ: Hi.

CHAIR KING: Oh, there you are. Hey, . . . *(inaudible)*. . .

MR. PEREZ: Yeah. Hi. . . . *(inaudible)*. . . One of these days it'll be in person. Aloha.

CHAIR KING: Can't wait.

MR. PEREZ: So, yeah, good morning. I'm testifying on CAR-9 about the shoreline and erosion and stuff. First of all, I want to give credit to the Planning Department for really tackling a very thorny problem in what I consider to be a good balanced way. Of course, you know, we're talking about sustainability so my preference is for protecting the public trust but this is a difficult problem and real people are involved. They own property that really never should have been built upon in the first place, but I would like to remind all the Councilmembers that we need to protect the public trust. The beaches are public and when...we also need to protect lateral access along the shoreline. That's very important especially if you're a fisherman and anyway, when the shoreline is hardened the public trust can be lost and if that happens we have failed to protect it. Beach nourishment is usually temporary. It's very expensive and it may not be affordable to homeowner associations and such to keep paying these things on an ongoing basis. Also, structures such as T-groins to kind of hold the sand so it won't be washed away again, they work for that but they can affect the views, they can affect water quality, surf breaks, nearshore navigation. There's some impacts to these things

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that we need to be cognizant of. And so, like I said, I'm looking forward to...I appreciate the way the Planning Department has been approaching this. I'm looking forward to seeing some of these environmental impact statement documents. But I just wanted to remind your folks that whenever we lose our beaches, we have failed to protect the public trust. Mahalo.

CHAIR KING: Mahalo, Mr. Perez. Any questions for our testifier? And then just to...you're representing Maui Tomorrow? I don't think you said that.

MR. PEREZ: I am.

CHAIR KING: Councilmember Paltin?

COUNCILMEMBER PALTIN: Thank you. I just wanted to clarify the list of things that you mentioned that T-groins could affect, that wasn't an exhaustive list, right? Currents also could be...

MR. PEREZ: No, no.

COUNCILMEMBER PALTIN: Okay, yeah. Okay.

MR. PEREZ: I'm not a T-groin expert.

COUNCILMEMBER PALTIN: Okay.

MR. PEREZ: Just kind of things that I remember off the top of my head, but they have 'em...if you fly into Honolulu, the next time you're allowed to, if you look off to the left where Ewa Beach, Barber's Point...

COUNCILMEMBER KAMA: Iroquois Point.

MR. PEREZ: Yeah, Iroquois Point, they have T-groins there and you can see what they look like off the shore.

COUNCILMEMBER PALTIN: Seems to me the most...I mean, the most thing that I would think it affects for us in Kahana is the currents, the way the currents, the nearshore currents move because, I mean, sand moves with the currents or the waves, so.

MR. PEREZ: That's right.

COUNCILMEMBER PALTIN: Just making sure that wasn't an exhausted list.

MR. PEREZ: Oh, no. No, I'm not a T-groin expert, but I'm learning.

COUNCILMEMBER PALTIN: Okay, cool. Thanks.

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CHAIR KING: Thank you, Member Paltin. Member Sinenci, Vice-Chair, Committee Vice-Chair Sinenci?

VICE-CHAIR SINENCI: Thank you, Chair, and mahalo, Mr. Perez, for being here. I just had a question, you mentioned having the EIS for these T-groins, are...is there an authority on sea...these, I guess, these marine types of...a marine environmental types of things where or an agency could weigh in on these EIS?

MR. PEREZ: Well, in Hawaii we have Sea Grant, which has been pretty closely involved in this. We have the shoreline planners, of course. We have the DLNR, they have their Mr. Sam Lemmo, he's pretty expert at this. Chip Fletcher, I think is very knowledgeable about this and has done a lot of studies. There are also...

CHAIR KING: Excuse me? Are...Mr. Perez...I think...Mr. Sinenci, were you asking about who was actually going to be accepting the EIS that will be taking the testimony?

VICE-CHAIR SINENCI: I mean, I'm okay with his response, Chair.

CHAIR KING: Okay, I'm sorry. I just wanted to clarify what we were asking. Okay, go ahead.

MR. PEREZ: Yeah, what I was just going to say that there are also some private firms that do the engineering, but, you know, I always look with a little bit of grain of a salt--grain of salt, not grain of a salt--at things that are produced by private firms, even though they may be very thorough and knowledgeable there's always...depending on who their client is you have to kind of weigh it in that way, so I'll leave it at that. But there are a lot of experts with a lot of different opinions.

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

CHAIR KING: Okay, thank you, Vice-Chair Sinenci. Any other questions for Mr. Perez? If not, thank you for being here and thank you for being here with video. Appreciate it.

MR. PEREZ: All right, mahalo, aloha.

CHAIR KING: Aloha. Ms. Siegel, our next testifier?

MS. SIEGEL: Chair, we have one more person signed up to testify. It's Rita Ryan.

CHAIR KING: Okay, aloha, Rita. Are you there?

MS. RYAN: Aloha. Yes, aloha. Can you hear me?

CHAIR KING: Yeah, we can.

MS. RYAN: Oh, okay. Good morning. Good morning to all of the Climate Action and Resilience Committee Members, so excited to have our...this Committee to testify at. I'm Rita Ryan, I'm with the Climate Reality Project, the Hawaii Chapter. I'm also with

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350.org, the Hawaii Chapter, and I'm the Maui organizer for 350.org. So, I'm testifying on CAR-9, and I just wanted to make a few quick statements about sea-level rise zone. If you ever leave Hawaii and go, you know, anywhere else, say, on the West Coast that have done things like these sea groins and shoreline hardening, I mean, it's appalling what has happened to the shoreline. So and this, there's no argument that, you know, down drift from these groins, there's massive amount of erosion, and up-drift from these groins you trap the sand. So, whoever's up-drift and wants to keep their sand gets it, whoever down drift loses their sand. I can't tell you how many lawsuits this created in California the time I lived there anyway. If you go to Malibu now, there are houses built on the beach and all beaches have public access. You actually have to walk underneath the houses 'cause the houses are built up, they didn't build them back because Pacific Coast Highway was in the way. They built them up on pillars, they're ridiculous. You have to walk. If you're taking, you know, your dog or, you know, go, just going for a walk or a run on the beach you have to run underneath the houses to have access to the beach. That's something we don't want to see here in at Maui walking underneath, you know, hotels and condominiums and things like that. So, I'm also a marine naturalist, by the way, which is just another thing that I do, but definitely shoreline hardening always, almost always has consequences, negative consequences for the beach, for the marine life, and for the public, and for public access. So, regarding sea-level rise, I don't...no new permits in sea level rise zone, that would be ridiculous. And then we have to address rebuilding, if a building gets toppled in sea-level rise zone, do we rebuild it right there and wait for, you know, the next storm to come and knock it out? I think that's ridiculous. What insurance company...in California, they have to have special California insurance in the, on the coast and also up in the canyons where the wildfires are that keep knocking out the homes, they keep rebuilding them, and the State of California has to pay that insurance because no private insurance company will. So, we don't want to get into that situation where we've got all of these, you know, building owners suing the County because we let them rebuild in sea-level rise zone and now, you know, a next storm came and knocked them out. I'm...I am...I would go, be as aggressive as to revoke any existing permits in sea-level rise zone because we know what's gonna...let's think of common sense. We know what's gonna happen, okay. Shoreline hardening, none. The ocean always wins, okay. You can't reengineer the ocean. There's just no doing that without serious impact to the ocean, to the people who use the ocean...am I out of time? I haven't heard...

CHAIR KING: Yeah, I need to ask you to conclude if you can.

MS. RYAN: Okay, okay. So, you know, from where we stand, I think under the climate emergency declaration possibly we can revoke permits in sea-level rise zone. We can refuse to provide permits to rebuild in sea-level zone, because it's going to be an endless, you know, courtroom dramas if we don't stop, you know, knock it down now while we can, so that's just, that's our opinion. And if anybody has any questions, thank you.

CHAIR KING: Thank you. I was gonna ask if any Councilmembers have any questions for Ms. Ryan. Councilmember Paltin?

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COUNCILMEMBER PALTIN: Thank you, Chair. I just had a couple clarifying questions. I was wondering by sea-level rise zone, are you referring to the SLR-XA red line?

MS. RYAN: I'm talking about severe storm inundation zone as well. So, there's sea-level rise that's naturally...we know it's gonna rise naturally and quietly up to a certain point, but then there's the storm inundation zone, so in the events of big storms, king tides, things like that that line goes back even further, you know. I think it would be a good visual for the people of Maui County to see where those lines are and put up some red or orange tape or something around the beach to make people aware really of where those lines are. I've walked many, many beaches. I've taken a lot of classes at the University of Hawaii and looked at where, you know, sea-level rise is going and looking at those lines and we need to deal with this. We can't just every storm, look at is as, oh, that's an accident, let's, you know, let's rebuild, hopefully it's a 1 in a 100 year event. It won't be an 1 in a 100 year event, it'll be 1 in every 5 year event. So, I think we need to get a...

COUNCILMEMBER PALTIN: So, a follow up to that question --

MS. RYAN: Pardon?

COUNCILMEMBER PALTIN: --is...follow up to that question, do you know if that's severe storm inundation zone is above or below of the existing SLR-XA line that the Planning Department has?

MS. RYAN: I don't know what...if they included that or not and I don't know if anybody else can answer that.

COUNCILMEMBER PALTIN: Okay. My next question...

MS. RYAN: I'm not too...I'm not familiar with whether or not they included storm inundation zone as well. I'm just going off of the maps that we've all had available, the sea-level rise maps we've all had available for two or three years and those were...those are considered light, you know . . .(inaudible). . .

COUNCILMEMBER PALTIN: Is that the one off the PacIOS [sic] website? Is that the one you're referring to?

MS. RYAN: Yes, PacIOS [sic].

COUNCILMEMBER PALTIN: Okay. And my other question is the lawsuits that you referred to on the continent, the West Coast, were they resolved and do you know how they were resolved?

MS. RYAN: I think it was, you know, every owner, homeowner had their own lawsuit and their own resolutions about whether or not they can build and, you know, the City of Malibu, you know, of course didn't want them to build again, and but if you drive down the coast there are homes all along there. Big storms come in and you find a couple

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knocked out and they rebuild every single time and they put in, they put it, you know, they do the shoreline hardening, they have big sand movers. They're like...in the winter when all the sand comes in they got these big sand movers moving them back, back, back off the beach so they can save their sand from the next storm and then they push it back out when there's no, when there's, you know, no storms, so they have a sandy beach, you know, to walk on. But now there's no sandy beach, you got to walk underneath the houses, you know. I mean, it's ridiculous, you know, so. So, that's what we're gonna end up looking like, you know, is, you know, these raised houses over the water because homeowners claim that is their land, you know, and we've got to move fast before that happens here. I believe, you know, we know the storms are coming, the hurricanes are coming, we got to prepare for the storm inundation zone, not just the sea-level rise.

COUNCILMEMBER PALTIN: Thank you.

CHAIR KING: Okay, thank you, Ms. Ryan. I recall when the...when they had those landslides in Malibu, and I think FEMA covered the first ones that happened but then when the people decided to rebuild there and it happened again FEMA said, you know, we're not covering it the second time. So, you know, those are some issues we can look into, too, because, you know, you have your house there the first time and then if you know it's gonna happen and you rebuild that really is kind of your risk you're taking yourself.

MS. RYAN: Yeah, and yes, all the houses lost in the Woolsey fire have all been rebuilt already, you know. They had a year to rebuild and they're all right back up there and just ready, like a tinder box, ready to go on fire again in the next dry season. So, the State ends up paying that, they have this fund, an insurance fund, that I don't know it's gonna get exhausted. They have to sue the PG&E Electric whose lines caused that fire in order to, you know, recompensate themselves. So, unless Maui or the State of Hawaii has some sort of an insurance program because private insurance won't insure these properties, and if we're gonna depend on FEMA, which is gonna be exhausted as we, you know, the entire country. I think, I don't think Hawaii is on their highest priority list, FEMA's highest priority list right now but...

CHAIR KING: Yeah, Ms. Ryan, I really appreciate this conversation and I want to have it a little more in depth when we get to that. My office is working on a potential legislation that addresses, you know, infrastructure and building in the sea-level rise areas, so --

MS. RYAN: Okay, okay.

CHAIR KING: --we can get into more detail on that. We have a question from Committee Vice-Chair Sinenci.

VICE-CHAIR SINENCI: Chair, I was just wondering if Ms. Ryan could stick around to be a resource when we get to the item.

MS. RYAN: Yes.

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CHAIR KING: Well, the item is going to be a little more focused on the wastewater treatment facility, so in which you talked about, Rita, so if you're willing to, if there's no objections.

MS. RYAN: Yes.

CHAIR KING: Okay, great. Thank you so much. Okay, any more testifiers, Ms. Siegel?

MS. SIEGEL: Chair, it looks like somebody is logged in under the name Peter.

CHAIR KING: Okay, Peter. Do we have Peter here? Peter, can you unmute yourself?

MR. CANNON: Yes, Peter Cannon. I just tuned in to listen.

CHAIR KING: Oh, okay.

MR. CANNON: I have nothing to say.

CHAIR KING: Hi, Peter.

MR. CANNON: Thank you.

CHAIR KING: Thank you. I think we'll try one more time to see if Lynn is on? Lynn, are you there, if you would like to testify? If not, we'll...it looks like we have no more testifiers. Do we have any more testifiers, Ms. Siegel?

MS. SIEGEL: Chair, there is nobody else left to testify.

CHAIR KING: Okay. So, Members, any objections to closing testimony today for today's meeting?

COUNCILMEMBERS: No objections.

CHAIR KING: Okay, so oral testimony is now closed. Any objections to receiving written testimony into the record?

COUNCILMEMBERS: No objections.

CHAIR KING: No objections, okay. I don't...I think that was a no objection from Member Paltin or waving a fly away or something. Okay.

COUNCILMEMBERS: No objections.

CHAIR KING: Okay, great. Okay, so we're gonna go ahead close written testimony received, I mean, close testimony, receive written testimony into the record and continue on with our agenda.

...END OF PUBLIC TESTIMONY...

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CAR-19: RECOGNIZING THE 2019-2020 UPDATE TO THE COUNTY'S HAZARD MITIGATION PLAN (CC 20-175)

CHAIR KING: Okay, Members, the first agenda item is CAR-19 and this was a resolution that was brought to the Council through the Maui Emergency Management Agency. Do we have folks on from...Dr. Joyce, are you here? Director Andaya? Let's see who's here.

MR. JOYCE: Anthony Joyce is here. It looks like it's just me, so I will be the Emergency Management representative.

CHAIR KING: Okay, so we're reviewing County Communication 20-175, from MEMA Administrator Andaya and he transmitted the attached proposed resolution. Does everybody have a copy of the resolution from Granicus? It's entitled Recognizing the 2019-2020 Update to the County of Maui Hazard Mitigation Plan, and basically this resolution is to convey our support and recognition of the County, the Maui Hazard Mitigation Steering Committee and the 2019-2020 Hazard Mitigation Plan progress, which, for which we will be receiving an update from Dr. Joyce today. And I believe Jamie Caplan Consulting is also been in previous meetings giving us updates. So, we have both of them here today to provide us with the current update for...and then should we pass this resolution we...the next item will just be to file the issue. Dr. Joyce, would you like to...was that your presentation that was on the share?

MR. JOYCE: Yes, it was. Jamie has a copy of it. She will be giving the presentation.

CHAIR KING: Okay.

MR. JOYCE: If you don't mind, I just want...I would like to just say a few words real quick before we go into the presentation. I just want to thank...I want to thank you, Chair. I want to thank the Council and the CAR Committee. And I would like to also thank the testifiers today for their testimonies. We've had a lot of support from the Council and we very much appreciate this. The Council has also been a tremendous help with this plan, and we're very excited to be here to give you an update. So, thank you all very much. Before I introduce Jamie, I just want to say that we've made a lot of progress over the last, if you can believe it, it's been nine months already since we started this project. We made a lot of progress over the last nine months on the Hazard Mitigation Plan. We've had several...from the last time we met, we've had several community meetings, several steering committee meetings where information was gathered and refined for our plan. Minus the hurdle of COVID that has landed here, we still kept going and we found very novel ways of using technology to make sure that we still incorporate the steering committee and the public. But for now, I will end it there and I will introduce Jamie to talk about the update, and obviously I will be here and Jamie will be here later for questions. Okay, Jamie, it's all yours.

CHAIR KING: Okay, thank you, Dr. Joyce, and...for that update. I just wanted to recognize that nine months is not that long for those of us who have had children. A lot can

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happen in nine months and we really appreciate your work on this and we'll go ahead and hear from Ms. Caplan.

MS. CAPLAN: Okay. Can you hear me okay?

CHAIR KING: Yeah, we can hear you.

MS. CAPLAN: Okay, great. So, again thank you so much for having us again. We presented our project to you back in February and we appreciate the opportunity to give you an update on the County of Maui Hazard Mitigation Plan. This is a plan that FEMA requires all local and state governments to have in place to receive pre-disaster mitigation funding from the Federal Emergency Management Agency. The current Maui County plan is from 2015 and FEMA requires that the plan be updated every 5 years. While it's considered a living document, it requires a formal update every five years with another FEMA review. A FEMA approved plan makes the County eligible for pre and post-disaster mitigation Federal funding. We expect this plan to be completed and adopted by Maui County in early fall. While developing this plan, a list of mitigation projects will be created and a project tracking tool will be developed to keep track of the progress on all of these projects. We have got five tasks which overlap to some degree as that is the nature of mitigation planning. And as Anthony mentioned, we've been at this for quite a while. We began our process back in November of 2019 and planned to have a draft for you toward the end of summer for public review, and we've taken a community driven approach because each of these tasks includes participation from County stakeholders and the public. So, I'll just review now where we are in our process. For the planning process, we're maintaining our commitment to this community driven approach. We've had three steering committee meetings to date and plan to have a fourth meeting in early July. The steering committee includes over a dozen stakeholders who represent County government, utilities, non-profit organizations, and State government. In addition, we held a meeting in Hana and one on Molokai with each of their respective planning groups. We've also had three public meetings and have scheduled a fourth public meeting for June 30th on Zoom. The flyer for that meeting, which you're looking at on the screen is available on the County mitigation planning website. We encourage you and anyone in your departments or families to attend, and if you'd like to we can send you a copy of that flyer if you want to post it on the Council website. We have 448 responses to our public mitigation survey at this time and we'd love to reach 500 people. I'll give you some early results of that survey in just a minute. And finally as I mentioned, the draft plan will be available for the public to review towards late July.

CHAIR KING: Okay, thank you, Ms. Caplan. That would be great if you could send an electronic version of that flyer to the Committee and we'll transmit it to all of the Committee Members.

MS. CAPLAN: Perfect. Yeah, we'd be happy to.

CHAIR KING: Okay, thank you.

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MS. CAPLAN: So, some preliminary survey results, as I just mentioned to date, we have 448 completed surveys. This is just a snapshot of some of the results. The survey has been online and available since January. It includes 22 questions. The purpose of the survey is to give the public an opportunity to participate in our project in the development of the Hazard Mitigation Plan. The questions ask them about their level of concern for different hazards and how they would like the County to respond to those concerns. The preliminary results show us that 70 percent of respondents are most concerned about hurricanes and tropical storms, followed by fire and high winds. Fifty-six percent of people said they have hurricane insurance which seems to correspond with the high level of concern for hurricanes and tropical storms. Eighty percent of respondents believe in climate change and would like to see the County put plans and policies in place to address it. I always feel like that's confirming for us, for you, and what we're working on. The survey will be available through July 2nd, so anyone who has not taken the survey is encouraged to do so, and it's available at the link on the slide or by way of the County mitigation planning webpage, and I believe you have a link to it as well on the Council website. So, I'm gonna turn the presentation over now to Caroline to give you a preview of the risk assessment.

MS. CUNNINGHAM: Thanks, Jamie. If you'll go ahead and turn to the next slide, you'll see our process here for the risk assessment is to identify hazards, collect the data, and then develop hazard profiles. It's important to note that as we've identified the hazards and work through our risk assessment process we've done this through the eight community planning areas as well as the County as a whole. In the next slide, you'll see a snapshot of what these profiles look like and the information that goes into each hazard. So, this is the snapshot for the landslide one but this is consistent with each hazard that we've reviewed where we look to see the description, the location, previous occurrences, extent, probability, and a wide range of vulnerability factors as you can see there including climate change impacts. Next slide, please. I also wanted to point out that in the vulnerability assessment, PDC, the Pacific Disaster Center has taken the lead on doing some social vulnerability assessment. They did that at the census track level across a wide variety of factors, which you see here and they go much deeper than this. So, for example, access to information could include things like do they have access to the Internet and what languages are spoken in the household, and lifelines can refer to access to critical services such as medical and transportation. So, that helps us understand how the social factors in the population at large interacts with our hazard threats within the County. On the next slide, you'll see our full list of hazards that we reviewed within the plan. So, this list was vetted. Actually, we reviewed it at the Council at the last meeting and it's been reviewed at the public meetings, we were able to hold as well as with our steering committee. And we've added a few hazards from the last plan and they were added primarily to be in alignment with the State Hazard Mitigation Plan, which is one of the FEMA requirements. Of note we added health risks, so public health risks, and this was actually going to be added before COVID, but of course with COVID it has certainly taken on a broader light, if you will, to make sure that that's included, but it's much broader than COVID. It also includes other infectious diseases and noncommunicable diseases like diabetes, for example. Next slide. I also just wanted to show this sources of information. This is not a full extensive list, but the takeaway here is that we pull data from a wide variety

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of sources with all Federal, State, Local and others including university sources to help inform this plan. Next slide. So, the next few slides are just going to be kind of a snapshot of what you'll find when you look into the plan and that Jamie will talk about this but the draft plan will be out for review in the coming week. So, this is looking at flooding, and of course we look at flooding from many angles including both inland flooding as well as coastal flooding and sea-level rise. What's important to note here is we did do a structure specific analysis and you can see that in the map. We did our mapping and analysis as noted by the eight community planning areas, but the at risk, which of course is much easier to see in the plan itself, but those at risk structures are identified there in purple within the FEMA floodplain data, which you're seeing here for the 100 year floodplain as well as the 500 year floodplain. If you go to the next slide, Jamie. We also present this data in tabular format, so the idea is just to show that to present data in different ways. People consume information in different ways, so we wanted to present it in different ways. And of course, this is also associated with narrative text including what could those impacts be including road closures as well as the disaster declarations, FEMA's disaster declarations that have occurred such as the 2016 flooding on the Wailuku River in West Maui. Next slide. So, again this is just a snapshot of some of those impacts that we look at within the plan to understand what the hazard may bring to us in terms of both current and future risk. We know that with increased precipitation we're likely to see more flooding and that can put further pressure on our aging stormwater infrastructure as well as our, the impacts that we experience now with flooding including road closures, property damages and associated hazards like landslides. Next slide, please. And sea-level rise, too, again we want...we take a very deep dive into each one of these hazards and kind of a notable takeaway with this is that our analysis found that just about by 2100 there would be about 2 percent of the buildings we were looking at would be in those sea-level rise areas but that accounts for about almost 20 percent of the total building value or the total assessor data value, so there's a lot of high value risk along the coast that would be potentially impacted by sea-level rise. In addition to property, saltwater intrusion can wreak a lot of havoc on our stormwater systems and groundwaters, which creates more a challenge to secure freshwater and it threatens our biodiversity. Next slide. Also take a quick look here at landslides, so landslides is not just for landslides. It can also be more broadly rock falls, mud slides, and debris flows. As you're likely aware these are typically caused by heavy rainfalls. They can also be caused by seismic activity such as earthquake and there's increased vulnerability if a steep slope has been burned, for example. Some of the major impacts that are caused here include roads that are closed that can isolate populations and make emergency services a lot more challenging. And I also wanted to point out that there is some associated impacts with climate change although we don't typically think of it it's because of that likely increase of precipitation that could actually lead to more landslides across the County. Next slide, please. And in tsunami here, so with tsunami events we found a little over 60 reported events since 1800 so, and those are just the recorded ones and if we look at just those numbers we find that on average you're experiencing one every 3 to 4 years. Obviously, some of those are much more severe than others. For example, some of the more severe ones, in 1946 that was the highest wave heights including 54 feet on Molokai and 34 or, excuse me, 33 feet on the island of Maui and there was also several fatalities with that event. And in 1960 there was a disaster declaration and several

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homes were destroyed, and most recently in 2011, this was our most costly reported tsunami which caused over \$6½ million in damages and resulted in a disaster declaration. There's a lot of analysis that's been done on tsunamis and how they may impact the County. So, what you see there in the darker blue on the map are extreme tsunamis events which could be caused by an earthquake in the Aleutian Islands in Alaska. But it's important to note that there's certainly tsunami risk here and while most of the CPAs have risk certainly those with coastal areas, Kihei as well as West Maui have nearly half of their buildings are located in a tsunami evacuation zone. And I also wanted to point out there's some climate impacts here as well. With climate impacts we're losing a lot of our barrier reefs through coral bleaching and die offs and also with sea-level rise those tsunami waves can reach further inland. Next slide, please. So, this was just intended to be a snapshot of some of the information that's presented within the risk assessment. It's by no means a complete assessment of all the information and analysis that's gone into it. It just gives you a little bit of a feel. The next steps here are to summarize our vulnerability, which we do in the risk assessment, and we also rank the hazards. We'll rank them by County as well as community planning areas but that's done just as planning tool. It's not done as something that would ever impact your funding resources, for example. It just helps us lay that foundation for the mitigation strategy in terms of where we want to maybe focus on having more strategies, for example.

MS. CAPLAN: All right, thanks, Caroline. So, we're at the part now in our process where we're putting the mitigation strategy together and this is the portion of the plan where we identify the goals and actions the County can take to mitigate the risks identified. In this strategy, we'll include structural and non-structural measures. It includes climate adaptation measures and it considers cost ____ benefit. And the steering committee has developed the following mission statement for the mitigation strategy that reads protect people, the environment, the economy, and infrastructure from natural hazards and climate change. The goals for the mitigation strategy are the following: protect the life, health, safety and welfare of Maui County residents and visitors; promote the long-term resilience of the County's economic, environmental, historical and cultural resources; protect and adapt property and infrastructure from the impacts of natural hazards and climate change; improve awareness and mitigation of risks associated with natural hazards and climate change; enhance the implementation of this Hazard Mitigation Plan through active involvement and plan integration across all County departments. I think we've covered the key areas by including life and safety, long term resilience of multiple aspects of the County, property and infrastructure protection, education and implementation of this plan, and finally can see that climate change is featured, which is obviously relevant at this time. I think these goal statements support the overarching mission of the plan. So when we consider mitigation activities, we think of them in four main categories. And as you can see, climate adaptation actions can be part of each of these categories. So, plans and regulations that can include adhering to building codes and resilience standards in citing and design of building. Structure and infrastructure projects, which could include investing in resilient infrastructure. It also could include things like detention, retention structures, flood walls. Nature based solutions, which may include natural benefits of floodplains, stream corridor restoration, forest management, and wetland

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restoration. And education and outreach projects, which could include radio or TV spots, websites with maps, real estate disclosures, presentations to school groups, mailings, what have you. So, this is where we are in our planning stage today. We're fine tuning a list of mitigation actions with the steering committee. After developing the list of mitigation actions, we'll develop procedures for implementing and maintaining the plan. All of this will take place over the next couple of months. As I mentioned previously, we intend to finish the plan in July and allow time for the public to review the plan. The plan then goes to the State for their review and finally to FEMA for their review. And after FEMA's review, the County will need to formally adopt the plan. So, I do want to reiterate that the public does have an opportunity to review and comment on the plan, so several weeks will be allowed for that review to happen and we'll certainly announce that when it happens. So, I'll just finish by telling you thank you so much for the opportunity to share our project with you. We're happy to answer any questions that you have at this time, and certainly we can follow up by sending that flyer or anything else that you need. Thank you.

CHAIR KING: . . . *(inaudible)*. . . Sorry about that. I muted myself. I'm usually the one watching who's muted. So, thank you, Ms. Caplan and Ms. Cunningham, for the presentation. It sounds like a really good foundation for building the Hazard Mitigation Plan. And I wonder before I open it up to the Members for questions, if you could just speak to or Dr. Joyce how you are integrating this plan with the plan that we're...they're building in the upcoming Office of Climate Change, Sustainability and Resilience that is gonna be in the Mayor's Office. How do these two dovetail link together because there's some of the same issues? And we are looking for, you know, along with the hazard mitigation and hazard, you know, hazard prevention possibly we're also looking from the other office for climate change mitigation, but just if you could just speak briefly on how these two efforts will work together.

MR. JOYCE: Hey, Jamie, I can answer that.

MS. CAPLAN: Okay.

CHAIR KING: Dr. Joyce?

MR. JOYCE: The...what we've been doing is, is that...that group is also part of...well, the first thing is that group is also part of our steering committee, so a lot of the information that we talk about during those meetings in regards to information sharing and any of the, I guess, the foundation planning, the foundation like planning such as regulations, policy, all that good stuff, that's been shared between both of the groups. So, I think what...I think the main way that we've been kind of combining, I guess, our plan with the Mayor's group there is between information sharing and, I guess, policy idea sharing. So, we've been bouncing ideas back and forth to each other. So, it wouldn't surprise me if you will see some ideas in our Hazard Mitigation Plan that will also be, I guess, like laid out in the resiliency group's plan as well because of that sharing. So, yeah, we're working...I mean, pretty much we're working hand in hand with that group, which has been fantastic because the information that they have is sometimes information that we don't and vice versa.

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CHAIR KING: Okay, great. Well, they did a presentation at our last Committee meeting and they seem to be well prepped to hit the ground running on July 1st when we have an official office. So, I'm really pleased to hear that because I think this, it's actually an issue that's gonna cut across all departments, but you know to have you two working really close hand in hand is important.

MR. JOYCE: Sure.

CHAIR KING: So, Members, do you have...does anybody have questions? Should I just go down the line and give everybody a few minutes, a few questions? Okay, I'm gonna start with Committee Vice-Chair Shane Sinenci. Questions?

VICE-CHAIR SINENCI: Thank you, Chair. And yeah, my questions were along the same lines as far as working with the department, the Administration and, I guess, maybe with State agencies, for example Honoapiilani going out to Lahaina that you show some of the tsunami inundation zones that go way past into the SLR-XA. So as far as the highway, how is...I know the Department of Transportation is looking at possibly moving Honoapiilani mauka but what are...what is the Department of Emergency Management's role as far as partnering with State agency?

CHAIR KING: Question, Dr. Joyce?

MR. JOYCE: The...our role would be definitely to help facilitate that endeavor. It's a rather large endeavor to move the highway but it's something that obviously we all agree on will be needed eventually if not sooner rather than later. So, Emergency Management would be a really a small piece of the puzzle if it's a very large project, but with our plan and with our knowledge of just, you know, the different, I guess, Emergency Management policies and procedures, we would like to and we probably should be involved with discussions about when that time comes to move the highway. As of right now, it's been brought up several times. It's gone into our steering committee discussions because, you know, it has to be...the risk analysis in our plan shows that, so it's definitely been discussed and it's something that should be on the table for the future. But as of right now, there hasn't been any strong movement, but it's on the table and Emergency Management has made sure that information has gotten out to the State telling them, hey, this highway is going to be or is at risk and it's only going to get worse, so we need to now to start planning to do something about that road.

VICE-CHAIR SINENCI: Okay, thank you, Chair. And one more question for Dr. Joyce. So, it looks like from the presentation the tsunami inundation in the Kahului central area and so it looks like it really goes, you know, way inland and so is the County working to either expand our stormwater drainage capacity along near the harbor and into, and into Kanaha waterfowl area?

MR. JOYCE: I'm not totally sure. I think that...I haven't heard anything but that doesn't mean that nothing's being planned. I would probably in my...in your best interest so that you get your answer, I'm sorry, your question answered I would maybe refer to

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you...refer you to DEM or DPW or both to see if they have any plans for the future, but I'm currently not sure so I can't answer that 100 percent accurate for you.

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

CHAIR KING: Okay, thank you, Committee Vice-Chair Sinenci. I'm gonna go next to Councilmember Hokama because I think he's in the office...he's the only one in the office with me and we've had some drilling or something that's happening on the 9th floor that I keep hearing in the background but we have a lull right now. So, Mr. Hokama, while there's a lull on that background noise, would you like to take your turn at questions?

COUNCILMEMBER HOKAMA: Thank you so much, Chair, for the courtesy. I appreciate that. I'm pretty interested, yeah, I appreciate what you presented, but my area of concern is you made no mention of even going to Lanai once. I know you went to Hana, you went to Molokai, and that is wonderful. I would support more of that, but I haven't heard anything or have yet to read anything so far regarding your direction or approach for Lanai. You know, 'cause our community has been...and that's why our community has a certain type of attitude because if we don't fend for ourselves who fends for us. Okay, our breakwater broke down pretty much under Hurricane Iwa to cause and Senator Inouye 25 years to fix that and do, complete that project, 25 years for a navigational breakwater for our whole island. So, I'm concerned about how you're gonna approach Lanai. Manele Small Boat Harbor is the second key or the biggest transportation connection to neighbor islands particularly Maui, not the airport, that is sea-level. Kaunapali Harbor, like I say, where our breakwater took 25 years to repair, the only commercial connection for surface freight to the island. I bring that up because I have great concerns. Our airport is elevated so, you know, we got time. But I relay that right back to Kahului, Maui and Kahului Harbor and Kahului Airport, okay. I need something for you guys to show me what others are saying whether it's carbon negative programs or what that we got to do something and we have a ten-year clock ticking rapidly. So, is your plan addressing what type of timeframe, because if we not looking for something within 10 years and financing mechanisms how much more are we behind the 8-ball? That would be my question, Chair.

CHAIR KING: Okay, thank you, Mr. Hokama. So, Dr. Joyce, I guess the two pressing questions are can you address issues on Lanai and then address the timeline that you're looking at?

MR. JOYCE: Sure. So, we had--let me think, what is it--we had plans to go to Lanai this past, I think was it June or...Jamie, was it June or...

MS. CAPLAN: Yes, it was last week, I think.

MR. JOYCE: Last week.

MS. CAPLAN: Last week we were supposed to be there.

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MR. JOYCE: Right, exactly. And because of COVID and flight restrictions, obviously we could not go. And so, our plan is to...with the...I have a press release ready to go out and we have the public meeting that we're going to have and we're hoping and we're going to...I'm going to stress that not only that the public join this meeting, but we are going to focus, because we could not make it out to Lanai, we are going to focus on getting, making sure that press release and that public meeting gets out on Lanai pretty aggressively, because we do need the input in Lanai that's without a doubt. We've also done...Jamie, do you want to talk about the risk assessments 'cause there were risk assessments done on Lanai?

MS. CAPLAN: Yeah, so let me back up a little bit and say that we...the steering committee that we put together represents all of Maui County. So, as a team with Emergency Management, we're working through that steering committee to get involvement from all of the areas of the County obviously including Lanai. The risk assessment as Caroline showed you it breaks the County into eight planning areas that match the community plans that you already have in place so our plan is consistent with those community plans, which I think is really important. We're trying to make sure that whatever you're emphasizing in those plans is then consistent in our plan as well. So, we did plan to have public meetings in each of these communities, and obviously because of COVID that's not gonna happen so we will do the public meeting via Zoom. But we have done the survey and we are looking...the risk assessment does look, as Caroline mentioned, into each of these areas. So, all of the hazards then take a deep dive into each of these communities, eight community planning areas. And then we're coming up with mitigation actions that will meet the needs that will address those risks in each of those planning areas but those mitigation actions are coming through the steering committee. Hopefully, that helps answer the question.

COUNCILMEMBER HOKAMA: Great. And that really helps but I still need a Lanaian that is ma`a to our island, yeah, and our island uniqueness. Great you got all these other people, but at least, you know, Molokai has a Molokai person.

MS. CAPLAN: Right.

COUNCILMEMBER HOKAMA: Ms. Lindo, okay. So, you know, at least they got someone speaking up for them that I can depend on that understands Molokai. I look at the list, I cannot depend on anybody speaking up for Lanai that I'm comfortable with.

MS. CAPLAN: Is there somebody that you can recommend, because we can certainly add somebody to our list to include them, or if you...

COUNCILMEMBER HOKAMA: If you . . . *(inaudible)* . . . that would be Mr. Rob Sanches, who is the supervisor of Public Works and he's one of your disaster Civil Defense...that's Emergency Management, I think, contacts currently. We consider him to be very good. Maybe the new Lieutenant Kim Masse, she was a long time sergeant there. Mr. Albert Morita, retired DLNR, might be someone you might consider. Yeah, I would just ask one thing, Chair, if you'll indulge me, please do not underestimate the difficulties of broadband connection on Lanai and the bandwidth connectivity. You

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know, not every place has good signal strength so, you know, even with outreach and telling people to use Microsoft or whatever program we using, understand not everybody will have very good connectivity to participate and I just ask that you take, keep that in mind. Thank you.

MS. CAPLAN: Yes, thank you.

CHAIR KING: Mr. Hokama...to our presenters, if I could ask you do you have videos you can share so we can see you on screen with us?

MS. CAPLAN: Sure, I can share. Let's see...

CHAIR KING: Dr. Joyce, okay. There's Dr. Joyce.

MS. CAPLAN: Here I am.

CHAIR KING: Great, thank you. And then I think Mr. Hokama's, Councilmember Hokama's other question was on the timeline. Are we looking at these recommendations happening for the next...within the next ten years?

MS. CAPLAN: So, just to keep in mind, the Hazard Mitigation Plan, FEMA requires that the plan be updated every five years, so the mitigation actions within the plan must span only five years. We can put in some kind of recommendation that would go beyond the five years but FEMA wants to see what the County can accomplish within five years. So something like moving the highway, which obviously is beyond the County's capability and will take longer than five years, we break it into chunks to include what's reasonable within a five year span.

CHAIR KING: Okay, well that's good news. I think the concern was just that we don't want it to be something that comes to us like with these recommendation ten years from now and so --

MS. CAPLAN: No.

CHAIR KING: --you know, this is good news that it's moving quickly. Okay, we'll go next to Vice...Committee Chair...okay, so we have Council Chair Alice Lee.

COUNCILMEMBER LEE: Thank you, Madam Chair. I just have a really quick question. At the end of the day will you also have a financial plan to figure out how to pay for the implementation recommendations, and if not that at least a priority of which things should be built or addressed first because this seems to be like a very good plan but like many plans the best laid plans sometimes have long shelf lives.

MS. CAPLAN: Yes. Those are good questions and I neglected to address them in the presentation. So, in terms of implementing the plan, after we come up with this list of mitigation actions or projects, if you will, each department that's putting forth projects is also gonna put forth a dollar value that they think the project will cost and then

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they'll also prioritize that list. Then as the steering committee together the committee will come together and look at that priority list and pull out the projects that they think are highest priority for the County as a whole. All of that being said, you don't have to implement your projects in the order that they are prioritized in the plan. There's no FEMA requirement that you implement them in that order, but it is helpful to the County as you receive funding to have designated in order of priority, so that does get included and it looks at benefit cost analysis, how many...the priority order looks at a few things, so benefit cost you'll look at how many people, you know, are you saving lives and property or just property, you know what I mean, with weighting heavier saving lives obviously. Are you mitigating risk to one hazard that's not likely or to many hazards that are very likely? So, we weigh all of those things and that's how we help the steering committee come up with the priority order.

COUNCILMEMBER LEE: Thank you. I appreciate that. Thank you

CHAIR KING: Thank you, Chair Lee, for your questions. So, next we'll go to Council Vice-Chair Keani Rawlins-Fernandez. Questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, I have a few questions. Kind of along the same line as Member Hokama. So, looking at your presentation on Slide 5, I see that most of the responses came from Central Maui, and so I'm assuming a lot of the hazards of concern on Slide 5, hurricane, tropical storm being the first, fire being the second, high winds being the third of the highest hazards of concern that it primarily came out of Central Maui since that's where the bulk of the surveys were completed and submitted. So, it looks like there's less than 50 surveys that came from Molokai, Lanai, Hana, West Maui. Do you have numbers for surveys collected from those areas and will the plan divide up the districts, the community plan districts by hazards of concern, so each district have different concerns?

MS. CAPLAN: Yes, yes. So, when you do...overall, yes. So when you do a hazard mitigation plan we're gonna look at quantifiable data so that's a lot of what Caroline expressed and showed to you crunching GIS and looking at these maps and all this data. But then we also want to look at qualitative data, which is something like this survey, the public meetings, speaking with you folks, and then within the plan within each of these planning areas that we designated that list of priority shifts based on where it is. And then with the survey results, I mean, granted we've got over 400 results, which is good. At the same time, if you look at how many people are in Maui County, 400 is not very many, you know, it's a very small percentage. So, you have to take the results with a grain of salt and it doesn't...the results don't really guide the plan in a huge way. They sort of...they help a little, but you know, you can't weigh too much on what 400 people or 500 are saying, and obviously with COVID we didn't get to all of these communities and we had intended to, so it will not shortchange anyone, if you will, just based on these results. There's no negative impact to the other areas.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo for that. So, are...I understand that the surveys won't have...won't be a huge factor in, I guess, the recommendations or the list of hazards of concerns, but are you also trying to make sure that each district

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have a certain number? So, in the beginning of your presentation, you said you're hoping to get at least 500 surveys collected. Are you also making sure that each district have a minimum number of surveys collected?

MS. CAPLAN: So, I can't say that we're gonna make sure that we have a certain number from each district, but we have distributed the surveys through the entire County through press release. We've also...Anthony has done a really good job of reaching out not only to you folks, 'cause I know it's on your website, but the, through the Mayor's Office, the Council, trying to help us get folks in each of these different communities participating. And because the steering committee is so broad I think that that's helped bring in results because they're reaching the different parts of the County. But again, it's not...it's a short timeframe and it's not a perfect system and then COVID does throw a wrench into some of it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo for that response. So, last question, Chair, regarding Lanai. You said that you're going to conduct a public meeting via Zoom on Lanai, and how are you spreading the word about that? With a press release?

MR. JOYCE: Yes. We're going to send down a press release and I...one of my favorite...Council has been gracious enough to let me go through your EA's and the EA's have been using their connections to the community to spread the information and it's worked rather well. Because the...because we were supposed to go to Lanai last week and couldn't because of the COVID restrictions we're going to use that again. We're going to go through the EA's, we'll...we will go through press release, and really make sure that this meeting gets out to the community members. And to answer as well, answer your question and Councilmember Hokama's comment is that we know Sergeant Masse pretty well here at Emergency Management, so I will make sure to contact her and make sure that myself and Jamie and the team get a meeting with her to talk about Lanai because she would be a fantastic tool and person to really talk about Lanai. But, yeah, we are...with the communities that we could not meet because of COVID we are going to...I don't use...I don't want to use the word aggressive but we're gonna try to aggressively really get that word out to the community, so we can at least get them on the Zoom meeting and hopefully increase the number of surveys because the surveys have been very helpful.

COUNCILMEMBER RAWLINS-FERNANDEZ: I like the word aggressive. That means you're gonna try really hard.

MR. JOYCE: Yeah. Yes.

CHAIR KING: For us aggressive is not a negative word if you're trying to do something fast.

COUNCILMEMBER RAWLINS-FERNANDEZ: Not in this context, yeah, we like aggressive. Yeah, make sure to, yeah, broadly reach out to the community groups as well. They can help to spread the word. Mahalo for...

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CHAIR KING: And work directly with Councilmember Hokama as well.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right. Mahalo, Chair.

MR. JOYCE: Thank you.

CHAIR KING: Mahalo, Ms. Rawlins-Fernandez. Okay, we'll go to Council...Pro Temp Tasha Kama. Any questions? Can you unmute yourself?

COUNCILMEMBER KAMA: Yes, thank you, Chair. Yes, I had a couple questions. First, I wanted to know from Dr. Joyce couple of things, real quick though, do you...and so, I looked at your survey and that's a lot of questions for people to answer and that's a lot of checkmarks, 21 questions, it's really thought provoking, you have to be able to read it through, take some time to understand what's actually being said and you have kind of like digest all of that and I'm not sure if maybe just looking at the survey questions alone says, oh, that's gonna take me too long to do or would be discouraging, maybe certain people to fill that out. I don't know but I was just...it just crossed my mind that, you know, if you want people to really do something sometimes you got to make it easy for them. And although I think it's a great survey, the questions are really great and good, it's good, that's the kind of questions you want to ask in a public setting when you got people in the front of you and everybody can just talk about it, but when I'm sitting at home and I'm saying, oh, I don't have time to do this, so I won't do that. But nonetheless, that's just my comment about the survey. I mean, I'll probably take the time to sit and read it but not now because I'm busy and I'm supposed to be concentrating here, but I wanted to see the survey to see why was it that you had a large turnout in certain parts of our community as opposed to others, right. So it comes down to what people thought was important to them, but thank you for that. But also I wanted to ask you, are you going to be doing more public outreach? I heard you were going to do it in Lanai, but are you gonna be doing any more public outreaches, or are you just...is this...are you done? And then the third thing was what do you anticipate would be the cost to be able to implement this as we go? So, those are my questions, Chair, thank you.

CHAIR KING: Thank you, Member Kama. Dr. Joyce?

MR. JOYCE: Thank you, Councilmember. Great question. So, at this point because of the hurdle as we know as, formally known as or known as, excuse me, COVID, in order to keep on the timeframe because there is a strict timeframe for to get our plan to the State and then to FEMA, the next outreach event, public outreach event we're going to have is going to be through Zoom because the timeframe I don't think we have time to plan in person public meetings. You know, also because of the restrictions but because we have a strict timeframe but we will do as much as we can to make sure that that Zoom meeting gets out to the public. I know it's not ideal but COVID just kind of came up and kind of changed the way we do things. So, we're working with it and we're using technology, so hopefully we can get a large turnout. And as for cost, the...it's an interesting question because to adopt...so for starters to adopt the plan it doesn't really cost anything, right. The plan is verified by the State, accepted by FEMA, and then it's

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up to the County to adopt, so adopting itself does not cost anything. What will cost is when we look back at the plan after it's been adopted and we go through, let's say for example, the Central Maui planning district, right, and we look at the list of mitigation actions that we prioritized based on that district, so each district will have a, you know, different set of prioritizations. Those mitigation actions will cost money and most of these actions we will try to get FEMA funding. We will try to get Federal funding to help basically initiate these projects. Now, some of them if the County has the budget or department has the budget or the County puts away money for a certain mitigation action that's fantastic but usually the mitigation actions we will try to get FEMA funding for. And that would be under a grant which would be...it would be 100 percent grant funding but there'll be a 25 percent cost share so you're looking at 75 percent funding for the project and then the cost share 25 percent the County would have to, you know, take out of their own pocket. But most of the projects can be hopefully supported by Federal funding.

COUNCILMEMBER KAMA: Okay, so last question, so the implementation of the plan is where all the money is gonna . . . *(inaudible)* . . . cost, that's where the factor, the cost factor would come in, right, the implementation of this plan?

MR. JOYCE: Of the...yes, of the mitigation actions. Yes.

COUNCILMEMBER KAMA: Of the mitigation plan.

MR. JOYCE: Yeah. Yes.

COUNCILMEMBER KAMA: Right. So, you have here your...you have everything up to July 2020, so when do you anticipate implementation?

MR. JOYCE: It's after the plan is adopted by the County, we can start looking at mitigation actions right away.

COUNCILMEMBER KAMA: So when do you anticipate that, the adoption?

MR. JOYCE: I guess to...it depends on funding sources. Oh, when...oh, I'm sorry. When do we anticipate adoption?

COUNCILMEMBER KAMA: The adoption and then the...yeah.

MR. JOYCE: Hopefully by October, the County...

COUNCILMEMBER KAMA: Okay.

MR. JOYCE: We'll have it back to the County and the County can adopt it in by October and then after that we can start looking at mitigation actions and after that funding opportunities.

COUNCILMEMBER KAMA: So, we'll be hearing back from you about that time then, right?

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MR. JOYCE: Hopefully yes.

COUNCILMEMBER KAMA: We'll be hearing back...

MR. JOYCE: I would like to.

COUNCILMEMBER KAMA: Okay.

MR. JOYCE: Yes, yeah, absolutely.

COUNCILMEMBER KAMA: Okay, thank you.

CHAIR KING: Okay.

MR. JOYCE: Thank you.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR KING: Thank you, Member Kama. And you know, that gives us...that'll give us time to address it in the next budget cycle as well and also to see what grants and FEMA funding are out there. Okay, Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you. I had a little bit similar concerns to Member Hokama. Is it the Exhibit 2 is the members of your steering committee?

MS. CAPLAN: I didn't put a list of the steering committee members into the presentation. I can send you a list if you'd like it.

COUNCILMEMBER PALTIN: Oh, what was Member Hokama referring to that he didn't feel that there was good representation from Lanai? Was it...

CHAIR KING: I think it might've been because there was nothing about Lanai in the mitigation plan, the overview that we were looking at, but all that...Mr. Hokama, if you want to just quickly answer Member Paltin's question, what list you...

COUNCILMEMBER HOKAMA: I just looked over the list from Exhibit 2, which, you know, there's a lot of our people from Maui Electric and other support groups including County and State agencies. That's the list, Ms. Paltin.

COUNCILMEMBER PALTIN: Oh, thank you. I was wondering if it would be possible for me to add some West Maui members to your short list as well, being that in this COVID times that we can't reach out like how we would really like to in person and it kind of limits the amount of people and the type of people that can participate in this type of hazard planning. Similar to Mr. Hokama I'd like to recommend our Public Works Mike Tihada. Similar to Ms. Rawlins-Fernandez, I'd like to recommend my district office Michele Blair, she formally was the Red Cross Administrator for the island as well

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as Pastor Jay who does a lot of outreach to, you know, the community that doesn't have access to Internet all the time. And I just was wondering, you know...look at my notes.

CHAIR KING: And while you're doing that, Ms. Paltin, Dr. Joyce, if you can sort of give us a channel of, you know, there may be other Councilmembers that have recommendation and maybe you can entertain, you know, suggestions from the Councilmembers if they feel their districts, you know, aren't...are light on representation.

MR. JOYCE: Sure, yeah. And I would gladly accept them via e-mail if that would be okay, that's fine with me. Also this list is quite a few months old because I submitted this resolution a few months...at least a few months back so the list has grown but, please I am 100 percent open to new members. We still have time, so please e-mail them to me. I would be glad to have extra members. The more the merrier.

CHAIR KING: Okay.

COUNCILMEMBER PALTIN: Okay, I'm going to e-mail that to you in addition to what I just said so that you have it or you got written down what I just said?

CHAIR KING: Why don't you send an e-mail with all your suggestions and so he has it in one place from each Councilmember.

MR. JOYCE: Yes, please, yeah, thank you.

COUNCILMEMBER PALTIN: Okay. And then I was wondering what is the connection to the money in the operating budget for advertisements and public outreach? I've not really seen much advertising or press about this. I think the last time we had the meeting on this subject I saw something briefly. I reposted something on Facebook with the survey link, but I had...I was under the impression that there was FEMA grant money for advertising and I feel like I haven't seen anything and I try to keep up with the news and things. And I'm thinking that if I haven't seen it, then the broader public probably hasn't seen it, and so we're not reaching a lot of people. And, I guess, the question also is I can see the detriment of missing the deadlines and so we have to hit the deadlines because we want to be qualified for this pre and post-FEMA money. What is the detriment of not reaching the community that doesn't have access to Zoom, that doesn't have access to media, that doesn't have Internet connection? What is the downfall in not hitting those people that you see?

CHAIR KING: Dr. Joyce?

MR. JOYCE: To answer your first question about the budget, I would probably have to redirect you to Herman Andaya, 'cause I'm not 100 percent sure, so I won't be able to answer that accurately for you. But for the second question, it is...I think if the...well, let's say, it's not ideal, it's not ideal to...for those that don't have Internet and they potentially would not be able to--what do you call it?--join the conversation, you know, with everybody else and yes that is not ideal. We've hit a hurdle that we're still trying

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to figure out because of all the travel restrictions and we also didn't want to have major in person group meetings because of the possibility of spreading the disease so that was also another priority, health and safety. So, I think what we've been talking about here is maybe some other...at least for now, 'cause we're still into some of these restrictions, we're thinking of maybe some way that we can still get the word out via something tangible like mail, U.S. Postal perhaps because some of these individuals like you mentioned, Councilmember, might not even have television, so even if we made commercials or advertisements it still might not get to them. So mail might be a really good possibility that we've been trying to think about. But it is...that is a pretty...that's a hurdle that we're still trying to get through. Would you have any suggestions?

COUNCILMEMBER PALTIN: Radio.

MR. JOYCE: Radio.

CHAIR KING: Also, Dr. Joyce, you might want to think about piggybacking with some messaging on all of the mailings that are going out for the election.

MR. JOYCE: Okay.

COUNCILMEMBER PALTIN: Census.

CHAIR KING: Yeah, the Census . . . *(inaudible)* . . . local, you know, governments are sending out mails, mailings for that and for the election so maybe piggybacking with your message on some of those mailings.

MR. JOYCE: Okay.

CHAIR KING: Cheaper and save some trees maybe.

MS. CAPLAN: Could I add something, Anthony?

MR. JOYCE: Sure.

MS. CAPLAN: So, something to kind of keep in mind...first of all, we did do radio in the past for some of the meetings, so and it was quite easy to do that so we certainly can do that for Zoom and I think it worked well. I think something to keep in mind when you do a plan of this scope is that you don't want to be stuck in the planning process forever, so we want to make sure that we get the plan written and as you said so that you're eligible for this pre and post disaster funding, but the plan is never really finished. It's a living document. So, as you experience disasters, as you have opportunities to get the public more involved, as priorities shift, funding becomes available your list of mitigation actions, your list of priorities can continue to evolve, so even though we're gonna get to the end of this FEMA's gonna approve it, you should adopt it so that you have that eligibility. You can turn around the next day, make an amendment, have, you know, West Maui, you know, pre-prioritize their list of actions based on any kind of committee meeting that you have or if you, God forbid, had a disaster. So, I don't want you to feel

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like whatever we put in this one plan you're stuck with it forever. You're not stuck with it at all, but I also don't want you to try to keep fine tuning it to get every single person and their opinion involved because then you will be here, which isn't gonna serve you either. So, we have to kind of balance that, if you will.

CHAIR KING: Okay, well it would be great if you could send us a timeline, too, for just for the Committee's purposes because that seemed like a really short timeframe for public comment that three weeks. But any other questions, Member Paltin, before I go to Vice-Chair, our Council Vice-Chair?

COUNCILMEMBER PALTIN: Just if somebody could post where they want the e-mail to be sent with the names that we'd like included in Exhibit 2, or your steering committee for, what you call...and I thought it was kind of interesting that your last name has the word plan in it and you're making the plan and it's kind of cool.

CHAIR KING: Dr. Joyce, do you want to give us just right now your e-mail or you want to send it in writing to the Committee?

MR. JOYCE: Sure, I can give it to right now. How would you like it? Do you want me to --

CHAIR KING: Just say it.

MR. JOYCE: --spell it out for you? Okay.

CHAIR KING: Just say it.

MR. JOYCE: Okay. Anthony...

COUNCILMEMBER RAWLINS-FERNANDEZ: Staff...Chair, Staff already sent it to Member Paltin.

COUNCILMEMBER PALTIN: I see it.

CHAIR KING: Oh, someone sent it already? Okay.

MR. JOYCE: Okay. Thank you, guys.

CHAIR KING: Okay, thank you. Any last comments or question? Council Vice-Chair Rawlins-Fernandez, did...

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Really quickly, I just wanted to let Member Paltin know that the list that you were asking about is January...is on CAR-11, Item CAR-11, January 6, the January 6 meeting, it's the one of the presentations that was given at that time. It's Slide 7 and it has the list and Michele Blair is on that list when she was with American Red Cross. That was one of the people that you named, yeah.

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COUNCILMEMBER PALTIN: Yeah, but she wasn't contacted even though she's on that list.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, okay, yeah.

CHAIR KING: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: That's all. Mahalo, Chair.

CHAIR KING: Okay, we're gonna...I want to...oh, Member Kama, you have one more question?

COUNCILMEMBER KAMA: I just wanted to ask if they put the survey out on social media, if they want people to.

CHAIR KING: Oh, if you could do that...or have you done that?

MR. JOYCE: Yeah, yes. We've been...that's one of our avenues. We've been putting it out not only on the webpage but also on our Emergency Management social media as well as the County Facebook page social media as well.

CHAIR KING: Okay. Okay, well I wanted to go to potential action today since we had a pretty rich discussion. And I appreciate the presentation, all the work you folks are doing and how it's going to dovetail into the Office of Climate Change that we just created in the last budget. So, everybody should have a copy of the resolution and first I'll entertain a motion to recommend adoption of the proposed resolution entitled Recognizing the 2019-2020 Update to the County of Maui Hazard Mitigation Plan; allowing Staff to make any nonsubstantive changes, revisions; and filing of County Communication 20-175. Is there a motion?

COUNCILMEMBER KAMA: So moved.

COUNCILMEMBER RAWLINS-FERNANDEZ: Second.

COUNCILMEMBER KAMA: Second.

CHAIR KING: Okay, moved by Pro Temp Tasha Kama, seconded by Council Vice-Chair Rawlins-Fernandez. And any discussion or would folks like me to read this? I gonna...I guess I'll go ahead and read the resolution for the record and so that the public understands what it is. WHEREAS, the County of Maui is subject to the effects of natural hazards that pose threats to life and property; and WHEREAS the County desires to mitigate the impact of known hazard risks; and WHEREAS the County of Maui Hazard Mitigation Plan--in parentheses called--("Plan") represents the County's commitment to reduce risks from natural hazards and serves as a guide for decision makers as resources are committed to the effort to reduce the effects of natural hazards; and WHEREAS, in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act, as enacted by Section 104 of the Disaster Mitigation Act of 2000, Public Law 106-390, the Plan must be updated every five years; and WHEREAS, the Maui Emergency Management Agency is responsible for advising

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all County departments and agencies on the Plan's implementation and has launched a comprehensive update to the 2015 Plan; and WHEREAS, the Work Plan for the County of Maui Hazard Mitigation Plan Update, dated December 2, 2019--called-- ("Work Plan"), attached as Exhibit "1," describes the update process, which includes the establishment of a County of Maui Hazard Mitigation Steering Committee--called the-- ("Steering Committee"), representing County departments and public stakeholders, as shown on Exhibit "2"; now, therefore, BE IT RESOLVED by the County...by the Council of the County of Maui: That it supports and recognizes the 2019-2020 hazard mitigation planning process as described in the Work Plan for the County of Maui Hazard Mitigation Plan Update, dated December 2, 2019, as described in Exhibit "1," which update will be completed by the Maui Emergency Management Agency by October 31, 2020; and that it hereby recognizes the County of Maui Hazard Mitigation Steering Committee as described in Exhibit "2" attached hereto; and, three, that a certified copy of this resolution be transmitted to the Mayor and the Maui Emergency Management Agency Administrator. That's the resolution and if there any other comments or questions about this; otherwise, I'll call for the question. All those in favor of the motion --

COUNCILMEMBER KAMA: Aye.

CHAIR KING: --raise your hand and say "aye."

COUNCILMEMBER LEE: Aye.

COUNCILMEMBER KAMA: Aye.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aye.

CHAIR KING: Any oppose? Okay, measure passes seven to zero.

**VOTE: AYES: Chair King, Vice-Chair Sinenci, and Councilmembers
 Hokama, Kama, Lee, Paltin and Rawlins-Fernandez.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: Recommending ADOPTION of resolution and FILING
 of communication.**

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CHAIR KING: Thank you very much, Dr. Joyce and team. We really appreciate all the work that you're doing and look forward to the mitigation priority list

CAR-11: RECOMMENDING COMMUNITY LIAISONS TO ASSIST THE 2020 MAUI COUNTY HAZARD MITIGATION PLAN UPDATE (CC 20-41)

CHAIR KING: And while we're on the part of the same subject I wanted to go ahead and address the second item on the agenda CAR-11 which was sort of an old master agenda item from PSLU, which was Recommending Community Liaisons to Assist the 2020 Maui County Hazard Mitigation Plan Update. So, my plan was to...since we passed the resolution to file this item and then the next update we get will be for 2021, so...

VICE-CHAIR SINENCI: No objection.

COUNCILMEMBER LEE: So moved.

CHAIR KING: Do we have a motion? Okay, motion by Chair Lee to file. Is there a second?

COUNCILMEMBER KAMA: Second.

CHAIR KING: Motion by Chair Lee, second by Pro Temp Tasha Kama. Any further discussion? If not, all those in favor of the motion to file, say "aye."

COUNCILMEMBERS: Aye.

CHAIR KING: Any oppose, raise your hand and say "no." Okay, measure passes seven to zero.

VOTE: AYES: Chair King, Vice-Chair Sinenci, and Councilmembers Hokama, Kama, Lee, Paltin and Rawlins-Fernandez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: Recommending FILING of the communication by C.R.

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CHAIR KING: We'll go ahead and file that item and then we'll look forward to . . . *(inaudible)*. . . the next when the plan comes back to the Council. And with that, Members, we'll take a . . . I'd like to take ten-minute break before we get to our third and final item on the agenda, CAR-9. And you have a comment, Member Paltin?

COUNCILMEMBER PALTIN: Sorry, I'm just telling my kids we're almost on a break.

CHAIR KING: Okay, I saw you talking. I didn't know if you were . . . you didn't know you were muted. Okay, so thank you very much, Dr. Joyce, Ms. Caplan, and . . . oh, we lost her or Ms. Cunningham. I really appreciate the work you're doing and staying in touch and we'll look forward to seeing how this integrates with our new office up on the 9th floor for Sustainability and Climate Change. And with that, we'll take a brief recess. It's 11 o'clock and we'll reconvene at 11:10. . . . *(gavel)*. . .

RECESS: 11:00 a.m.

RECONVENE: 11:12 a.m.

CHAIR KING: . . . *(gavel)*. . . All right, Members of the Climate Action and Resilience Committee, we are back in reconvening. It's 11:12 and we are on our third and final item for today, Sea-Level Rise, Shoreline Erosion, and Managed Retreat, which is CAR-9.

CAR-9: SEA-LEVEL RISE, SHORELINE EROSION, AND MANAGED RETREAT (CC 20-24)

CHAIR KING: So today, Members, we will be discussing approaches to regulating or minimizing land use in sea-level rise inundation zones and also you heard some concern from our last presentation about tsunami zones as well. As well as discussing CBS 3206, which is the Central Maui Regional Wastewater Reclamation Facility and based on these discussions and input from our departments and experts, I would like to see how we as Councilmembers can further protect our environment with possible legislation on these matters. So, these are things that are being worked on, but I want to make sure that we're going in the right direction together. We have with us today Michele McLean, our Planning Director. Are you there, Michele?

MS. MCLEAN: Aloha, Chair. Good morning.

CHAIR KING: Good morning. Do you have your video on? So, we can see your smiling face. There you are. Hi. And Tara Owens, the Coastal Processes and Hazard Specialist with the University of Hawaii Sea Grant. There she is.

MS. OWENS: Hi, good morning.

CHAIR KING: Your hair is getting so long, it's hard to . . .

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MS. OWENS: I know.

CHAIR KING: Okay, so we also have with us Director Nakagawa from Department of Environmental Management who will provide us afterwards with an update on CBS 3206, Central Maui Regional Wastewater Reclamation Facility. So, we...as you know, we allotted previously \$2 million to this fiscal year for the design of the proposed project so hopefully we can get an update on where that's going. Thank you for being with us Director Nakagawa. Aloha.

MR. NAKAGAWA: Hi, Chair.

CHAIR KING: Okay, so first of all, I just wondered if we could get some opening comments from Director McLean on where we're headed and we had...I don't know if you were listening to the previous presentation but, you know, about the mitigations and the priority proposals that may be coming to us. But there was quite a lot of, a bit of comment about development in the sea-level rise areas storm inundation zones, so I want to work on legislation together, you know, with the Planning Department, with Ms. Owens, so that we're all kind of going in the same direction with the understanding of where we're trying to get to. So, do you have any comments? And then we'll ask Ms. Owens for comments.

MS. MCLEAN: Sure. Thank you, Chair. As you know, the Planning Department has been working for, gosh, more than a year now, even longer than that in some aspects on proposed changes to the shoreline rules. Under State law, Chapter 205A, Hawaii Revised Statutes, the authority for regulating the Special Management Area and the shoreline area as defined in that law is delegated to the Planning Commissions and so if we're talking about solutions relating to the SMA and what's defined as the shoreline area in HRS, the authority under that statute lies with the Planning Commissions. And so we've been working on in, as you know, we presented on this before so you guys are well aware of this, incorporating the SLR-XA into the shoreline rules as a way to establish the shoreline setback. And making a broad generalization, people who don't have properties affected by that or undeveloped properties, everybody supports it. People with properties affected by it or development in those areas opposes it. So, we've been trying to fine tune the approach to figure out how to protect not in terms of physical protection from coastal hazards but how to financially protect those investments, which in many cases are in the millions of dollars, collectively hundreds of millions of dollars. So, how to protect those but still be responsible with responding to what we know this threat is. So, that's just really briefly. That's the status of that. In terms of what the Council could do separate from the Planning Commission's authority over the SMA and shoreline, I suppose...I mean, this is just off the top of my head, there could be ordinances adopted with restrictions on development. I mean, we'd have to be careful and get Corp. Counsel involved in, you know, have those authorities overlap because Council has the authority to zone for uses island-wide including in the shoreline and SMA, so I would imagine, you know, there certainly is Council authority in this area, but I can't put my finger on anything specific right now. But certainly working with you and your Committee staff and Corp. Counsel I would imagine we could come up with some ideas.

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CHAIR KING: Okay.

MS. MCLEAN: Thank you, Chair.

CHAIR KING: Okay, great, thank you. You actually with that, the last couple comments answered a question of mine was like, you know, what authority we have aside from SMA, so thank you for that. And then, Ms. Owens, you have any comments you'd like to make or your ideas and thoughts on the issues?

MS. OWENS: We're generally never short on comments, so actually I really appreciate the chance to sort of give a bigger picture view really quick before we get into the details. I was surprised to have so much testimony this morning. I didn't expect that. We joined this group, this Committee a couple of weeks ago and I don't think we had maybe one testimony at that meeting, so I wasn't expecting it and it was a lot of really good testimony and I hope we can circle back to some of the comments and questions that were brought up. But, I guess, my main thoughts right away are when it comes to coastal hazards and as you've heard this morning from the team working on the Hazard Mitigation Plan updates there are many different coastal hazards we have to think about. It's not just sea-level rise and erosion but storms and tsunamis and there's a wider range than even that. Most important and I think this is where Council comes in and it's really good to have this conversation is that you address coastal hazards as early as possible in the planning process, so you go from, you know, planning stages like land use districts at the State to community plans to zoning or zoning changes down to infrastructure and then getting down onto the lot level and doing setbacks with construction. And so, I have a colleague, Dennis Wong, who is with Sea Grant but he's also a practicing land use and environmental attorney and he...this is an oldie but a goodie, he has this figure that describes how early in these planning stages back when we're doing community plans and zoning you have lower market value and you have lower investment back expectations but and then you have more community, more opportunities for community input and many more options available to you in terms of adaptation and mitigation. So the earlier the better and then later on in the process once you get down to the lot scale you know your options are becoming narrow and the ability of the community to participate in the process is narrow. That's the case that we're dealing with in places like Kahana that keep getting brought up. You know, we're dealing with existing development and how do you respond. Our options are pretty limited in those kinds of cases at this point. So, that's one thing, earlier the better. The next thing I thought I would point out is that some of our previous plans really didn't address coastal hazards for some of the issues we face now but that is happening and a lot has changed in the last ten years, so I echo the comments from the earlier presenters. There's a lot more cross pollination I see than there has been in the past. We're all working together on the hazard mitigation plan and the community plans, so it's very good progress I think and more to come. And then finally there's multiple tools in the toolbox. You know, you see, I think in my last presentation I have a slide where it shows the coastal management toolbox and these are some of our response options. It never comes down to just applying one of these options. It's a combination so when the Planning Director talks about working on the setback policy that's important to go

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along with anything that might happen at Kahana, for example, beach restoration and groins because it's, you know, it's got to be a one, two, three punch at these big issues. And one example regulatory that I just wanted to bring up on Hawaii that one of my colleagues is working on with their council and their planning department is that the Kauai is looking to using the sea-level rise exposure area as a...what did they call it? They call it a Special Treatment District, kind of like a Historic District and it's called the Coastal Edge and they're hopefully using that to sort of elevate the SLR-XA as something that has to be analyzed as part of the planning process.

CHAIR KING: Coastal Edge you said, E-D-G-E.

MS. OWENS: The Coastal Edge Special Treatment District and they're looking at that for West Kauai right now. That was a lot, all in one, so I'll stop there. Thank you.

CHAIR KING: Okay, thank you so much for those comments and for all your insight. I think we're gonna go ahead and see if we can get an update from Director Nakagawa and then we'll open it up for questions from the Council, then we can cover both issues. Director Nakagawa, are you prepared to give us an update on the design and planning for the Central Maui Wastewater Treatment Facility?

MR. NAKAGAWA: Yeah, sure. I can tell you where we're at, I can tell you what we have so far. That's okay, I mean, it doesn't tie into what Tara was talking about but, I mean...

CHAIR KING: Well, it ties in to if we're doing plan...the reason why I put this on the agenda because as we're doing planning and we want to start addressing these coastal issues and, you know, wastewater treatment is a huge coastal issue, we want to make sure that we're bringing back the climate issues and resilience issues into those planning concepts. And so I just I noticed that you had \$2 million for this current year for planning that facility and just kind of wanted to get an update of where you're at and how much we're incorporating these climate issues.

MR. NAKAGAWA: Okay. So, as far as the Central Maui facility which is we refer to the Central Maui-Waikapu Plan, right now we...in 2012, Fiscal Year 2012, we I think we had roughly half a million dollars that we did a study with. We did...the reason why we had that is we had some development to areas all around there, Atherton, A&B, so yeah, Waikapu tropical town development, you had these Waiale affordable homes, you had all these different developments out those regions which was kind of outside of our service area, and so we kind of did a study for that. So, right now, that study's completed. We asked for the 2 million but step back, we in 2020, Fiscal Year 2020, we have 200,000 appropriated for a PER, so we just started the Preliminary Engineering Report and that's on its way right now. So, the 2 million that we did ask for in Fiscal Year 2021 that'll hopefully, what we slated that for is really to figure out land acquisition as well as planning phase, whatever type of special permitting because as we all know we build this...if we are going to build this new plan, I mean, there's a lot of special permits that needs to be dealt with. So that Michele can talk more about it but takes a longer time for these bigger, larger special permits. So, right now, we have a rough estimate of how much capacity it's gonna be. We kind of know roughly where

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the kind of service areas as far as collection systems in those areas and as real more bigger picture and we have rough cost estimate. So...I saw you move your lips but I couldn't hear you.

CHAIR KING: I was just asking my staff member because this, the 2 million was originally in the current budget, I believe, so I was just asking them to just double check that for the planning and design phase. So, it sounds like it maybe lapsed and you're...and we're putting a new budgetary item into 2021 for this.

MR. NAKAGAWA: Oh, I see. No.

CHAIR KING: The...you know the CBS --

MR. NAKAGAWA: Yeah.

CHAIR KING: --that we have on this capital improvement it says Fiscal Year 2020 was \$2 million so that's why I wanted to find out how much planning we've actually done with that 2 million, but it sounds like you weren't quite ready to do that this current year so that's being, that's what they asked for was in the next year, is that correct?

MR. NAKAGAWA: Yeah, so you guys already approve...well, so far, I mean, right now it's approved Fiscal Year 2021, we have 2 million for there.

CHAIR KING: Okay. And it just lapsed for this current then the 2 million that was allocated for Fiscal Year 2020?

MR. NAKAGAWA: I don't have any for 2020. I have 200,000 that we did for a PER.

CHAIR KING: Well, this was accrued back in 2017 if you look at the budget from 2017 on CBS 3206 it describes the funding as being \$2 million for Fiscal Year 2020. So, that's why I was asking to see if you guys had done it but you know your page that looks like this.

MR. NAKAGAWA: Yeah, so that...

CHAIR KING: There's nothing in 2021, so I'm just assuming what we did was it lapsed for this year and then we're putting it into next year. And so, it sounds like we're right at the beginning of the design phase then?

MR. NAKAGAWA: We're in the...no, we're really in the land acquisition planning. So, I think the CBS that you're looking at was a older one, so the 200,000 it, actually that in Fiscal Year '17 it got cut. It didn't make the budget. So, in 2020 we put it back in, which we got approved in operations funds 'cause all studies are done out of operations now and then in 2021 is...we proposed the 2 million and then which was reviewed and approved.

CHAIR KING: Okay.

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MR. NAKAGAWA: Yeah, so.

CHAIR KING: Okay, okay, I get it now, okay.

MR. NAKAGAWA: Yeah.

CHAIR KING: So we moved it...we're kind of moving it a little bit down the road but you're still --

MR. NAKAGAWA: Right.

CHAIR KING: --you're still kind of at the beginnings of the planning phases. And so that's kind of where I wanted...I was hoping our discussion would be is like what kinds of, you know, given the situation that we're in now, what kinds of issues are you gonna be looking at during this planning and design phase, so --

MR. NAKAGAWA: Oh.

CHAIR KING: --some of this...so anyway, that's kind of where I'm hoping this discussion goes so we can figure out if there's something we can put in that descriptor that, you know, kind of guides us in that direction.

MR. NAKAGAWA: Okay. So as far as this...I mean, trying to for me trying to relate it to what Tara was talking about as far as sea-level rise and that kind of stuff, this particular plan potentially helps a little, I guess, for the collections. I mean, I think the better study really is our inundation limit one that you guys approved, I think in Fiscal Year '19, which kind of we're doing right now. That one is about 60 percent complete. That'll actually look at sea-level rise based on the industry standard . . . *(inaudible)*. . . map. I mean, give us a map drawing a line as one of the testifiers kind of leaded to and really show what infrastructure as far as sewer and could...it can probably...it'll probably be a GIS layer that Public Works, Water everybody can use to see what types of infrastructure would be potentially impacted by this sea-level rise, shoreline setbacks, I guess, then as well as storm surge too. So, that would really identify what areas are potentially impacted, how does this Council want to move ahead as well Administration as far funding opportunities, planning opportunities to figure out how to do you get these maybe to more populated areas that's going to affect, right, and start to either do we plan for retreat, do you...what's are next steps going forward right now as far as kind of basically what you guys are all talking about right now.

CHAIR KING: Right. And so that, anyway that's...it kind of grew out the concern for what's happening in Maalaea with the injection wells over there and wanting to tie into wastewater treatment either at this facility or the Atherton facility and then we start looking at tying that into climate action, climate change concerns, because they're greater concerns than just one community, they're kind of that whole area, the whole coastal area.

MR. NAKAGAWA: Right.

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CHAIR KING: So with that...so, I'm just hoping that you'll kind of listen to the discussion and the questions and maybe take into account as you're doing your planning what the concerns are of the policymaking body, you know, the legislative body because, you know, the best thing is for things to happen with paying attention to all of these issues without major regulation. That's, you know, my...one of my basic idioms is that regulation is the sign of failure, so if we don't do the right thing, then we have to make rules about and we have to regulate and create policies. And, you know, if we can have these discussions and kind of move things in the right direction or we find out that they're moving in the right direction and we don't have to spend a lot of energy, you know, pushing for things that you guys are already doing or you're already thinking about. So, with that I'll go first...and let's try to limit, because of time constraints, comments and questions to three minutes apiece for Councilmembers, and then if we have time we can kind of go back around. But let's start with our Committee Vice-Chair Shane Sinenci. Do you have any questions or comments for either our Director McLean, Director Nakagawa, or Ms. Owens?

VICE-CHAIR SINENCI: Just I had the same question for Director Nakagawa about our storm drain specifically in Kahului Harbor area. So, the presentation that Ms. Caplan showed that the tsunami inundation went well into Kahului Town. Is there any...and you spoke about land acquisition, is there any plans to expand for stormwater structure, drainage infrastructure?

CHAIR KING: Director Nakagawa?

MR. NAKAGAWA: Chair, yeah, Member Sinenci, so kind of in general, well first drainage systems they are handled by Public Works so that would be Director Rowena Dagdag. So but I'm almost positive they already looked at that and I know they are doing...they have an MS4 program also which basically is a EPA/DOH regulatory program for them to look at their drainage systems and the impacts on either runoff or anything going into the drainage system all into the ocean as well, I guess, looking at their drainage system. So really that's a question for Public Works.

VICE-CHAIR SINENCI: Okay. Thanks, Director. Thank you for that information. And then real quick for Director McLean, for those permits that are in the pipe as far as along the SLR-XA zones, does the County have policies that protect us from, in case we deny it for these reasons? Have we already created these additional protections should those applicants, you know, question or even question not giving them the permits?

MS. MCLEAN: Thanks for the question, Councilmember. Right now, the SMA and shoreline rules do not incorporate the SLR-XA as we know it today. The shoreline setback formula is based on annual erosion hazard rate if it is an area that's subject to coastal erosion; otherwise, it's a formula based on the depth of the lot. Because we don't have that in the rules now, we can't do a hard and fast restriction on development within the SLR-XA; however, the SMA and shoreline rules both require a certain level of analysis before a permit can be granted and that analysis has to incorporate things like, you know, the...there's always the criteria of public access, recreational

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opportunities, environmental protection, but also coastal hazards. And so depending on the area and its history and this is when we pull Tara into our regulatory realm, figure out, well should we deny this permit because we know this structure is gonna be threatened sooner rather than later or do we put conditions on it to mitigate what we think those threats might be. So, it really is case by case but, you know, the short answer to your question is even though the SLR-XA isn't in the rules now, there are other components to the process that allow us to either deny or impose conditions to mitigate what we think the hazard might be.

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

CHAIR KING: Okay, thank you, Member Sinenci. I'm gonna try to remember going down the row here, and I think the next person would be Alice Lee. Chair Lee?

COUNCILMEMBER LEE: Thank you, Madam Chair. Thank you, Madam Chair. I have a question for Eric. Eric, you mentioned that there was a study done in 2012, cost \$500,000. At that time, what was the estimated capacity of the new facility and what was the estimated cost?

CHAIR KING: Director?

MR. NAKAGAWA: Yes, Chair, Chair Lee, so at that time the capacity that we were looking at was 2 million gallons per day and what they kind of looked at was at Waikapu area, the Waiale area. I think you guys all familiar with those areas. And then also the Wailuku Heights area in the...on the Waikapu side that's not developed, Puunani, I think it's called. So, and then the cost at the time, so well it's a little deceiving right, so the entire cost...because what we did was look at not only sewer treatment but we also looked at reclaimed water usage, so the entire for everything package was like 91 million. So that was treatment plant, collection system, pump stations, and then a reuse system with elevated storage and distribution system through all these different areas for reuse as well as soil aquifer treatment, disposal when reuse is not utilized, so it's the total package, yeah.

COUNCILMEMBER LEE: Is the \$91 million include the possibility of expansion? So in other words, you would build initially for 2 million...2 MGD initially capacity but your end goal would've been maybe 4 or 5 million?

MR. NAKAGAWA: Yeah, so we'll step forward right to current so that was back in 2015, we...but now currently as Chair King was kind of alluding to, we've had many discussions in Maalaea. We've had discussion with Atherton, which is Maui...Atherton Development Maui Tropical town as well as DHHL, A&B. So, initially it started off with two and then it went to three because we could potentially divert existing flows that actually go to Kahului treatment plant and then divert it to this plant and then that's kind of where we're at now at that 3 million range. But you are right, if we can...the study made it modular so as developments came online or as we wanted to expand it, we could go ahead and expand.

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COUNCILMEMBER LEE: So, ultimately could you use that plan to be expanded to where Kahului could be closed or would that be one of two or three modular plants in order to close Kahului?

CHAIR KING: Okay, quickly 'cause, Chair Lee, you used up your three minutes. But go ahead, respond.

COUNCILMEMBER LEE: Okay, sorry.

MR. NAKAGAWA: Yeah, so quickly, no it wouldn't be able to take everything but it's definitely a step to decentralizing.

COUNCILMEMBER LEE: All right, thank you. Thank you.

CHAIR KING: Okay. Thank you, Chair Lee. Okay, next we'll go to Council Vice-Chair Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KING: Go ahead. Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, my question is for Ms. Owens. You spoke about the Kauai County's Coastal Edge Special Treatment, since SMA...so, I'm guessing that it...the State SMA statute would overlap with this Coastal Edge Special Treatment and is the Coastal Edge Special Treatment county ordinance?

CHAIR KING: Ms. Owens?

MS. OWENS: Hi, yeah, thanks. I apologize if you hear children in the background but let me know if you can't hear.

CHAIR KING: We love children.

MS. OWENS: So, I know only a little bit about the...what Kauai is proposing and I just brought it up as another new idea. You know the seeds were planted when we were able to have access to the Statewide sea-level rise report and all of the data information that comes from that. So, what's really neat though is to watch the different conversations that are happening in each of the counties and how they're trying to tackle applying that data to the real world and, you know, some of the things we're working on here in Maui County but it's nice to have conversations with the other counties as well. And so what I understand that they're doing is they already have existing treatment districts for different categories of things, public facilities, historic districts, scenic districts, open space districts, so what they're trying to do in this case is create a similar district for the coastal areas that, I guess, give more ability to take the sea-level rise information and apply it and require mitigation for potential impacts. What exactly will happen in that district, I think, is yet a little unclear. They've talked about a whole range of things and initially I think it was focused on downzoning properties in that district, but I don't

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think that was a very popular idea or conversation, so the conversations have evolved. And so, yeah, you would have the Special Management Area, which they apply also in Kauai, you'll have the setback area, and then you'll have some overlap in there with this coastal edge district and whatever applicability it ends up having.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Owens. And then, Director Mclean, so I know you gave a presentation on June 1st about the setback and it was still in the process. So, would you be able to give--I'm sorry if I missed it--a status update on that?

MS. MCLEAN: Sure. We did a number of outreach activities, and again this is just for the Maui Planning Commission rules. So, we had meetings on the Westside, on the North Shore, in Kihei, in Central Maui, and as I said earlier, you know, people who don't have developed coastal properties are supportive and think it's what we need to do and then those with developed coastal properties, particularly hotels are quite concerned. And so since those outreach efforts, we've been going over all of our notes and trying to figure out some compromise that doesn't weaken the idea so much that it's not even worthwhile but that is also acceptable enough to those with developed properties. So, we were getting pretty close to doing another round of outreach before the COVID crisis hit, and so we've just haven't been able to get back to it. But that would be our next step is to reach out particularly to those groups or individuals that seem to represent those with developed properties and run these ideas by them and see how they feel about it and with that then we could move forward and potentially take them to the Commission for adoption.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. And if I have more time my last question is about sand protection.

CHAIR KING: . . . *(inaudible)*. . . Go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, you know we experience some challenges on Molokai with people removing protected dunes. So is there anything that the Planning Department is working on to strengthen those protections?

CHAIR KING: Director McLean?

MS. MCLEAN: I think Tara seems to be chomping at the bit; she wants to answer.

CHAIR KING: Okay. Ms. Owens?

MS. MCLEAN: Already protection in the grading ordinance and also already in all three commission's SMA rules, so despite the violation that occurred on Molokai, you know, if someone violates the law but the law protects what it should protect we're not going to propose any changes to the law. But I don't know if Tara wanted to say something, she seemed eager to jump in on that question.

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MS. OWENS: I just never know if I'm...if I should answer or defer, so I don't have a very good poker face. But I can add one other thing, Michele, the Director of Planning answered that fine. I just emphasize Maui County is the only County in our State that actually has protections for coastal dunes and it's in our grading code. It is essentially illegal to grade a coastal dune and that has been very successful over the years, and on top of that, we, of course, the department and the Council have invested now into hiring a fulltime person to operate as the dune management coordinator to hopefully continue and expand our restoration activities. But, of course, there are challenges that still come up along the way where maybe there's ambiguity in the rules or a property just doesn't get recognized as sensitive as it should, I think that's kind of what happened on Molokai and so we continue to work to build awareness as well, which is a big part of the process.

CHAIR KING: Okay, thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. Mahalo, Ms. Owens. Perhaps the penalty needs to be a little higher to act as a better deterrent. Mahalo. Mahalo, Chair.

CHAIR KING: Mahalo. Mahalo for that question. Okay, next we'll go to Councilmember Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chair. And I'm very cognizant of the time, so thank you. One, first, Chair, I want to thank you. I think we need discussion especially what role should government really play in hazard mitigation and, you know, we saw the polls and whatnot, but for me it's the question of what is government's role to protect private investment. I'm not sure we have a role to protect private investment per se, and the use of public assets to protect private investment my, you know, eventually we need to get a grip and decide are we gonna change from capitalism and go to another form of, type of governance. For me, I don't have a problem telling the State Legislature that for certain areas our uniqueness to change the statute. You know, I still believe I think Honolulu is still is the City Council that does CZM and coastal zone decisions; it's not their Planning Commission. The neighbor island counties are but we can change that if it's appropriate for certain things. I don't have a problem looking at a special inundation zone and that by ordinance craft the parameters of that zone, make it a special zoning category. We can put in additional requirements that the property owner must be able to retain private insurance policies at appropriate amounts for their needs. We pushed hard, you know, on the south shore regarding setbacks for those that wanted TVRs and B&Bs, we decided that at least 15 years ago, so I think we had some foresight already. And let me see. Yeah, I don't have a problem of adjusting shoreline setbacks either, Chair. So that's what I'm willing to have us discuss as well as, again, seriously create an inundation zone whereby there'll be special conditions if you want to use your property for certain purposes. Thank you.

CHAIR KING: Okay, thank you very much for those comments, Councilmember Hokama. Okay, going next to Councilmember Paltin, followed by Councilmember Kama.

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COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Owens. I seen one of our former analysts at the sea-level rise area this week, and I heard he's coming full circle to work with you next. Awesome.

MS. OWENS: Oh, coconut wireless.

COUNCILMEMBER PALTIN: My question was, you know, in relation to Mr. Hokama's comments and I kind of agree, but, you know, it kind of seem like your poker face wasn't so much in agreement. But I was wondering, you know, like if say we don't have any role and we don't do anything and we don't want to, like, mess up the currents and we don't want to, like, mess up the ecosystem with T-groins or seawalls and things like that and knowing, you know, a lot of the owners of Hololani are elderly, off island folks or whatever the case may be and we have severe storms and whatnot and the buildings do fall in the water. At what point does it become the responsibility of government? Is it then our responsibility once the buildings fall into the ocean or at the point where they're a hazard to live in, like, anybody know at what point it is, or is it never our responsibility even if it falls and lands on somebody snorkeling or just wondering if you had an answer to that?

CHAIR KING: Are you asking Director McLean or Ms. Owens?

COUNCILMEMBER PALTIN: Whoever has an answer.

CHAIR KING: Let's start with Director McLean to see if you have a response.

MS. MCLEAN: Oh, thanks. I get to go first. I think before it would get to the point of truly being threatened of falling over there would have to have been action by the Planning Commission or the Council relating to some kind of protection whether that's a CFD for T-head groins, whether that's an SMA major permit for a revetment, or even a denial at the State level for the easement to build the T-head groins or the conservation district permit needed for a revetment. So, there would be some denial because those owners would be coming to us to say we need this protection. My guess is that when those denials are received, they would take legal action. They would challenge that decision in court. Whether they would prevail I don't know, you know, what the basis of their arguments would be I don't know. But --

COUNCILMEMBER PALTIN: What if...

MS. MCLEAN: --that's why punting this to Corp. Counsel because I don't know what our liability will be. Would the government have sufficient reason to deny those things knowing what the result would be and that would be the...

COUNCILMEMBER PALTIN: What if we go ahead but we're not --

CHAIR KING: Member Paltin?

COUNCILMEMBER PALTIN: --. . . (inaudible). . .

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CHAIR KING: Member Paltin, should we...would you like a response from Corp. Counsel? I mean, the three minutes is up, but would you...let's see if we can get a response from Corp. Counsel. Ms. Thomson, are you still on?

MS. THOMSON: Thank you. Yes, I'm still on.

CHAIR KING: There you are, okay. Can you address the question of liability in broad terms?

MS. THOMSON: There's a lot of case law that has been, you know, over the years in terms of...it's regulatory takings case law, pretty much, so if you don't allow any use or economically beneficial use of a property you can face claims for the diminution in value to the landowner and we've had those cases here in Maui County and they've...across in the other coastal states as well. So, yes, there is exposure to liability there, it doesn't mean that we can't, you know, do things like overlay districts and, you know, I'm happy to take a look at what Kauai is doing to see if that might be something that we can look at. I'm sure Director McLean and Ms. Owens are more familiar with what Kauai's up to, but we're happy to take a look at that and help the Council if they wanted to look at some of the areas where we can regulate and start, you know, creating a more healthy nearshore environment.

CHAIR KING: Okay. Thank you, Ms. Thomson. Maybe also if there's any allowances for natural disasters or, you know, like they call acts of God as far as liability. So, Ms. Paltin, I'm gonna go to Member Kama and if there's time, if you have an additional question, I'll come back to you.

COUNCILMEMBER KAMA: Chair?

CHAIR KING: So...yeah, Member Kama?

COUNCILMEMBER KAMA: I'd be willing to give up...I'd be willing to give my three minutes to Member Paltin. I like where she's going with this.

CHAIR KING: Okay. Oh, she looks like she's very appreciative. Thank you, Member Kama.

COUNCILMEMBER KAMA: Thank you.

CHAIR KING: Okay, Member Paltin, go ahead.

COUNCILMEMBER PALTIN: Yeah, so I guess another question was based off on Ms. Ryan's testimony for Miss, Director McLean about the severe storm inundation zone. Do we have a line representing that level on the maps?

CHAIR KING: Ms. McLean?

COUNCILMEMBER PALTIN: Or Ms. Owens.

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MS. MCLEAN: The storm inundation zone...I ask Tara to jump in. She unmuted herself, so go ahead, Tara.

MS. OWENS: You are good, Michele. You can...you're paying attention. Okay, so I think earlier we had references to the SLR-XA, which is really a combination, you've heard me say before, of three different models, passive flooding, highway flooding, and erosion. And so, the wave flooding is sort of an annual event type flooding you would get on a typical high swell during swell season. It doesn't include something like a big episodic storm that comes along. However, there is another layer of data that exists but that hasn't been included in the sea-level rise viewer, which is essentially the FEMA V zone. So, FEMA does flood maps, right, that we use as a regulatory tool and it maps flooding from streams, inland flooding, and it maps flooding from the ocean. So, that's A zones are stream flooding and V zones are ocean flooding. The team that worked on the sea-level rise report actually took the V zone and remodeled it with sea-level rise. And those V zones are modeled...FEMA models them to look back at previous storm inundation events and even including tsunami and then hypothetical future events as well, and so the team that worked on the sea-level rise viewer took that layer, remodeled it with sea-level rise, and that is actually available as something that another layer, overlay that could be used to assess projects. It wasn't included in the sea-level rise viewer at the time because there was some concern of the Climate Commission, the State Climate Commission that there would be confusion between the existing regulatory FEMA layers and this new similar layer; however, since then the State Hazard Mitigation plan, so like we have a County has our Mitigation Plan, the State has their Hazard Mitigation Plan was updated in 2018 and began using this new modeled V zone to look at their risk for the risk assessment. It is something that is available. I have a meeting with the team that you heard from this morning on Friday, I believe, to follow up on some of the risk assessment, and I don't know for sure if they've used that layer or applied it, we'll make sure, but that is something that we can look at.

CHAIR KING: Okay, thank you.

COUNCILMEMBER PALTIN: And could you just send the Committee a link to that model?

MS. OWENS: You know, I don't know if it's just...if the GIS layers are sitting available. They're not in any viewer. What I can do is share the State Hazard Mitigation Plan and point you to the correct pages in there that reference it and there may be some maps.

CHAIR KING: Okay, great. Thank you.

MS. OWENS: I will do that.

CHAIR KING: That was V like Victor, right, V zone?

MS. OWENS: V like Victor, the V zones, yes.

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CHAIR KING: Okay. So, we'll appreciate if you can send that to all the Committee Members the link to that, because I think that's really interesting, V zones. I've never heard of that before, and how that overlay, you know, how that overlay plays with our SLR-XA. And so, we come to the top of hour, our noon hour. And does anybody have any last pressing questions that could be answered quickly or...we're going to obviously continue the discussion and I really appreciate the Committee's input because it's, you know, we want...and moving forward, we want to move forward in a way that everybody's comfortable with so these early discussions, I think, are really important and the next time we look at this will be if we, when we get proposals in will be with...you know, we are doing proposals with the input of the Planning Department, with the input of Corp. Counsel, with the input of DEM, and now...and also, Director Nakagawa, thanks for pointing us in the direction of Public Works as well. So, we need to make sure that everybody knows what the goals are and how we want to move forward on some of these for the protections of our people, and, you know, I totally get what Director McLean is saying about, you know, the people that have structures near the ocean are opposed to it and the people that don't think it's a good idea. But I think the low hanging fruit is what do we do to prevent more construction and infrastructure from going in those areas where we know we're gonna be underwater, we're gonna be inundated with storms. So, hopefully we'll be able to address...I'm calling that the low hanging fruit 'cause that's, you know, looking at the future, but I understand there still will be pushback for people who own those properties and may want to do some big things with them. And so with that I'll...no...if there's no objections, I'll defer this item.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR KING: Okay, and then thank the Committee for your attention and your input. It's been...and our presenters and our participants. It's really wonderful to see that everybody's thinking ahead about these things and onboard, because I did see from a survey that...well, their survey said 80 percent of the people believe in climate change so that means 20 percent of the people don't, so that's a little bothersome. But I also had people been commenting about just the pandemic that, you know, this is all a big hoax and that's really, you know, disturbing too, so we do have to deal with that part of our community that doesn't necessarily believe all the sciences that we've been talking about. And so, I really appreciate the input of all of departments and all the various districts through the Councilmembers. With that, I think we're at the noon

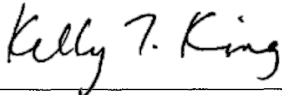
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hour, 12:02, and we will adjourn this meeting until next time. Thank you so much everybody. . . .(gavel). . .

ADJOURN: 12:02 p.m.

APPROVED:



KELLY TAKAYA KING, Chair
Climate Action and Resilience
Committee

car:min:200615min:mb

Transcribed by: Michelle Balala

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CERTIFICATE

I, Michelle Balala, hereby certify that 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 8th day of July, 2020, in Kihei, Hawaii



Michelle Balala