

PLANNING AND SUSTAINABLE LAND USE COMMITTEE
Council of the County of Maui

MINUTES

June 17, 2021

Online Only Via BlueJeans

RECONVENE: 9:02 a.m.

PRESENT: Councilmember Tamara Paltin, Chair
Councilmember Kelly Takaya King, Vice-Chair (out 9:10 a.m.; in 2:01 p.m.)
Councilmember Gabe Johnson, Member (in 10:00 a.m.; out 3:47 p.m.; in 3:57 p.m.)
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member (out 3:55 p.m.)
Councilmember Michael J. Molina, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member (in 9:11 a.m.; out 12:16 p.m.; in 2:01 p.m.; out 4:00 p.m.)

STAFF: Ana Lillis, Legislative Analyst
Alison Stewart, Legislative Analyst
Shelly Espeleta, Supervising Legislative Analyst
David Raatz, Supervising Legislative Attorney
Clarita Balala, Committee Secretary

Axel Beers, Executive Assistant to Councilmember Kelly Takaya King
Ellen McKinley, Executive Assistant to Councilmember Kelly Takaya King
Evan Dust, Executive Assistant to Councilmember Tasha Kama
Lois Whitney, Executive Assistant to Councilmember Tasha Kama
Davideane Kama-Sickels, Executive Assistant to Councilmember Tasha Kama
Kate Griffiths, Executive Assistant to Councilmember Gabe Johnson
Sarah Pajimola, Executive Assistant to Councilmember Keani N.W. Rawlins-Fernandez

ADMIN.: Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Michele McLean, Director, Department of Planning
Pamela Eaton, Planning Program Administrator, Department of Planning
Jennifer Maydan, Planning Supervisor, Department of Planning
James Moore, Planner, Department of Planning
Johann Lall, Geographic Information System Analyst, Department of Planning
Michael Napier, Geographic Information System Analyst, Department of Planning
Janet Six, Archaeologist for County of Maui, Department of Management

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OTHERS: Kai Nishiki
Karen Comcowich
Albert Perez
Yukino Uchiyama
Faith Chase

PRESS: *Akakū: Maui Community Television, Inc.*
Chivo Ching-Johnson
Linda Dorset

PSLU-1 WEST MAUI COMMUNITY PLAN (CC 21-70)

CHAIR PALTIN: . . .*(gavel)*. . . Aloha and good morning. Will the Planning and Sustainable Land Use Committee meeting of June 17th, recessed from yesterday come to order. The time is 9:02 and my name is Tamara Paltin. I'll be your Chair for today. Wailuku is...the County Building is having some technical issues. And so right now *Akakū* is not being broadcast, there's no streaming on maucounty.us, I think the only thing that we have going on in Facebook Live. And so we can have the meeting like this and not lock it so people can come on and send *Akakū* the tape later on. If we lose connectivity and we can't get quorum back within 30 minutes, then we'll just automatically be in recess until Tuesday. So that's kind of our options where either we don't have the meeting today and have it on Tuesday, we try to have the meeting today and broadcast it later, or...yeah, I guess that's our two options. So...and we did have...maybe I'll just repeat all that for the...our viewers on Facebook Live. So --

VICE-CHAIR KING: Chair?

CHAIR PALTIN: Yes?

VICE-CHAIR KING: Just as a matter of note, we're missing two Councilmembers. It looks like...I don't see Gabe Johnson or Yuki Lei Sugimura. Does anybody else see them?

CHAIR PALTIN: Oh, Gabe Johnson let me know that he's going to be 45 minutes late, and Yuki Lei is usually late. Let me...I just am getting a call from *Akakū* right now, so maybe we have good luck.

VICE-CHAIR KING: Okay.

MS. DORSET: Having trouble getting on the Internet. How are you guys doing?

CHAIR PALTIN: We're on Facebook Live right now and we're just kind of deciding if we're going to continue on right now or maybe we can try take a recess for an hour or so and see if you guys can address the issue.

MS. DORSET: Oh, okay. So what, you're going to hold off for now?

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MR. CHING-JOHNSON: You're live on Facebook?

CHAIR PALTIN: Yeah, we're live in Facebook just to...just to explain to the Members the situation so that they know.

MR. CHING-JOHNSON: That's good.

MS. DORSET: Oh, okay. That's good.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair? We are not on Facebook right now, Chair.

MR. CHING-JOHNSON: For an hour or so, and then we'll get this straightened out if possible.

CHAIR PALTIN: Okay. Okay.

MR. CHING-JOHNSON: That sounds great. Thank you, Tamara.

CHAIR PALTIN: Okay. We're not on Facebook. But let's try in an hour. Is that okay...our legal counsel, is that something that we can do?

MS. DORSET: Yeah, sure.

MR. CHING-JOHNSON: Yeah.

MS. DORSET: But if you record at least on BlueJeans your opening and your (*audio interference*) so that we can get it later, that would be good.

CHAIR PALTIN: Okay. Thanks. I'll talk to you guys later.

COUNCILMEMBER RAWLINS-FERNANDEZ: *Akakū* can broadcast and provide legal advice. . .
. . .(*laughter*). . .

VICE-CHAIR KING: Chair?

CHAIR PALTIN: Mr. Hopper, is it okay for us to recess and come back in an hour?

MR. HOPPER: I think Mr. Raatz may be in contact with...I think Mr. Raatz may have been in contact with OIP. It may be a good idea just to check with them just because this is sort of...the electronic nature of the meetings, the suspension of the Sunshine Law for limited purposes, it may be good to check with them on proceeding. I would want to make sure there's a way that you can inform the public that they can see this meeting. Like that's, I think, the most important thing that there's a way to see that. For right now, I think that if...can the public see in some manner that you're going to be recessing the meeting for an hour? I just want to make sure that they can...they can get notice of that.

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CHAIR PALTIN: What it says on *Akakū* on the television it says Planning and Sustainable Land Use Committee meeting of June 3, 2021, reconvened June 17, 2021, will convene shortly. That's all it says.

MR. HOPPER: Okay. Maybe if there's a way --

CHAIR PALTIN: And we've been --

MR. HOPPER: -- to just notify...sorry.

CHAIR PALTIN: We've been late before. Like I guess, you know.

MR. HOPPER: Yeah, I --

CHAIR PALTIN: Then *Akakū* is just requesting one hour to try and get online.

MR. HOPPER: Yeah. As long as...I think as long as the public knows that the meeting isn't cancelled, that you're going to recess for an hour, then that's okay. I just want to make sure there's a way that the public would be able to know that. Yeah, if they can see it in the meeting, then that's fine. But I just wanted to confirm that because I don't know exactly what technical difficulties are being had. So far, I hadn't had any myself in the County Building, but it sounds like others have.

CHAIR PALTIN: Okay. Mr. Raatz, since we see you, I think you have something to say.

MR. RAATZ: Yeah. Thank you, Chair. Just briefly, we did get a chance to talk to the Office of Information Practices' Staff Attorney Michael Shimizu this morning, and he confirmed that the disclaimer language you've posted on your meeting agenda is appropriate and can be applicable to this situation. The disclaimer language indicated that *Akakū* coverage is not guaranteed. But as long as you have BlueJeans connectivity and you have quorum, you can proceed. And if you do lose BlueJeans connectivity that affects your quorum for more than 30 minutes, you have an automatic reconvening next Tuesday at 9:00 a.m.

CHAIR PALTIN: Okay, let's see. So I think it could be prudent to just give *Akakū* that one hour and see if they can get on. In the meantime, I'll try to post on my social media...maybe County Council can post on their social media the situation that we're in recess for an hour, we'll try to have *Akakū* on in an hour. If they don't get on in an hour, then we will proceed via BlueJeans and all that whole spiel. We did have Dr. Six on the line for us at 9:00 to present her findings based on the questions that we asked. Dr. Six, are you available in one hour still? Oh, is she not on the call anymore? I know she had afternoon meetings, and that's why I offered to put her first. But I guess we'll try and coordinate everything to start at 10:00. She did have some findings that I did want to let the Members have a chance to hear from her that were pretty heavy. Okay. So Member King, I saw your hand up, and Member Kama, I saw your hand up.

VICE-CHAIR KING: Yes, Chair. I just wanted to remind you, I texted you earlier, but I have

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an HSAC meeting at 10:30.

CHAIR PALTIN: Okay.

VICE-CHAIR KING: So if you're going to reconvene at 10:00, I probably will just...rather than come back for 20 minutes, I'll probably just skip it and come back after lunch.

CHAIR PALTIN: Okay. Okay. And I guess just to give you a precursor of Dr. Six's presentation, she said that area has three known cemeteries, and she was going to present.

VICE-CHAIR KING: Which area?

CHAIR PALTIN: Lāhainā Town South.

VICE-CHAIR KING: Okay. Okay. Yeah, I can't...I just...I can't...you know, HSAC can't even meet without all four of us. So I have to attend that meeting.

CHAIR PALTIN: Okay. And Member Kama, did you have your hand up?

COUNCILMEMBER KAMA: I did. But I realized that you've already taken care of it. Thank you.

CHAIR PALTIN: Okay. Thank you. All right. So I guess break. We'll recess until 10:00, and we got a lot to do during that time.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR PALTIN: Member Rawlins-Fernandez, yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Just as a matter of record and procedure, if you could just take attendance for the record.

CHAIR PALTIN: Oh, sure. We have --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, you don't have to...yeah.

CHAIR PALTIN: We have with us today myself, Chair Lee, Committee Vice-Chair Member King right now, Member Kama, Member Sinenci, Member Molina, and Member Rawlins-Fernandez. Member Johnson was going to be in at 9:45, but I guess it's 10:00. Oh, and Ms. Sugimura is here, so that bodes well for *Akakū*.

COUNCILMEMBER SUGIMURA: In the building...yeah, we finally got on.

CHAIR PALTIN: Okay. So we're just going to take a recess until 10:00 to let *Akakū* get their act together, and then we'll be back and then hopefully everything will be smooth after that. Okay, so I'll see you guys at 10:00. This meeting will be in recess from 9:11 to 10:00. . . .(gavel). . .

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RECESS: 9:12 a.m.

RECONVENE: 10:00 a.m.

CHAIR PALTIN: . . .(*gavel*). . . Will the Planning and Sustainable Land Use Committee meeting of June 17th return to order. This is a reconvening of a recessed meeting, and thank you so much, everyone, for hanging in there with us. We had a widespread Spectrum outage in Wailuku Town this morning and luckily for us, they were able to get connectivity back. And just because of the situations going on, we're leaving BlueJeans unlocked. But we ask everyone who's not being called on as a resource or a Member to keep their videos and microphones muted so that we can conduct the meeting in an orderly manner. So with us today are...my name is Tamara Paltin, I'll be the Chair of your Planning and Sustainable Land Use Committee. If everyone can please silence their cell phones and noisemaking devices, that would be great. Our greeting today is from Indonesia, selamat pagi, selamat pagi from Chair Lee. So let's see, selamat pagi, Chair Lee. Oh, that rhymes.

COUNCILMEMBER LEE: Thank you, Chair, and selamat pagi to you and to all of my dear colleagues. Good morning.

CHAIR PALTIN: Good morning, aloha kakahiaka. And we have Member Sugimura, selamat pagi, and aloha kakahiaka.

COUNCILMEMBER SUGIMURA: Selamat pagi, what a fun good morning to all of you. Thank you.

CHAIR PALTIN: Thank you. And we have Councilmember Rawlins-Fernandez from the Island of Moloka'i, selamat pagi.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Moloka'i nui Ahina, and selamat pagi kākou.

CHAIR PALTIN: Aloha kakahiaka. And from the Island of Lāna'i we have Member Gabe Johnson, who didn't miss a thing. Selamat pagi.

COUNCILMEMBER JOHNSON: Selamat pagi, good morning everyone.

CHAIR PALTIN: And from Makawao, we have Councilmember Mike Molina, selamat pagi.

COUNCILMEMBER MOLINA: Selamat pagi, aloha kākou to you, Madam Chair, and my colleagues and everyone else joining us on this Thursday. Aloha.

CHAIR PALTIN: Aloha. From the neighborhood we have Member Kama, selamat pagi.

COUNCILMEMBER KAMA: Selamat pagi, and aloha kakahiaka, Chair.

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CHAIR PALTIN: Aloha kakahiaka. And from East Maui we have Member Sinenci, selamat pagi and aloha kakahiaka.

COUNCILMEMBER SINENCI: Hey, selamat pagi, Chair, and Councilmembers. Aloha nui kākou mai Maui Hikina.

CHAIR PALTIN: Aloha kakahiaka. And Member King informed us that she has a meeting with the Hawai'i State Advisory, or Hawai'i State Association of Counties, and she will try to get back to us later. From the Administration we have Director McLean, Pam Eaton, Jen Maydan, Johann Lall...let's see...oh, Dr. Janet Six, who will be our first presenter. That's all I see. And from Corporation Counsel, we have Deputy Corporation Counsel Mike Hopper. And Committee Staff today, we have Committee Secretary Clarita Balala, Lei Dineen, Legislative Attorney David Raatz, Legislative Analysts Ana Lillis and Alison Stewart. And we also have Shelly Espeleta and Wilton, I thought I saw on the call, Leauanae. Okay. Awesome. All right. So I'm going to try and expedite for that one hour we lost. At this time...we had transmitted some questions to Dr. Six regarding Lāhainā Town South, and she's prepared today to present her findings to us. Everyone thinks we can . . .(inaudible). . .

DR. SIX: Hi.

CHAIR PALTIN: Hi.

DR. SIX: You ready for me?

CHAIR PALTIN: Yes, we're ready.

DR. SIX: Greetings, Councilmembers, mingalaba. That's have an auspicious day in Burmese. I'm going to share my screen so make sure I'm on the same page with everyone. So I'm just going to address the questions that was sent by Councilmember Paltin that says, may I please request archaeological assessment of the portion of Subarea 3 labeled, Lāhainā Town South on page 71. So I want to make sure I've got the right area real quick...share my screen here. So can everyone see my screen? And I'm looking basically south of Lahainaluna along Mill Street to this area that's crosshatched; is that correct? Okay.

CHAIR PALTIN: Yes.

DR. SIX: Okay. Let me get out of there, let me get out of here.

CHAIR PALTIN: We're particularly interested in the yellow part.

DR. SIX: Yeah, so this...oh, the yellow part. Let me go back and take a quick look and see where that is. Yes, it's right here. Okay. Okay. Okay, that...and...and okay, let me just get out of here. So can you see the screen here that says HICRIS at the top?

CHAIR PALTIN: It's a grey screen right now.

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DR. SIX: So let me...it says I'm sharing Microsoft Word. So let me stop sharing that and let me share this one now, hang on. So this is an interactive map. So this is the Hawai'i Cultural Resource Information System, that's SHPD. Can you see that?

CHAIR PALTIN: Yes.

DR. SIX: Okay. So I'm going to expand it and basically, the area that you were talking about, these are all different lines. I'll give you a quick overview of what this mess means. So the blue dots are the ahupua'a. The green lines are places that have already had an archaeological survey of some kind, yellow is ethnographic survey...oh, I've got to move the box over so I can get to the different things. Statewide TMKs, burial resources that are known, things like this that are known to SHPD, and majority of their information comes from archaeological surveys. So an area of potential effect, right now there's some work being done on these purple areas, and so this is basically a map that's put together by the State. And I just don't want to get out of here real quick...so again, these are...a lot of this was done for the bypass, a lot of the different archaeological studies and surveys, but I'm going to show you the Maui County map. Let me get out of this one. And we have a different one that we've been working on. And can you see this?

CHAIR PALTIN: Yes, we can.

DR. SIX: Okay. So this one shows all the sites either as purple stars, which would be burial resources, or archaeological resources, and these brown polygons would be areas where studies have been done. So I like to use this map to just kind of...here's Moku'ula for a reference point, and the harbor, and we can zoom in pretty tight on this. It just takes a second dealing with a big database. Let me put the TMKs on. Come on. Oh, I guess the TMKs . . .*(inaudible)*. . . Okay, they're on. So we're talking about this area right here, correct?

CHAIR PALTIN: Correct.

DR. SIX: More or less? Here's Lahainaluna up here. The yellow area is really focused around here. So what I can tell you is as most people know, we have the Jacobson Cemetery here. This is a private cemetery. We have Waiola Church here, where Keōpūolani...we have some of the most sacred burials. We have...just to the south, right down here, it's hard to see, we have the Man Tong Chinese Cemetery and Puehuhueiki Cemeteries. These are known cemeteries. And all along Luakini are a number of different churches. Working with the County, we have lots of issues with Puamana right now and iwi coming out. So when we look at this area...and we can do a quick measure, we can measure distance, we can take a look at from an important burial and like...and we can run it over here, and we can see that these are, you know, less than 0.2 miles. We have burials in the area very close. This seems to be kind of an area that people wanted to be interred in. That doesn't mean you can't develop it. But what it does mean is that this area would likely go under a 6E Review for whatever development would go in. And I would imagine that the SHPD--I can't speak for them, they are the authority, they also license

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and permit me--would want a very rigorous archaeological inventory survey for the proposed project area. Alexander and Baldwin did a survey in this area over here roughly, and they never submitted it to the State because they decided to abandon the development project. But they did find three inadvertent finds. I was...I've seen that report even though it was never submitted. So they don't show up on this map, but there was a post-contact burial. We know that because it had a coffin, and there was two deemed to believe they thought were pre-contact. And then if you were following the pipeline, they also hit disturbed human remains. So what I can tell you about this area is while there's no immediate burials in this area that we can see other than the known cemeteries, had that report been turned in, they would show three inadvertents in this area. And when you scroll out, we can see more the mauka to makai connection, it might take a second, but we do have sites above, and we have burial complexes at Kahoma. So we do need to think about that. Even though it is previously cane areas, there were inadvertent finds when they were putting the bypass in. So all I can tell you is what's pretty much well known, is that we have a very important sacred site, we have known historic cemeteries, we have some inadvertent finds, and that this area would likely be under the scrutiny of a rigorous AIS that would be...and that would be determined...the level would be determined by the SHPD, but I could imagine that they would want remote sensing in some places, perhaps ground penetrating radar. But again, the authority is the SHPD. So that's my kind of overview of this area, if you have any questions for me.

CHAIR PALTIN: Okay. Thank you, Dr. Six. And I just wanted to give Members some direction that we got from the Department of Management. They didn't want to...they only wanted to ask clarifying questions. They didn't want us to ask Dr. Six her opinion or like, you know, we're the policy makers. It's not her job to make policy. So only information she volunteers, don't ask her to speculate on things that she doesn't know. That was our direction from the Department of Management. And we thank them because once we found out her findings, we had a last-minute call last night to ask her to present that to the Members. So if we can respect the Department of Management's wishes that we ask clarifying questions only. Members, anyone have questions for Dr. Six? Member Sinenci, followed by Member Johnson.

COUNCILMEMBER SINENCI: Yeah. Thank you, Chair. And I appreciate the Department of Management. That's...where hopefully our office will try and codify the archaeologist position within the Code. We also...yeah, just curious why wasn't the inadvertent finds you mentioned not reported?

DR. SIX: Well, this came to light during the West Maui Pipeline, and I got it...I was able to see...I was with the State Historic Preservation Division. We met with their property representatives. And it was done by A&B, and I tried to find it, Councilmember Sinenci, I want to say it was done around 2009, and A&B subsequently abandoned the project. So when you put in for a permit and they say do an AIS, if you do not go forward...and this is one of the controversies we've been dealing with at the Burial Council--and I use the royal we, I'm just sitting in--is that these were left open for 12 years. So they were found and then...and nothing was ever done because the project didn't move forward, and that's why they're not recorded on the SHPD map I have. They're working to change

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that and fix that, but that was the basic answer is that they didn't move forward on the project, so the AIS stayed in draft form and it was never submitted to the State for review and comment.

COUNCILMEMBER SINENCI: Okay. Thank you for that. And then you mentioned some of the burials are...and some is post-contact and some historic burials. Could we technically expand the historic district to include some of these burial sites?

CHAIR PALTIN: Oh, I'm not sure that's a question for Dr. Six. It's more of a policy --

COUNCILMEMBER SINENCI: Oh, okay. Right, right, that's more policy.

CHAIR PALTIN: -- policy one.

COUNCILMEMBER SINENCI: Okay. Thank you.

DR. SIX: Yeah. I was going to say no comment because that's not for me to...you know, to speculate. But --

COUNCILMEMBER SINENCI: Okay. Thank you, Chair. I'll ask that of the Department. Thank you.

DR. SIX: Thank you.

CHAIR PALTIN: Thank you. Member Johnson, I saw your hand up.

COUNCILMEMBER JOHNSON: Thank you, Chair.

CHAIR PALTIN: Followed by Member Molina.

COUNCILMEMBER JOHNSON: Just a clarifying question, if I may. Dr. Six, you mentioned much of that land was pineapple land, plantation land. How does that happen that they didn't find those burials during the pineapple days?

CHAIR PALTIN: Sugar.

DR. SIX: It was sugar, it was sugar. But --

COUNCILMEMBER JOHNSON: Sugar, I should say.

DR. SIX: -- the plow zone goes down about ten inches. And you can tell a plow zone because when it's pineapple, you see all the plastic mixed in there, right? But in this case, we see PVC pipe, the drip lines. So the average plow line is...and most people are interred deeper than ten inches. In some places, like the sandhills where the dunes have moved, you may find burials very close to the surface because the...it's an Aeolian environment. In this case, if they were pre-contact, there wouldn't be markers. So maybe family would know. And there's a lot of kuleana land commission awards and kuleana grants in this

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area. And with kuleana grants, there often are family plots. So we don't know exactly what's there that is under the surface, and I don't want to speculate, other than there were three inadvertents found in that area. And then again, when they were putting the bypass down more towards Launiupoko, there were other iwi encountered under cane fields. So there's this idea that it's cane fields, nothing there, and that isn't...I just don't want to lead people to thinking that, you know, because it's a previously disturbed context, that it's nothing there.

COUNCILMEMBER JOHNSON: Yeah.

DR. SIX: I can't see under the ground, you know. So that's where remote sensing might come into play in the future.

COUNCILMEMBER JOHNSON: Right, that's kind of where I was leading the question to is because even if it was...had agriculture on it, you still...there still could be underlying artifacts. So does it matter if it's a...is there a particular type of ag that would be...like an orchard might change that dynamic, or is it just...go ahead.

DR. SIX: This is a...I'm not speculating, this is based on my knowledge. Trees follow the path of the least resistance. Tree roots like to get into septic sewers, and they also like to go into disturbed context such as a burial, it's looser soil. Trees are very Zen. So something that would be going deep, I would think...and we're dealing with this at the Maui Police Department parking lot repaving. Why do we need an archaeological monitoring plan? We're pulling mature trees out. Mature trees could be...have gone into, in the sandhills, unknown burials. So we want to be careful about ripping trees. So something shallow rooted....and it depends because again, you know, some places you have sand and you can dig quite deep. Some places you have a'a, you can't go in at all. So the depth of burials is really determined by the type of soil type. In Lāhainā they do have some topsoil, so they could be...and that area, even if it was under a cultivation with sugar cane for a long time, the iwi may be intact, or there also might not be any. I just want to put that out there. I'm not saying that there...I just knowing...I can only state what is known, right, and that it's also adjacent to an important power center and a piko, which is Moku'ula. I spent two and a half years there. So you think of it like the Vatican. It's somewhere people would want to be interred close to, especially pre-contact times. So we do see that repeatedly of areas like Puamana and areas, you know, where we do see in Lāhainā that there seems to be a pattern of internments adjacent to Moku'ula in the area.

COUNCILMEMBER JOHNSON: Okay. Thank you for your answer, Dr. Six. I have no further questions, Chair.

CHAIR PALTIN: Thank you, Member Johnson. Member Molina.

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. And the question I'm about to ask, Madam Chair, if you feel it's kind of straying, you know, let me know. And of course, Dr. Six, if you're not comfortable with answering it, by all means let me know. This is related to your...in your opening remarks you mentioned that the lands, even

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though if they...there are findings, it doesn't mean that it couldn't be developed. So when you...using that word developed, I'm just trying to get an understanding, is that development as in putting structures, or is its ag related development sort of like...part of which was, I guess, part of your response to Councilmember Johnson.

DR. SIX: Well...

COUNCILMEMBER MOLINA: Can you kind of clarify that?

DR. SIX: Yeah. So my understanding, when I was reading through the plan...I looked at the plan, as well as having the page that Councilmember Paltin was referring to, I also asked Management's Office for the Plan. So I was reading it, and it seemed to be talking a lot about, you know, structures as well...not on this property, but just reading in general about the Plan, needing housing, this and that. So what I would say...what I meant when I said that is that I think a lot of times people think that there's no...nothing can be done on land. So for me, in my position, I'd like to see really good research done on the parcel, and then a project design that fits the research. Because we constantly do a project design, and then as we go into an area, may find out that we have to do redesigns, and that can be costly and timely. So what I want to say is it doesn't mean because there are some inadvertent finds there and there are known historic cemeteries that there's...nothing can ever happen on this land. But I do believe, depending on the project and the project area, and the rigor that's required by SHPD...and I don't want to speculate, other than I feel pretty well informed having read the letters that they're at, what they're asking for these days in the form of archaeological inventory surveys...given the fact there's historic cemeteries, I can't imagine they wouldn't want a very rigorous archaeological inventory survey plan, where you're going to test, based on the project area, and then a full AIS, which then may determine changes in the project or not. So if it's going to be ag, less intensive; but if you're going to be putting in a pipeline or sewers and septic and more...the more ground-altering activity, the deeper the depth, the more oversight SHPD will have over that. That make sense?

COUNCILMEMBER MOLINA: Yeah, definitely does. Thank you for your responses, Doctor. Thank you, Madam Chair.

CHAIR PALTIN: Thank you, Member Molina. Members...oh, Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Good morning, Dr. Six, and thank you for extending your time with us this morning. I know I really do appreciate the time that you give us. So, you know...you know, I tend to agree with you that we love to bury our departed in close proximity to where we live, but also around our most sacred places too. So do you know, across our...the County, or even across the State, in other sacred places where other burials are almost similar in terms of proximity?

DR. SIX: It's not...my field of expertise is I spent two and a half years at Moku'ula, and before that my PhD is on plantation studies on the Big Island. And I did look at plantation cemeteries, which is a very different...but I don't have experience. But I can look at cultures across the globe and important sacred sites like Stonehenge.

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COUNCILMEMBER KAMA: Yes.

DR. SIX: People think it's an astronomical, it's also a very important burial ground. So there's a lot of times if it's a power center...look at the Giza Plateau in Egypt, right? So there's the idea that certain places have...so that's across cultural. But here in Hawai'i, my limited experience is `Iao Valley, yeah, power center, lots of iwi in that, in...likely in tubes, right, not, you know, the sandhills, the Na Wai 'Eha, these areas that have these kind of concentrations. So it does seem to be a pattern, in my experience.

COUNCILMEMBER KAMA: Okay. Well, thank you. Thank you, Chair.

CHAIR PALTIN: Thank you, Member Kama. Members, any further questions for Dr. Six? I guess...and I just want to give the disclaimer if it's anything that you're not comfortable with or outside of your scope, feel free not to answer. Don't feel required to try and make an answer. But so once the...say they do a rigorous AIS plan, and they do a full AIS and they decide...or it's decided that they can proceed with developing affordable housing or what have you, and then they encounter the iwi, you know how that works? Like --

DR. SIX: I can talk about 6E regs generally. So basically, the way it works is during an archaeological inventory survey, if you are to encounter an iwi, it would be treated differently. It would not be treated as an inadvertent discovery. It would be inventoried, it would be given a burial treatment plan that would be decided on between Burial Council, Aha Moku, lineal cultural descendants, OHA weighs in sometimes, all those things. And that would be done prior to any construction. Inadvertent discovery is the rule that they've done their best due diligence, they've done everything they can to identify cultural sites, including iwi, and bam, you accidentally hit something. Traditionally they can be treated as, you know, inadvertent because it's not expected so...because again, in some places we should expect some things, and in other places, like if you're out in the middle of a cane field and it is truly inadvertent. So they're treated differently. But still, with the current makeup of the Burial Council, in my sitting in on the meetings, I'm seeing inadvertent finds given similar treatment to finds during an inventory survey. They are being...especially I can speak to the Civic Center, we're being asked to inter in place, right, not relocate, we're listening to lineal cultural descendants. So even though they were found after an AIS and the County did it's best to...we have two inadvertent finds. So in the cases of the things I'm sitting in on, I do see a lot of movement towards preserving in place with a buffer that they feel is adequate. And in some cases, this can, you know, change...make you have to change your plans, redesign, right. And so it's always, you know, just...it's the right thing to do, in my humble opinion. I'm not offering opinion, but it's also...it's time and money. It's one of those things you hope you don't have to deal with, hopefully you don't want to find that. You want to find them during the inventory survey and go ahead and feel comfortable what you're doing is not going to impact especially burials, let alone imu pits or other things you might inadvertently find. Because you can find things besides iwi, you know.

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CHAIR PALTIN: And I'm not sure if this your area of expertise or not, but we would never do that over a marked cemetery or a marked graveyard, it's only for unmarked. Is that how that works?

DR. SIX: Well, so I'm going to tell you my experiences. So some burial sites are like...can be moved. You can go to the Health Department, I've experienced this with Haneo'o, there was historic burials between the two fishponds, and everybody got together with the kūpuna and they agreed to relocate them. So you can do that. But I don't know exactly what your question is, if you can develop over a known cemetery? The answer I would believe is no, you know, so...but there are ways to...if the family agrees and everyone agrees, and you want to move a family plot and everyone agrees, there are ways to move cemeteries. And in fact, I was talking to our people, we're looking at a beach resilience, right, and one of the beaches we're worried about is by the Hyatt in Kā'anapali, right. As the sea level rises, they have the plantation cemetery there. So at what point...like same with the one that's at Puamana...I mean, excuse me, not Puamana...at Jodo Mission, right at Pu'ūpiha where the ocean's encroaching. So sometimes you get together and you work with relocating. But as far as developing over I don't, I'm not, I can't comment on that. I don't think that's something you can do.

CHAIR PALTIN: Okay. Thank you. That concludes my questions. Does...do any other Members have questions for Dr. Six before I let her go back to her work? Member Sinenci.

COUNCILMEMBER SINENCI: Thank you. Just for clarification for Dr. Six that the burials within this site also are pre-contact burials, correct?

DR. SIX: So there's the historic cemeteries, so obviously the Chinese is not pre-contact, and the Jacobson Cemetery is not, but of the three inadvertent finds that were discovered in that AIS, I believe it was done in 2009, two, if I'm remembering correctly, were considered to be pre-contact, which means generally no modern grave goods and oftentimes a flex position. And one was specifically called out as a coffin burial, which means even if they destroyed the coffin, they found wood and nails, you know, things associated with that. So of those three, and Erik Frederickson, Xamanek Researchers, did the work for Alexander and Baldwin. So I'm sure that we could get a copy of that report.

COUNCILMEMBER SINENCI: Okay.

DR. SIX: I have it somewhere. I tried to find it. But yeah, I know for sure that one is historic, considered historic.

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

CHAIR PALTIN: Thank you, Member Sinenci. Member Rawlins-Fernandez, followed by Member Kama.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I'm trying to think about how to formulate my question. A few comments first, and hopefully the question will come. So aloha, Dr. Six, mahalo for being with us and answering our questions this morning. So we know that any kind of disturbance is basically desecration. We know that iwi should never be exposed to the sun, as all 'ike kūpuna. We also know that, you know, the resort development in Honokōhau Olua Resort --

CHAIR PALTIN: Honokahua.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- Ritz Carlton. Honokahua, the development of that resort is actually what initiated burial laws and iwi protection because of that major desecration. So, you know, West Maui carries with it that legacy, and it's something that we should have learned from, you know. We also know from a lot of patterns that a lot of archaeologists in the past for larger developers were more like hired guns, and didn't do true sampling to prevent from the inadvertent finds which, you know, weren't very accidental if they were doing their due diligence. So if they did true sampling, iwi would've been found, you know, which, in the developers' interest it...you know, it's against the developers' interest to do a true sampling to ensure protection of iwi kūpuna. So I'm...you know, as we evolve, as protections evolve, I'm just trying to think of how we can learn from our past and provide, you know, more protections moving forward. We...you know, we've hired you, Dr. Six, to join the County, and that's definitely more protection, and I'd like to continue on that forward movement. And I saw your hand up.

DR. SIX: Well...because what you're saying is...what I wanted to address...this is from the State Historic Preservation Division. So in order to make sure the rigor is there now, increasingly since I've been the County for the last year, and because I was a private archaeologist prior to that, they're now asking for archaeological inventory survey plans. They want to know your testing strategy. They want to see if you're testing in areas that are unlikely to produce finds or likely to produce finds, and there is such a thing as a random sample. There's different testing strategies. So now SHPD is increasingly...and they're also asking--and I'll use the Maui Lani Phase VIII letter as an example--that they want the AISP to get vetted by me, SHPD--and not in that...not in this order, we're the last to look at it--but OHA, lineal cultural descendants, and they also want to know how they're going to incorporate concerns of lineal cultural descendants into the plan. So it's no more doing what you want to do, saying it's an all clear. So I'm not going to speak to some of the things that you spoke to because I feel that I need to remain neutral, but I wanted to let you know that SHPD is tightening that up. That's why I'm saying whoever does whatever on this property is likely, highly likely to, in my experience, have to do an archaeological inventory survey plan that's vetted not just by SHPD, but by the community, and then also do follow-up AIS that may require...and in the Maui Lani Phase VIII, because they have a number of iwi already identified, they want ground penetrating radar, they want remote sensing. In some cases it might be LiDAR if it's an area that's heavy vegetation, other places they may want GPR. GPR is not perfect. It doesn't work everywhere. I've been doing a lot of research. It works well in some matrixes and not others. So none of these are a silver bullet. But increasingly, if we use our best tool set, and we do our best work, and we listen to the community--because

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they didn't at Honokahua, they didn't listen to the community. The community said there was a civil war, this is where it ended. And so that's why I think SHPD's coming into line with not just consider the community, but how are you going to address their legitimate concerns in your plan. Because there was always this rule just, we'd have to consider it, right. So I think that's a shift.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Dr. Six.

DR. SIX: For the better, as far as good science, right. I'm a scientist so...

COUNCILMEMBER RAWLINS-FERNANDEZ: Right. Mahalo, that's very...yeah, really good to know, to hear that the direction that they're taking is...

DR. SIX: We have some good SHPD people right now on Maui. We have some great people doing some really, really good work. So I want to shout out to SHPD. They've been very helpful with my newly created position. So I want to give credit where credit's due.

COUNCILMEMBER RAWLINS-FERNANDEZ: Awesome. Mahalo to the Maui SHPD. So yeah. So I don't know if it's a question, it's probably not a question for Dr. Six because I think it's more policy, but in the context of Community Plan and the process that we're going through now, is there, you know, a way to provide protections in the Community Plan. And so that's just me kind of, you know, thinking out loud. Mahalo, Dr. Six.

CHAIR PALTIN: I plan on kind of get to that part after we release Dr. Six since that's more our responsibility than her responsibility. Member Kama, I saw that you had your hand up.

COUNCILMEMBER KAMA: I did, but the question that Member Rawlins asked was similar to what I was going to ask, and the response that was given was responding to my question that I wanted to ask. So thank you.

CHAIR PALTIN: Okay. Thank you. Any further questions for Dr. Six at this time? No? Okay. Thank you so much, Dr. Six, and thank you to the Department of Management for letting us borrow your precious time.

DR. SIX: Back to work. Okay. Thanks, guys.

CHAIR PALTIN: Thank you. So originally, I had intended to go over Section 1, but Dr. Six has a busy schedule, especially after lunch, so I thought we'd start with Dr. Six. And the logical next place to go is our revisits for Section 3, Subarea 3 for Lāhainā Town South, which we had tabled for a revisit until we heard back from Dr. Six. And so if Members have their 11 by 17 maps of Subarea 3, the things that I noticed in going over it is the zoning for this entire area is currently Agriculture, and the current Community Plan designation has a small section of Residential, and both the CPAC and Maui Planning Commission versions has a bigger area of Residential. The...I think the bigger area is 64 acres, I'm not sure what the original Residential designation is. I imagine those gray buildings that we see in the existing Community Plan conditions right there, those gray

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buildings, I'm assuming that's the shelter area above the swimming pool. Ms. Maydan, is that correct?

MS. MAYDAN: Chair, that is correct.

CHAIR PALTIN: Okay. So do you know the total area that's currently Community Plan Residential? Because I think that's about --

MS. MAYDAN: I don't know.

CHAIR PALTIN: -- five acres. You don't know?

MS. MAYDAN: I don't, but we can get that for you very quickly. Be right back.

CHAIR PALTIN: Okay. Thank you. So basically, it looks like the change given was to expand the area to 64 acres of Residential, as well as add in some Neighborhood Center. And I was thinking about it a lot last night after speaking to Dr. Six, and I guess kind of the startings of an idea to propose would be a Cultural Reserve Community Plan designation. And what I just drafted was Cultural Reserve Community Plan designation is intended to preserve and manage lands for native Hawaiian traditional and customary uses while protecting sensitive and significant cultural areas such as heiau, iwi kūpuna, et cetera. Areas in West Maui that would fit within this designation include, but not limited to, Moku'ūla, Mokuhinia, Lāhainā Town South known cemeteries and inadvertent burial finds, Honokahua Burial Preserve, I know of some family burials in Kahana makai of Highway 30, mauka of Lower Honoapi'īlani Highway, I mean, Road, and north of Hui D Road. There's a heiau in Honolulu that's called Honua'ūla, Dr. Six mentioned Pu'ūpiha Cemetery, and Puehuehueiki Cemetery. I know that Nāpili Kai also has some burials, I think it's by Puna Point over there. So there's a lot of areas that could fit inside of this new type of designation. Olowalu has many significant sites, and I believe a heiau over there. And, you know, this could also translate to Countywide. I'm not sure if it's too late at this stage for West Maui Community Plan to get a Cultural Reserve designation for the Community Plan. And my start on the idea was, you know, any type of actions taken in this designation area would require, at a minimum, licensed archaeological monitoring. And that's about as far as I got there. But let's discuss it. Chair Lee.

COUNCILMEMBER LEE: Okay. Just so that we're absolutely sure what area you're talking...we're in Lāhainā Town South, right?

CHAIR PALTIN: Lāhainā Town South, either page 71 or 91 is a blowup on your map of --

COUNCILMEMBER LEE: Yeah.

CHAIR PALTIN: -- that place you can look on.

COUNCILMEMBER LEE: I have a big map, the 11 by 17. Okay. So we're talking about the area in yellow?

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CHAIR PALTIN: Yes.

COUNCILMEMBER LEE: With the hashtags.

CHAIR PALTIN: With the diagonal lines, yeah.

COUNCILMEMBER LEE: Okay. And so that area is where the Homeless Resource Center is?

CHAIR PALTIN: Um-hum.

COUNCILMEMBER LEE: Yeah. So right now, according to this map, this is designated for Residential?

CHAIR PALTIN: Um-hum.

COUNCILMEMBER LEE: And how big is that yellow area, do you know?

CHAIR PALTIN: The...which map are you...existing conditions, or MPC, or CPAC one?

COUNCILMEMBER LEE: Well, it's the MPC recommended.

CHAIR PALTIN: Oh, that's 64 acres.

COUNCILMEMBER LEE: That's all?

CHAIR PALTIN: Um...

COUNCILMEMBER LEE: That's all?

CHAIR PALTIN: Yeah. That's what it says in the book. And when I looked at it on the Real Property Tax website, the parcel was 64 acres. We can double check with Ms. Maydan.

COUNCILMEMBER LEE: Okay. Because you know where that...the Homeless Resource Center is?

CHAIR PALTIN: Yeah.

COUNCILMEMBER LEE: That's like five acres.

CHAIR PALTIN: Yeah. So yeah, that part is developed, and it's indicated by those gray building structures.

COUNCILMEMBER LEE: Right, right. Okay. And then the orange figures are for future development of neighborhood centers?

CHAIR PALTIN: Correct.

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COUNCILMEMBER LEE: Okay. So are you now recommending that it have a different designation?

CHAIR PALTIN: Well, I'm proposing the idea for discussion of creating a new designation called Cultural Reserve.

COUNCILMEMBER LEE: Okay. I just want to let you know that it was during our time that we helped...we developed that Homeless Resource Center. And one of the reasons why it was there is because nobody wanted to be close to a resource center, to a homeless shelter...nobody. So we moved it, moved it, moved it. Finally, this was an empty area. It used to be Waine'e Village, yeah, Waine'e Camp. So we moved it there because then the neighbors couldn't complain. So honestly, it's kind of a good place for affordable housing because one of the problems we have with affordable housing is everybody wants it, but not in their neighborhood. So the good thing about that area is it's like isolated, but it's close to parks, and it's close to recreational facilities. So I don't know if you really want to designate the entire area as a preserve because --

CHAIR PALTIN: Well, I hadn't gone so far as to say what can and cannot be done in a reserve or preserve. The first thing I had come up with was just that any action taken would require archaeological monitoring. I hadn't gone farther than that on my own.

COUNCILMEMBER LEE: Um-hum.

CHAIR PALTIN: And so, you know, obviously whatever's existing in those areas, they...it already exists, and it's up to us how we would move forward. I'm not...not comfortable deciding that on my own, and that's why we're having a discussion as a Committee as a whole...I mean, Planning Sustainable Land Use Committee together.

COUNCILMEMBER LEE: Okay. But I just --

CHAIR PALTIN: So that was just...my proposal is to make it a preserve where nothing could happen by myself. I think we need to discuss it further amongst ourselves.

COUNCILMEMBER LEE: Okay. So there is a possibility of areas that do not seem sensitive could be designated for affordable housing?

CHAIR PALTIN: There is a possibility. I guess the situation is the level of AIS plan very rigorous, and like that with the known information may not be cheap and conducive to affordable housing because that would raise the price significantly for the level based on the things that we have just been told is part of the issue to address. And then, you know, there's consultations with lineal descendants of the area. And I think we already saw how...I mean, there wasn't consultation with lineal descendants last December when there was that situation with the trench and whatnot. And I think that's the type of situation that us as leaders need to ensure doesn't continue to happen, given the information that we know.

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COUNCILMEMBER LEE: I fully agree. It's just that you have to balance...you know, sometimes you can reserve portions and not the entire area. I'm very serious about the fact that it was really hard to identify places in West Maui for affordable housing because nobody wanted it near their houses...nobody.

CHAIR PALTIN: In Kapalua Mauka they don't even want it anywhere within their project, you know. So I understand.

COUNCILMEMBER LEE: Okay. Thank you.

CHAIR PALTIN: So this is just the start of the discussion. I think I saw Member Sugimura and Member Kama's hand up, and then Member Sinenci.

COUNCILMEMBER SUGIMURA: Thank you. So I'm looking at the large maps, and the map you want us to look at is which one? We have Maui Planning Commission recommended Subarea 3, CPAC recommended Subarea 3. So which one are we looking at?

CHAIR PALTIN: MPC and CPAC are pretty much the same. So you could take either one of those and look at it next to the existing conditions. So if you look at CPAC or MPC, and you look at existing conditions, it looks like it's significantly been expanded. I'm not sure what the existing conditions acreage is. I think Ms. Maydan was checking on that for us. Oh, she says 20 acres. So it's currently 20 acres, and maybe 5 of that is developed. And then the expanded comes out to 64 acres total. So that's like 44...it's been expanded 44 acres from what it currently is. And I believe of that 20 acres, like Member Lee said, that 5 is developed for the shelter. And it seems like it's...this map is really not to scale if that's 20. But maybe, I don't know.

COUNCILMEMBER SUGIMURA: Tamara, can you, can you have us look at one map that you want to talk from instead of flipping back and forth, whatever? You want us to look at existing conditions or...

CHAIR PALTIN: I just wanted to compare, yeah, of what it is currently, that small little yellow, and what we're being recommended to change it to, you know, to see the difference.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR PALTIN: That was the point of that, to see the difference of what it currently is, and what is being recommended.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR PALTIN: That was the purpose of that exercise. Member Kama.

COUNCILMEMBER KAMA: Chair, so I think that what we're doing here is trying to protect the cultural items that are there, and at the same time trying to think about, you know, having available land for housing development. But...so is there something that tells us this is all the areas that we'd like to protect, and these are some of the areas the we

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would...that we believe development could occur based upon what Dr. Six told us this morning on...and I'm trying to...it's hard to flip back and forth, but I mean, I don't think it's that big of a deal. But is there something that we could put on top of the map that tells us by looking at all of this, we can't develop here, here, and here, and here because of the cultural items that are there, but we can here, here, and here. Is there something that can help us to decide that? Or is that what we're supposed to be doing now?

CHAIR PALTIN: Yeah, I think we have to make decisions without the benefit of that exact knowledge at this time.

COUNCILMEMBER KAMA: Okay. Okay.

CHAIR PALTIN: Because we don't know the extent of the entirety of the burials.

COUNCILMEMBER KAMA: Yeah.

CHAIR PALTIN: We just know it...the proximity to a very sacred site, and the known cemeteries, and the three inadvertent finds. That's basically what we know.

COUNCILMEMBER KAMA: So we're kind of like...even if we created a buffer around each of the known burials or the known sites, even if we created a buffer on that, that would still be...we'd have to still determine what that might be, you know --

CHAIR PALTIN: Yeah. We'd have to...I mean, if...even if we did what you said, create a buffer around the known cemeteries, the three inadvertent finds, I don't think we could be certain that --

COUNCILMEMBER KAMA: We got it all.

CHAIR PALTIN: Yeah. And so from what I understand, the...a very rigorous AIS plan, I mean, it's going to...it's going to cost money, and it's not something that we decide.

COUNCILMEMBER KAMA: Right.

CHAIR PALTIN: It's something that SHPD would impose, I believe.

COUNCILMEMBER KAMA: That's correct.

CHAIR PALTIN: And then I'm not sure...if they do sampling, and they discover things, and they need to move things around, it seems as though the costs, based on the protocol, would raise the entirety of the project out of the affordable range. But I'm not ma'a to that type of thing.

COUNCILMEMBER KAMA: So to me, it seems like this is almost like a hit and miss. We hope we miss, but we think we going hit, right?

CHAIR PALTIN: Kind of, I think so.

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COUNCILMEMBER KAMA: So I think my sense is...so my sense is then the entire area, or areas because we're not just talking about just this one place, I mean, it could be other places in the community or in all of our districts or across the County itself that we might be having to create these new designations on a wider scale than just this.

CHAIR PALTIN: Yeah.

COUNCILMEMBER KAMA: But that's my thought, Chair. Thank you.

CHAIR PALTIN: I guess, you know, some of the concern is if you look on any of the maps, and you look down to the green portion makai of it, the kind of square shaped with the little blue rectangle in...jutting into it, that's the Moku'ula, Mokuhinia, Banyan Tree area, which we do know has great cultural significance. And as you go mauka, that goes up into Kaua'ula Valley. And we know that, you know, from the work that Akoni Akana had done, Kaua'ula Valley was a residence of chiefs. So kind of culturally significant, that corridor from Moku'ula, Mokuhinia going up into Kaua'ula Valley, he gave a presentation that's still circulating on YouTube about the significance and the different ways that Kaua'ula can be interpreted, and the nī'auipi'o and all of that. So, you know, it is documented, the significance. And too bad we lost Akoni Akana so young because he was doing such great work there. But I don't think this is something we can stick our head in a mango on. We need to address it for the community, not to have the type of conflict that has been going on. Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair, for your...my opportunity. And, yeah, I'd be...I'm open to having this designated as Cultural Preserve. With having Dr. Six on, once she finishes her cultural overlay, I'm sure this area will be designated as a cultural overlay having the inadvertent finds, the proximities to the cemeteries, the old plantation camps. And I think this area is pretty much...this is the Old Lāhainā Town area, so the proximity to the historic designation area, so you are going to find a lot of historical sites in this area because this was the...you know, the Old Lāhainā Town. This was the old capital of the Kingdom. So this area is really significant. And again, I think Dr. Six will, once she completes her cultural overlay...these areas. So I think by us putting it under Cultural Preserve, it's just a first step into making it a part of the cultural overlay. I do think housing...but we spoke earlier in the week about housing being closer to Lāhainā Town North. We talked about this area also being Ag for KSBE, Kamehameha Schools. So the...a lot of the community wanted to see this proximity more for Ag. And so having this, again, close to historical sites only makes sense. If we look at Lāhainā Town North, that's where we do have County water facilities. I think all this side is all private, and I think this Council has kind of shunned more housing projects in this area due to the lack of water resources or accessing...there's just little water on this side for large housing projects. So I think focusing the next at least 10 years to 20 from hearing from Kā'anapali 2020 that housing should be near water sources in Lāhainā Town North. So I'm supportive, Chair.

CHAIR PALTIN: Okay. Thank you. Anyone that hasn't had a chance to speak? I just wanted to hear from everyone. If not...

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MS. MAYDAN: Chair, may I?

CHAIR PALTIN: Oh, sure --

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

CHAIR PALTIN: -- Ms. Maydan included. Go ahead.

MS. MAYDAN: Mahalo, Chair. I'll just remind the Committee that Dr. Six did say that she would assume that SHPD would probably want a very rigorous AIS in this area, given its location and known burials and inadvertent finds. Also just want to make sure the Committee is aware on page 91, Policy 3.3.8 regarding archaeological inventory survey. There's a specific policy to the Lāhainā Town South project because this was very important to the CPAC when it was discussed.

CHAIR PALTIN: The Lāhainā Town South was very important, or the Policy 3.3.8 was very important, or both?

MS. MAYDAN: Good question, thank you. I would say if development were to happen in this area, it was very important to the CPAC that cultural resources were investigated and protected appropriately.

CHAIR PALTIN: Thank you. Member Sugimura, I think your time before you were asking a clarifying question about the maps. So you had something to discuss this time, right?

COUNCILMEMBER SUGIMURA: Oh. I want to continue on with Ms. Maydan --

CHAIR PALTIN: Okay.

COUNCILMEMBER SUGIMURA: -- page 91 since she...can you also talk about on page 91 policy 3.36 *[sic]* and 3.37 *[sic]* as it ties in with 3.38 *[sic]* that you just talked about. Within this area of change, Lāhainā Town South...I'm sorry, yeah, Lāhainā Town South, which is the map. Can you bring that all together? I'm just wondering if what...what the Chair is recommending is addressed with these policies.

MS. MAYDAN: Mahalo --

CHAIR PALTIN: I...

MS. MAYDAN: -- Member Sugimura, for your...

CHAIR PALTIN: Oh, go ahead, Ms. Maydan.

MS. MAYDAN: Thank you for your question. So yeah, the three policies on page 91 were discussed quite a bit at CPAC, making sure that when this project is developed, that it would be affordable and that resources would be protected. There was a lot of testimony

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regarding Kuleana access, and that that will need to be maintained. And then as I mentioned, 3.3.8, there was concern as far as the resources and that, you know, they are applicable laws, and they would...had to apply...the CPAC...the CPAC wanted to spell that out clearly in a policy here. And then 3.3.6, the developer, as noted on page 90, it says approximately 50 to 70 percent of their residential units would be workforce housing. There was also discussion about, as you can see in policy 3.3.6, that the County may identify parcels in this area as high priority affordable housing sites with 100 percent affordable housing, and then that the County...the Planning Department will work with the property owner and initiate a change in zoning. So that was if it was for 100 percent affordable. This was a pretty detailed conversation with our Director and the CPAC Chair at the meeting. Does that provide a little clarification, Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. Thank you for, you know, tying this discussion together. Appreciate that, because it's important. Thank you. Let me digest that. Thanks.

CHAIR PALTIN: Thank you, Member Sugimura. Ms. Maydan, to clarify, was it ever mentioned how many units besides the 60 to 70 percent affordable, or was it mentioned the total number? Or 50 to 70 percent, sorry.

MS. MAYDAN: Mahalo for your question. I'm guessing that yes, it was discussed. It's...we generally did not tie in number of units for projects unless they were already dictated by zoning, like a project district if that was like Pulelehua. For the community plan, no, we left that flexible. I'm sure in that conversation there was, and maybe if I look back at some of the materials that were provided to the CPAC there could be number of units referenced, but I do not know it off the top of my head.

CHAIR PALTIN: Okay, thank you. If you do find it, feel free to put it in the chat for us. Thank you. Before I call on Chair Lee, Member Johnson, I think, didn't speak yet.

COUNCILMEMBER JOHNSON: Thank you, Chair. So this question is either for you or Ms. Maydan because I'm not sure...is there one landlord or landowner, or is there multiple landowners on this...in this area that we're looking at for a Cultural Reserve destination...designation?

CHAIR PALTIN: For this area in yellow, I think the existing is like MEO the County, the existing buildings and the surrounding might be Hope Builders LLC, which is affiliated with Peter Martin.

COUNCILMEMBER JOHNSON: Okay. All right. That's the only clarifying question I have. Thank you so much.

CHAIR PALTIN: Thank you. Before I call on Chair Lee, anyone who hasn't had a chance to spoke...speak, I'd like to give an opportunity to. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So I like the idea that you're

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heading in. I think, you know, more protection is beneficial. I've just been trying to, like, work on the...not logistics, but how it would, you know, be incorporated into the community plan. And so in the--what is this called--community plan designation and zoning districts. And so I was trying to see how it would fit into this spreadsheet, you know.

CHAIR PALTIN: Oh the...yeah, I see what you're saying.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah --

CHAIR PALTIN: The one in the --

COUNCILMEMBER RAWLINS-FERNANDEZ: -- right.

CHAIR PALTIN: -- black, page 2 of the March 18th correspondence. Is that the one?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. That's...yeah, that's the one. Yeah. So it has the existing community plan designation, updated community plan designation, and then the most compatible zoning districts for updated community plan designations. And I was just, you know, trying to think through. So if we, you know, put in a updated community plan designation Cultural Reserve, and then what, you know, compatible zoning districts would go into the third column. I'm not asking you, that's just one of the things that I'm, like, thinking through right now, which is why I really think too much. I'm just, like, trying to think through how it would...the nuts and bolts of how it would work. Mahalo, Chair.

CHAIR PALTIN: Thank you. Member Molina, did you have anything that you wanted to say at this point before I call on Chair Lee?

COUNCILMEMBER MOLINA: No, not at this time. I think one of my questions I was going to ask was asked already. So I'm just...was trying to analyze this and, you know, trying to put it all together. But at some point, I'll make a comment. Thank you.

CHAIR PALTIN: Thank you. Chair Lee.

COUNCILMEMBER LEE: I was going to ask if we could check in with Kai Nishiki, but I don't...I think she just left the call. Since, as it was said by Ms. Maydan, that this involved a lot of the discussion by CPAC, and it appears that CPAC recommended that it says utilizing the 64 acres. So what I would imagine that they're looking at all of that for affordable housing. Not to mention the small neighborhood centers. But it appears that that's what CPAC wanted. And I just saw her name and then I just saw her leave. So it's --

CHAIR PALTIN: Okay.

COUNCILMEMBER LEE: -- too bad that we couldn't get her comments. Thank you.

CHAIR PALTIN: I just texted her that you had a question for her, so maybe we'll...oh. And like

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magic. . . *(laughter)* . . .

MS. NISHIKI: Good morning.

CHAIR PALTIN: Good morning. I'd like to designate Kai Nishiki as a resource person at the request of Chair Lee, who we at the Council know so well.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR PALTIN: Okay. Go ahead, Chair Lee.

COUNCILMEMBER LEE: Kai Nishiki, we're on that area above the park . . . *[noise]*. . . whoa, by the swimming pool.

MS. NISHIKI: Yes.

COUNCILMEMBER LEE: That area that it appears the CPAC recommended a lot of workforce housing, affordable housing in that area by the homeless resource center.

MS. NISHIKI: Yes.

COUNCILMEMBER LEE: Were you envisioning most of that 64 acres allocated for housing?

MS. NISHIKI: Yes, and we instructed the County to initiate comprehensive zoning if the developer chose to do 100 percent affordable housing, which is what was our preference.

COUNCILMEMBER LEE: Okay. Did you know at that time that there could have been a couple of graveyards there in that area?

MS. NISHIKI: We didn't know specifically what could be in that area. But because of testimony, I believe, by Aha Moku and Ke'eaumoku Kapu group, we wanted to make sure that that Kuleana access was protected, and that there was adequate archaeological survey done to --

COUNCILMEMBER LEE: Okay.

MS. NISHIKI: -- make sure that we wouldn't be putting housing in an area like that.

COUNCILMEMBER LEE: Okay. Thank you. Looks like you've covered all your bases. Thank you.

MS. NISHIKI: Thank you.

CHAIR PALTIN: Thank you, Ms. Nishiki, for being so available. Member Rawlins-Fernandez, did you have a question for Ms. Nishiki? Okay --

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo --

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CHAIR PALTIN: -- go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- Chair. Aloha, Ms. Nishiki. I know you were on earlier. And so Member Sinenci had brought up the idea that he's been working on with the cultural overlay, and I was hoping to get maybe some feedback from you on if that was a discussion that was had, you know, like a...the cultural overlay concept at the CPAC at all? Yeah.

MS. NISHIKI: I'm so sorry, I may have missed when Councilmember Sinenci was discussing the cultural overlay so --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. NISHIKI: -- e kala mai.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, no, my apologies. Okay. So on the map that we have, it has the Maui Island Plan, and it overlays the community plan designations, and it...you know, it has the lines and it has the dotted lines and the diagonal lines, stripes, which is, I'm guessing, why, you know, making it more all vision friendly would be a little tricky because it has multiple layers. And so the idea of not necessarily a designation that would determine the types of zoning that could go into specific areas, but like an overlay that would mandate more protection. So if any kind of development would happen in an area that was a Cultural Reserve, that it would trigger certain kind of studies like, you know, archaeology studies and kind of...some of the stuff that Dr. Six was talking about.

MS. NISHIKI: Well, if you're asking my opinion on that, and...I think that it's a great idea. And I wish that...I wish that I would have come up with this during the meetings for CPAC, and we absolutely would have put that on there, you know. Like some of the things that we added on was that we had wanted to have sea level rise on the map so that when we are making decisions, that was front and center. And similarly, this...that would also have been a great idea. And so I'm sure that my fellow members would have supported that, and hopefully you folks will now be able to put that in there. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Nishiki. I like that idea too. I don't know how the other Members feel about it, but we talk about the SLR-XA and the erosion hazard line and all these different...but we don't have a map of it. I think it would be good to have a map that, you know, just has the date so that we know at this time, this was where we thought the SLR-XA would be and then, you know, people can have a map of it instead of just, you know, the 3.2 feet.

CHAIR PALTIN: Oh, just point of information --

COUNCILMEMBER RAWLINS-FERNANDEZ: We have it?

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CHAIR PALTIN: -- it is on the zoning one. It's the diagonal hash grid.

COUNCILMEMBER RAWLINS-FERNANDEZ: Is the zoning map part of the community plan?

CHAIR PALTIN: Oh, it's also on the CPAC and the MPC ones as well. It's just not on the existing conditions map.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. I see it. It is on there, Ms. Nishiki. Good job. Thank you.

MS. NISHIKI: Yes. Yes. It really helped with our decision making.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So the SLR-XA is on there, but not the erosion hazard line. But I think that would be, like, maybe way too much.

MS. NISHIKI: Yeah, a little too much detail, I think, for the size of maps that we're looking at. But the 3.2 is helpful, and I believe the cultural overlay would be helpful as well.

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

MS. NISHIKI: Mahalo.

CHAIR PALTIN: Thank you. If there's no further questions for Ms. Nishiki, I'd like to let her get on with her day like we did for Dr. Six. Thank you, Ms. Nishiki. Okay. So I'm supportive of that idea. As opposed to a designation, we're looking at an overlay. And an overlay would have, like, more stringent requirements for actions taken in the area. Is that what you're proposing?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes.

CHAIR PALTIN: Okay. Yeah, I like it. Members, how do you feel? How are you feeling about that suggestion? Member Molina.

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. Can I get, I guess, from the Department, what these stringent requirements would be if we were to put a cultural overlay if you could elaborate on that?

CHAIR PALTIN: I think that would be us as a policy. But sure, Ms. Maydan?

MS. MAYDAN: Mahalo, Chair. Yeah. Mahalo, Molina...Member Molina, for your question. So what we...what I would recommend is drafting an action to go in Section 4 to create an overlay district for important cultural resources. And through that process of creating that overlay district, it would be thoroughly investigated as far as how that overlay district is established, what the resources are, and what are the requirements of that district as far as stringent analysis during project review. I couldn't tell you specifically right now what that would be because it would need to be a thorough assessment to establish that overlay district.

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CHAIR PALTIN: I...Ms. Maydan, did we not already have that as an action item for Section 4? I thought...

MS. MAYDAN: That's what I was just thinking too, I was going to look back in your Staff's notes.

CHAIR PALTIN: Okay. So I believe it is an action item, but let me check. Oh, Director McLean.

MS. MCLEAN: Thanks, Chair. I would just add that...to the action item, the Planning Department can be the priority agency...or Department of Management for the County Archaeologist. But either way, it should be a collaborative effort between those two. So just so that's specified in the action. Thank you, Chair.

CHAIR PALTIN: It looks like that's a new one and...that we had. I found it on page 1, 2...page 4 and 5 of our tracked changes for Section 4. It says develop a cultural overlay...cultural overlay map, identifying known above-ground resources, the location of important historic events, known burials and known archaeological resources, and create a cultural overlay district to protect cultural assets and establish an efficient review process for property owners. Type project priority, medium, timing mid, lead agency Planning, estimated cost 125. So I would almost bring this to a high priority. And I think Director McLean said in coordination with the Department of Management, specifically the County Archaeologist. So when we do our Section 4 revisit, definitely get that in there. And then Ms. Maydan, can you refresh us on the timing. What were the options mid, long, and short?

MS. MAYDAN: Yes, Chair. On page 105 at the top, action timing, short-term actions over the next one to five years following plan adoption; mid-term actions, between five and 10 years following plan adoption; and long-term, 11 to 20 years following plan adoption.

CHAIR PALTIN: Okay. Thank you. So for me, I would like to move the priority up to high and the timing to short, but we can discuss that more in depth in Section 4. Do Members feel that...I guess, the question now is what do we do with the maps. Do we still want to expand that Residential area from 20 to 64 with the information that we know, or is it something that you want to leave as is, or change entirely? Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, just clarification. The...currently the yellow is 20 acres, or is that the total 64 acres?

CHAIR PALTIN: If you're looking at the existing community plan designation, it's 20 acres in Residential. The proposal that was accepted by MPC and proposed by CPAC was to expand it...the 20 acres to 64 acres, and to include two neighborhood centers within there. So...

COUNCILMEMBER SINENCI: And I believe that inadvertent finds were outside...according to Dr. Six, it was more the grey area, if I'm not mistaken.

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CHAIR PALTIN: So my understanding, if you're looking on page 91 and you see that white rectangular area close to Mill Street, I believe that's the Jacobson Cemetery right there. And then there's two other known cemeteries, I think, one...at least one of them is post-contact, like, a Chinese cemetery. They said the Mon...not sure how to say it, but it sounded like Mon Pong [sic] or something cemetery. And then I forget what the last cemetery's name was, but it's within...the Jacobson's definitely is within that 64 acres, but it looks like it's not designated yellow. So I'm not sure what...Ms. Maydan, what is that white rectangle intended to be on page 91 within the yellow?

MS. MAYDAN: Chair, I believe that is not part of Hope Builders' property. I...let me look at...it's...if you look on the MPC map, you'll see that it's blue...so it's Public/Quasi-Public. So if my memory served me right, it is...oh. Let me check with Staff, but it...if it's blue, it might be cemetery. Let me confirm.

CHAIR PALTIN: Okay. Thank you. Chair Lee.

COUNCILMEMBER LEE: Yeah. Two things. As far as I'm concerned, if we're going to have an overlay district, that should ensure protection of the sensitive areas so we, I believe, can go forward with whatever was recommended by CPAC. Secondly, I have to jump off the call at 1:30...12:30 to 1:30.

CHAIR PALTIN: Okay. Thank you. Okay. So we have one indication of going forward with the 64 acres of Residential with some Neighborhood Center. Two indications of going forward with 64 acres. You guys do know that that cultural overlay has not yet been created though? I mean...just saying. But we can...we can move up the priority and move up the time frame, I guess. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: So I guess when I proposed it, the overlay, it would kind of work like a designation, right? So the community would suggest these areas be included in what would become the zoning overlay. So it would be like a designation overlay versus, like...you know, like, the hard and fast zoning overlay that will eventually be created. Because right now, the designations are...is what is suggested by the CPAC and then...you know, and then through the Commission and then came to us. And so now we...you know, it's incumbent upon us to take the designations and then incorporate that into the zoning if there's any inconsistencies. And so the idea was that...you know, that it would follow a similar process where the overlay would be coming from the community, like, these areas should be included in the overlay when you do enact the overlay into law. This would be law, but, you know, just the...similar to how designations become zoning. So like the overlay would...sorry, this is not my expertise.

MS. MAYDAN: Chair, may I?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, okay. Great.

MS. MAYDAN: May I provide an explanation?

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CHAIR PALTIN: Ms. Maydan.

MS. MAYDAN: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Thank you.

MS. MAYDAN: Mahalo. So an overlay is kind of a different animal from a community plan designation or a zoning district. It would lay...as its name says, it overlays on both of those. So you have your community plan designation that tells you what your future zoning should be or gives you some information. And then you have your zoning that gives you the particulars on your uses, your setbacks, et cetera. And then if a property also is subject to an overlay...and there's many types of overlays. We're talking about a cultural overlay, of course. So if a property is subject to an overlay, those restrictions that are included, or those guidance, or whatever it is that's included within the regulations of the overlay would be on top of everything else. So the overlay does not replace your zoning, and it does not replace your community plan designation, it's a little more similar to kind of like a special management area where when you're in the special management area, you have a community plan designation and you have zoning, but you're also within the Special Management Area, so there's extra precautions that need to be taken and extra regulations that apply.

CHAIR PALTIN: Yeah --

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR PALTIN: -- and I think that's what we are talking about --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh.

CHAIR PALTIN: -- extra precautions. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. And mahalo for your attempt, Ms. Maydan. So I think we all understand that part of what an overlay...how it functions. But what I'm...so we created the term, you know, designations so that it's...you know, when we're doing a community plan, we're not saying this is the zoning, right? We're saying these are the designations. And the designations will then translate into zoning. So what I'm suggesting is that we create the same thing that designations are to zoning, that we would create a term for what would become the overlay. Do you understand?

CHAIR PALTIN: Ms. Maydan.

MS. MAYDAN: Mahalo, Chair. Yes, I understand, but it doesn't...just as I explained, while a property's community plan designation directs the future zoning, an overlay is different from that. Just the nature of what an overlay is, is it does not replace...it doesn't...

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. So I understand it doesn't replace zoning,

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it's an additional layer of protection over whatever the zoning is. What I'm saying is that the community plan would help to direct where the overlay would eventually be. So in the community plan, it wouldn't necessarily be called an overlay, it would...we could call it something else--I don't have a term for it right now--but that would inform where the Cultural Reserve overlay would eventually be. *(audio interference)* Okay, I guess I'll work on a word for that then.

CHAIR PALTIN: . . .*(laughter)*. . . I think...I guess, you know, our first decision here is, are we going to accept the expanded Residential and Neighbor Center? Do we want to keep it to the existing 20 acres Residential, or do we want to name it something else, Open Space, Ag, what have you. So in order to move forward from this section, we kind of...that's...I think that's something that we need to know. I know we need affordable housing. I have concerns how affordable it can be with the archaeological monitoring that...and inventory survey plan needed. For me, I'm kind of leaning towards leaving it as is and not expanding it. I guess, you know, the experience that we had with this developer, we've already seen it this past December. That information was known to them, the three cemeteries, the inadvertent finds. And then there was another inadvertent find with grandmothers being arrested for trying to step into the way of desecrating the bones. And they're still going to court over that one incident right now. And it really is tearing up the community with folks taking sides and whatnot. So I'm just asking us as leaders to take steps to not enable that kind of division within our community. And I'm not sure of the best way to do it. I mean, if it were easy, everybody would be up in this seat, right? But that's my main concern. You know, I would love for my community to get along, to work together towards a shared goal. And I don't see that being able to happen when certain folks' bones are protected by virtue of them being in a marked cemetery, and other folks' bones are not afforded that same level of protection, where this company particular, the lineal descendants have been in kind of an antagonistic relationship within the community. And so for me, there's hard time to trust that this would be a respectful process, to do the archaeological inventory survey plan in working with the community. It's hard. The compromise for me, I guess, would be to leave it as it is, and then have additional protections, not expand it. That would be the compromise. My ideal would be, you know, Open Space, most restrictive. So that's my feelings, and I'm open to hearing your feelings. Chair Lee.

COUNCILMEMBER LEE: Yeah, I have no problem with leaving it as it is with the 20 acres or so. I'd rather us to try and avoid getting into a debate on a developer and so forth, you know, because we're more focused on housing, not so much the person. Thank you.

CHAIR PALTIN: Thank you, Chair Lee. Anyone else? Member Molina.

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. You know, I defer to you. You know your community best amongst the nine of us. So if you feel...I guess, basically are you just saying the status quo, leave it alone for now and let, I guess, akua take charge of this and try to bring the community together. If that's what you feel is best, then I defer to you on that. Thank you, Madam Chair.

CHAIR PALTIN: Thank you. I'm not sure if I feel it's best, but it...I think it's the best

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compromise I can think of. Member Sinenci.

COUNCILMEMBER SINENCI: Chair, so clarification. So you're saying leave it, or add the cultural overlay to the 20 acres versus the 60 acres?

CHAIR PALTIN: Well...so the cultural overlay is a great idea. I love it. I want it to happen as soon as possible. But at this point, it's an idea and not a reality. And...

COUNCILMEMBER SINENCI: So even the Cultural Preserve designation you're not open to? Or you are?

CHAIR PALTIN: I'm open to it, but I'm not sure that we have the time to create it for West Maui Community Plan. Possibly during South Maui Community Plan it can be created, and then retrofitted for West Maui Community Plan. But at this time, I think we're working with what we have. I mean, we do have our own deadlines and whatnot. And so, you know --

COUNCILMEMBER SINENCI: Open Space?

CHAIR PALTIN: -- in this . . . *(inaudible)* . . .

COUNCILMEMBER SINENCI: Open Space would be more restrictive?

CHAIR PALTIN: Yeah, I'd be open to Open Space, but I doubt we have the votes for that.

COUNCILMEMBER SINENCI: Right. And it looks like from some of the housing proposed of this area, you know, the planning and the subdivision approvals is not until next year to 2023, and construction...possible construction even to 2025, at which time we're hoping that the cultural overlay will already be established, yeah?

CHAIR PALTIN: Yeah. And that's why I would love to move up the priority and get that going so that, you know, we don't lose any, you know, we don't suffer any desecration.

COUNCILMEMBER SINENCI: Right. Exactly, desecration. Because this area, you know, should anything happen as...like you said, as mentioned...and in the last six months, highly likeable *[sic]* that you're going to hit finds in this entire area because of its historical precedence. This is the area. So...okay. We can work at a faster pace for the cultural overlay from our office. Thank you.

CHAIR PALTIN: Okay. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: All right. I'm...this is all new. This doesn't exist, right, so it's just an idea. So we could call it something like you said, Cultural Reserve, and then we can call it Cultural Reserve description, and it would serve as guidance on where...what areas to be included into the cultural overlay. And we can just, you know, do that one area, the 20 acres that you're talking about, and then we'll leave it simple like that since it's something new. Baby steps. And then, you know, yeah, go from

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there. That's --

CHAIR PALTIN: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- an idea.

CHAIR PALTIN: Ms. Maydan, would that Cultural Reserve ascription, would that be something that we would list as a policy above, like, how 3.3.6, 337 [sic], and 338 [sic] are where we put, you know, we have this idea of a Cultural Reserve ascription and this area of Lāhainā Town South that is designated Residential would be included in it. And I think, you know, mine was that any activity in the area would require cultural monitoring. I think SHPD would require that AIS plan that Dr. Six was saying, but would that be an appropriate way to describe it for our community plan as a policy for the...like, an area specific policy at this time until it gets bigger to encompass the entire plan?

MS. MAYDAN: Mahalo, Chair and Member Rawlins-Fernandez. I'm, of course, thinking this through as you're asking. Perhaps maybe it would be an addition to the action that we were talking about for the cultural overlay, giving more...are you talking about creating a map as the ascription? Is that what that is, is a map with potential areas?

CHAIR PALTIN: I think it's like, you know --

MS. MAYDAN: Okay.

CHAIR PALTIN: -- since the overlay doesn't exist yet, it's like the pre-step to the overlay where we say, you know, these are areas that once the overlay is created, that should belong to it.

MS. MAYDAN: Okay. Thank you for that clarification. So I think for it to be implementable, that map would be referenced in the action that directs to create the cultural overlay, and saying something along the lines that these are areas that are important to include. This is not an exhaustive list, there will be others, or this is not an exhaustive representation, there could be other areas.

CHAIR PALTIN: So we would add that --

MS. MAYDAN: I...

CHAIR PALTIN: -- Cultural Area Reserve ascription to the current action item as like a head start on it?

MS. MAYDAN: Yeah. And I...am I assuming correctly that you're speaking to the whole West Maui Community Plan area, not just Lāhainā Town South? Or is that incorrect?

CHAIR PALTIN: I would like to. I'm not sure of Member Rawlins-Fernandez intention.

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm sorry, could you repeat that real quick?

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CHAIR PALTIN: Ms. Maydan?

MS. MAYDAN: Yeah, thank you. That this ascription, a map of potential areas would encompass the full West Maui Community Plan area, not just specific to Lāhainā Town South. This is --

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh.

MS. MAYDAN: -- throughout the region identifying areas.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, I see. Yeah. I would support...I would defer to Member Paltin. But the suggestion was for the, you know, those areas that Member Paltin named as a baby step.

MS. MAYDAN: Yes. So to make this happen, of course, this would be...we would...the Department would be making the map, and we would need to know where these areas are. So of course, this is a big project to do it for the...the cultural overlay to do the actual project, that would be a big mapping project. For this ascription, you'll have to give us areas that you would want covered and the language to add to the action for sure.

CHAIR PALTIN: I had a question for Member Rawlins-Fernandez or the Committee as a whole. Are we saying only the 20 acres that is designated Residential would be part of the ascription, or the entirety of the Lāhainā Town South because of its proximity to Malu ʻUlu o Lele, Mokuhinia, and Mokuʻula? And the scattering of...okay, yeah, that's what I was thinking. And then if they're in the ascription, does that mean...so my only thing for items within the ascription was any activity in the area would require cultural monitoring. And I guess that's like earth-moving type of activity, not like walking over it or something like that. Is that something that we would put in the action item or as a policy, like, areas designated as part of the ascription would have cultural monitoring for any earth-moving activities or something like that. Ms. Maydan?

MS. MAYDAN: Thank you, Chair. This is where it makes me a little nervous because I don't know what should be in there. So I am not the one to recommend what you would put in there. For an overlay district, it should be thought out very well as far as where it applies, what all of the restrictions are. I'm sorry, I don't have advice on this.

CHAIR PALTIN: Okay. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So I guess like designations, you know, I guess...so it...they are enforceable because they...they're law. And so the...how...if the community plan is silent on, you know, the height requirements or the height limits on buildings or, you know, like, what the structure can look like in the community plan, and it heavily relies on zoning to inform, you know, of that, then-- sorry, I'm not explaining this really well--then the...so the ascription wouldn't already trigger those kind of enforcement. It would inform the overlay, and then the overlay

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would have the details of policy on how...when it's triggered, what would happen. Or like, you know, if earth is moved in that area, then the overlay would be triggered and then what's required in the overlay would inform the person, the landowner on, like, what would need to be done.

CHAIR PALTIN: Okay, okay. Okay, so for the purpose of moving ahead and not getting stuck in the weeds, shall we take a vote on the designation that we're...entertaining a motion to leave the area as it is designated and not expand it because of the information that we've been given. And then we can address what we would do in the Section 4 revisit of the action item with the cultural overlay and the ascription. And then I guess if we're leaving it as it is, there wouldn't necessarily be the same type of change envisioned because it would no longer be 64 acres, maybe we would just call it 20 acres. And it does mention burials may be associated at the very bottom of page 90. So I guess the motion would be to change the community plan designation back to what it is currently, and to amend the 64 acres to 20 acres in the Waine'e area. And that's mostly what I can think of, the action we need to take to move forward. And also on the Subarea 3 map, that would be, I guess, a nonsubstantive change if we take that vote and it passes. Ms. Maydan, does that cover what we need to move on from this section...or this particular issue about Lāhainā Town South, maybe not the entire section?

MS. MAYDAN: Thank you, Chair. Does this cover what you would need to do as far as the action for the overlay and the ascription map, is that what you're asking?

CHAIR PALTIN: I think so because we would take more additional action when we get to Section 4, amending the cultural overlay part and speaking of the ascription there.

MS. MAYDAN: Yes, yes. Because that would apply more broadly and it's not directly just applicable to Lāhainā Town South, I would say yes, you would deal with that in Section 4 when you get to that action.

CHAIR PALTIN: Okay. And would just changing the 64 to 20 acres on page 90 be sufficient to make the rest of the Lāhainā Town South and the area of change, would that...because the challenges and opportunities are the same. The burials are already mentioned, the policy is in place for burials. Would it be okay just to amend that 64 acres to 20 acres, and that section still makes sense?

MS. MAYDAN: Thank you, Chair. I...so that section, of course, is written for the broader project as it's depicted on page 91. So at 20 acres rather than almost 70 or so acres, it's a different sort of project for sure. It's not providing nearly as much affordable housing, it's not as significant of a growth area. So I think that the...I think this section would potentially need to be changed a bit. Or...I mean, you could entertain deleting it since it's not a area of change necessarily since it would be exactly the same as in the current community plan.

CHAIR PALTIN: Okay. I guess my concern with deleting it entirely would be the very good area specific policies. However, you did say that one of the last policy, which is the most important, is already State law. So I think maybe what I would like to do is move

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Lāhainā Town South to an area of stability since you're saying it's not changing, delete the change in vision portion, keep the challenges and opportunities, and the area specific policy. Would that be appropriate?

MS. MAYDAN: Mahalo, Chair. I think this is certainly for your Committee to consider. If you're looking at this area as an area that is more similar to an area of stability as described in the plan, that is for your Committee to consider.

CHAIR PALTIN: Okay. All right. I'm not sure if everyone agrees with everything that I said, so we can take it one step at a time. The first motion that I will entertain is to amend the Residential designation from the Maui Planning Commission version to the existing Residential designation for 20 acres as opposed to 64 acres.

COUNCILMEMBER RAWLINS-FERNANDEZ: So move.

CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Johnson. So this is just not changing anything, leaving it the way it is. And the reasoning would be the information that we heard from Dr. Six today. Any further discussion needed on this? We have discussed a lot. Chair Lee.

COUNCILMEMBER LEE: Yeah. I'm going to vote aye with reservations because I appreciate your efforts to reach a compromise. But I generally don't think it's always a good idea to be trying to create new policy on the fly. I think we need to keep track of all the new policies that...ideas that have come up through this process, put them on...make a list, and work on them as soon as possible before we work on the South Maui Plan. Because we don't want to go through the same thing, you know, like a new idea comes up as we're going through a very voluminous document. So thank you, and I will vote aye with reservations.

CHAIR PALTIN: Thank you, Chair Lee. Member Sinenci.

COUNCILMEMBER SINENCI: Chair, I'll support the motion on the floor considering that we're going to add this...the additional ascription and the revisit in Section 4, as a way to moving forward and anticipating the cultural overlay of (*audio interference*).

CHAIR PALTIN: Thank you. Okay. If there's no further need to discuss, I'll call for the question. All those in favor, raise your hand and say aye. Okay, I see three, six, seven...motion passes unanimously with one excused, Member King.

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VOTE: AYES: Chair Paltin, and Councilmembers Johnson, Kama, Lee, Molina, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair King.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: Okay. I guess...do Members want to delete this entire Lāhainā Town South from area of change and move it to area of stability? Or do we want to just delete it entirely?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, what page?

CHAIR PALTIN: Oh, I'm sorry, pages 90 and 91. So it no longer kind of fits in area of change because there's no change. But there is good information in the challenges and opportunities, as well as the area-specific policies. We could possibly strike change envisioned, and move it to area of stability with challenges and opportunities.

COUNCILMEMBER MOLINA: Chair?

CHAIR PALTIN: Member Molina.

COUNCILMEMBER MOLINA: Yeah. So Chair, when you...moving it to area of stability, what is...I guess, define stability in this case as it relates to Lāhainā Town South.

CHAIR PALTIN: Oh, okay.

COUNCILMEMBER MOLINA: If we could...yeah.

CHAIR PALTIN: So it's...there's 20 acres currently in Residential, and 20 acres would remain in Residential. And so with no change, then it's... it would remain the same, I guess. But there is some sort of change in that, like, it would like to be developed. But it's already currently Community Plan to be developed, but the zoning would probably need to change, because it's Agriculture, underlying Residential Community Plan designation, Agriculture zoning. It...it may be a bit of a stretch for a area of stability, because it is staying as it is, but it is partially entitled to develop. Like, about 15 of undeveloped acres. So --

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COUNCILMEMBER MOLINA: Yeah, that's where I could have had the --

CHAIR PALTIN: Yeah.

COUNCILMEMBER MOLINA: Yeah, maybe if the . . . *(inaudible)* . . .

CHAIR PALTIN: Yeah, I guess --

COUNCILMEMBER MOLINA: Little bit of both.

CHAIR PALTIN: Now that I... I talk it out, since it is a little bit of both, it doesn't fall wholly in one category. And I guess, you know, deleting it from the Plan, we still have the information, you know, about the challenges and opportunities. And the burial laws, State of Hawai'i environmental laws, and archaeological laws will still need to be followed, so I guess I don't see the harm in just removing 90 and 91, page 90 and 91 from the document. Because it's not really qualify as an area of change or an area of stability, now that you asked that question, which clarified it for me in my own head.

COUNCILMEMBER MOLINA: Yeah. Okay, Chair. I'm...I'm open to...to your recommendation. Thank you.

CHAIR PALTIN: Okay. I'll entertain a recommendation to delete the information on page 90 and 91 from the Community Plan, since it no longer fits in Area of Change or Area of Stability. Moved by Member Lee, seconded by Member Sinenci. Any further discussion needed? Member Sugimura, followed by Member Rawlins-Fernandez.

COUNCILMEMBER SUGIMURA: Yeah. So does this then discourage at all any kind of housing? Affordable housing? By taking --

CHAIR PALTIN: It just leaves it as status quo of what it is right now, and I believe also the status quo based on the known SHPD resources is that a detailed, rigorous AIS plan will be required, which...that's not something that we're requiring, it's what SHPD would require, according to the information given us by Dr. Six. So it's basically status quo. Development is partially entitled by the Residential Community Plan designation.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR PALTIN: Any further...oh, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Just clarification. So that South...Lāhainā South section is going where?

CHAIR PALTIN: So we'll be deleting the information on page 90 and 91, because this is talking about Areas of Change and Areas of Stability, and it doesn't fall entirely in one or the other. But we'd be amending the map in Subarea 3, with 3.2, on page 71. And that would just go to status quo as well, what the existing 20 acres of Residential is. But I

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think we already took that motion and voted on that, so this...this motion is to delete the information on 90 and 91, because it's no longer an Area of Change, but it's not necessarily an Area of Stability either.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, so it would just be removed from the Plan.

CHAIR PALTIN: Yep.

COUNCILMEMBER RAWLINS-FERNANDEZ: It's not being put somewhere else, it's just being removed. Okay. And yeah, so it just...it'll...so it'll...that section will just have Lāhainā Town North and Central Lāhainā, and then not (*audio interference*).

CHAIR PALTIN: Yeah. And then we can rely on Staff to make the nonsubstantive changes associated with this action. Like, if it says there's three areas, based on this action, there would be two areas and I...I believe we can count on that as a nonsubstantive change. Is that correct, Ms. Lillis?

MS. LILLIS: Correct. Thank you.

CHAIR PALTIN: Okay. So as long as the legislative intent is there, they can clean it up for us, because we're going to give them a lot of time to do that. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I know that Ms. Nishiki did say Policy 3.3.7 was...that came up during the proceedings about maintaining the Kuleana access for this area, and I was just wondering, you know, taking 91 out, could we somehow highlight it in...in another area? Only because it was such a highly discussed item.

CHAIR PALTIN: Oh, okay. My understanding was Ms. Maydan said they wanted to restate what existing law was, and that...that...that's...Ms. Maydan, is that part of existing law? Kuleana access?

MS. MAYDAN: Thank you, Chair. Yes, and I'll also point out that on page 40, there's policy 2.3.1 that says, ensure new development projects provide continued access to Kuleana lands protected under Section 7-1, Hawai'i Revised Statutes.

CHAIR PALTIN: Okay.

COUNCILMEMBER SINENCI: Great. Thank you.

CHAIR PALTIN: So we were just --

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR PALTIN: -- emphasizing it, and it's...it's existing in the plan. So I think we're okay. Any further --

COUNCILMEMBER SINENCI: Okay. Mahalo.

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CHAIR PALTIN: -- question, comment? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Real quick. So these three policies on page 91 are not in the policy section?

CHAIR PALTIN: Yep. Ms. Maydan just said that the 3.3.7 was in...on page 40, I believe.

COUNCILMEMBER RAWLINS-FERNANDEZ: She said a policy similar to it, but not --

CHAIR PALTIN: Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- right?

MS. MAYDAN: Chair, that's correct. These policies are not duplicated anywhere else. These policies are, as they say, area-specific policies to Lāhainā Town South. The policy I was pointing out has the same purpose as 3.3.7, but applies to the whole region, not just Lāhainā Town South.

CHAIR PALTIN: And it...it does sound like it will offer the...the protection. "Ensure new development projects provide continued access to Kuleana lands protected under Section 7-1, Hawai'i Revised Statutes." So I mean, it's not exactly the same, but I feel that it's sufficient. And then Policy 3.3.8, I think Ms. Maydan said, is like...you know, it's already State law, they just wanted to emphasize it because of the probability of burials in the area. 3.3.6, it's...it may be a significantly different project, because of the decreased acreage.

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

CHAIR PALTIN: Okay. Any further questions?

MS. MAYDAN: Chair, I have a clarifying question for --

CHAIR PALTIN: Sure. Go ahead, Ms. Maydan.

MS. MAYDAN: -- . . . *(inaudible)*. . . Thank you, Chair. So reverting the Community Plan designations in this area back to the existing, I want to point out that the Park area is different. If you compare the existing conditions and the MPC version, you'll see that the Park area is mapped differently, so we would need guidance on what your Committee wants there.

CHAIR PALTIN: Okay. So we're looking at the MPC as compared to the existing? Oh, okay. So the...the portion above Mill Street, that triangular portion. Is that what you're talking about?

MS. MAYDAN: Yes, Chair. So two portions. There's...when you're looking at the existing conditions, you can see that the...yeah, that triangular portion that has the word Mill

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in it and has the cross hatches, and then when you look at the MPC, you can see that that triangular portion is less, but then it also goes a little further mauka. And if memory serves me right, that portion that's going further mauka is to account for the existing park that is there. So I would recommend that we represent the existing park that's there as we have it in the MPC map, and then you would just need to advise us, since...if you want the triangular portion to be like in the existing conditions.

CHAIR PALTIN: Okay, thank you. We'll take that part up after this, we'll...about removing it from 90 and 91. Thank you so much for bringing that to our attention.

MS. MAYDAN: Thank you.

CHAIR PALTIN: Okay. So the...the vote we're taking right now is to remove page 90 and 91. All those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. That motion passes unanimously, with Member King excused.

VOTE: AYES: Chair Paltin, and Councilmembers Johnson, Kama, Lee, Molina, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair King.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: The next action would be to designate the existing park in the Lāhainā Recreation Center. If you guys are looking on your MPC-recommended Subarea 3 map, there's a portion that juts up right near the...the shelter, and then it, like, comes around. And I'm assuming that's our existing baseball fields. And so the motion would be to designate that area as Community Plan designation Park for existing parks that already exist. I'll entertain a motion for that action.

COUNCILMEMBER RAWLINS-FERNANDEZ: Move.

COUNCILMEMBER LEE: Second.

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CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Lee. All those in favor to designate existing parks as Community Plan designation parks, raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

CHAIR PALTIN: I don't...okay, I see Member Kama. Member Sugimura, are you voting? Okay. That's unanimous, with Member King excused.

VOTE: AYES: Chair Paltin, and Councilmembers Johnson, Kama, Lee, Molina, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair King.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: The next action I will entertain is looking on the existing condition Subarea 3 map for the portion of Park/Open Space light green to designate whatever isn't currently Park as Open Space.

COUNCILMEMBER RAWLINS-FERNANDEZ: Move.

COUNCILMEMBER SINENCI: Second.

CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Sinenci. If it's currently in Park and Open Space, my reasoning would be, given the sensitive nature of it, to go the Open Space route for lands that aren't currently Park and remain undisturbed. Any discussion? Seeing none, all those in favor, raise your hand and say “aye.”

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. Motion passes unanimously, with Member King excused.

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VOTE: AYES: Chair Paltin, and Councilmembers Johnson, Kama, Lee, Molina, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair King.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: Okay. Let's see, that...I think that concludes our work for Lāhainā Town South. I have received word that our GIS extraordinaire have addressed Member Johnson's color-challenged issue. If Members would like to see a presentation from Mr. Johann Lall before we go to lunch? Okay. Mr. Johann Lall, take it away. We're at the edge of our seats.

MR. LALL: Okay. Thank you, Chair. Let me screen share.

CHAIR PALTIN: Okay. Sounds great. I hope I said your first name correctly.

MR. LALL: Yep, you did.

CHAIR PALTIN: Okay.

MR. LALL: I appreciate it. So this is just a...a kind of a quick draft, basically, that I set up of the Subarea 2 Kā'anapali map. So what I did was I just put on labels with the coded versions of the Community Plan designations. And these...these labels can look pretty much any way that we want. So this is...this is by no means, you know, what we are stuck with or anything like that. But the reason that we...we basically came up with this idea is that we have so many designations that we're kind of restricted in what kind of color contrasts we can have. You know, if you have...if you...if you had, you know, three or four or five designations, it'd be pretty easy to have just primary colors that are easily distinguished from each other, but we have almost 20. So you know, we can make some tweaks with these, you know, we can make a yellow a little bit...a little bit darker, we can make another yellow a little bit lighter, and that kind of thing. But I think no matter what, you'll have issues with people with...with, like, different kinds of color vision having issues. I know, like, some people have issues with red-green and other people have, like, yellow-blue and things like that. So the labels are... are kind of a way to get around that, without...without being too intrusive or too busy, you know, with the existing symbols on the map.

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CHAIR PALTIN: And my understanding, digitally, if folks put the zoning overlay onto the tax map keys, those are already depicted in pattern. And so if we were to use pattern, it might get really crazy, with, like, pattern over pattern, and there's only so much pattern types of things. So I think this is an excellent workaround. But I'll defer to the suggester, Member Johnson. How do you feel about this?

COUNCILMEMBER JOHNSON: It looks great. I love the way you guys are thinking out the box, and you came up with a solution that we didn't come up with. So great, that sounds wonderful.

CHAIR PALTIN: Okay. Awesome, awesome, okay. So I'm not really sure, do we need a motion to accept the usage of labels on top of colors for the Community Plan designations? Somebody who knows more than me?

MS. LILLIS: Chair, that would be fine.

CHAIR PALTIN: Okay, okay. I'll... I'll just --

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

CHAIR PALTIN: Okay, thank you. I will stop the screen share.

MR. LALL: May I interject?

CHAIR PALTIN: Oh, sure, Mr. Lall.

MR. LALL: It would be great if any...any motion is kind of, I hate to say vague, but as vague as...as possible, to give us some flexibility to, you know, work on something. And I'd be happy to work with...with Member Johnson to, you know, come up with, like, the best possible way...method.

CHAIR PALTIN: Okay. Okay. Would the motion to use labels be too specific?

MR. LALL: Possibly. Maybe, you know, I'm not a...a legal expert or anything, but maybe, you know, to...you know, improve readability or accessibility, usability or something like that.

CHAIR PALTIN: Oh, okay.

MR. LALL: Accessibility, I guess.

COUNCILMEMBER KAMA: *(telephone ringing)* No, you supposed to go wash the car.

CHAIR PALTIN: Okay. Member Kama, you're not muted, but --

COUNCILMEMBER KAMA: *(audio interference)*

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CHAIR PALTIN: -- we all like clean cars. So I'll entertain a motion to improve reader accessibility to the Community Plan designation maps.

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

COUNCILMEMBER JOHNSON: Second.

CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Johnson. All those in favor, raise your hand and say "aye." Okay, motion passes unanimously, with Member King excused.

VOTE: AYES: Chair Paltin, and Councilmembers Johnson, Kama, Lee, Molina, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair King.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: I know Chair Lee has to leave in 15 minutes. Oh, I...I had two more things that I think we can do in 15 minutes. So the first one was Pulelehua designations for Park or Open Space, and Mr. Cheng is so on it. I sent him the request that morning, and he returned it, like, before that afternoon. And he has a...a detail-oriented conceptual design map. I don't have it with me, but it...oh, here. This is his conceptual design map, and obviously the gulch areas, we...we already designated all stream and gulch areas as Open Space, but Ms. Maydan feels that we can take this map and overlay it on, and from that, find which areas should be Park and which other areas should be Open Space. There's a lot...a lot of pocket parks within this map, and if it lie within the residential areas, that's okay, because we can have Park in Residential. So this way, we would, I guess, just have a motion to take Maui Oceanview, LP's conceptual site plan and overlay it onto the Community Plan designation, and determine which areas should be Open Space, and which areas should be Park. There's a big Open Space and an estate lot to the north, near the Kahana Ridge Subdivision, so that would obviously be Open Space detention area, and there's, like, a community park about ten...ten acres or so on the bottom right-hand corner. But I think that would be the easiest way for us

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to proceed on that, and...and how thankful he has it all laid out for us already. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So we would just...so for clarification on the motion, we would only be using the conceptual design on areas that was designated PK/OS, because we're...we're separating them. So where...where it's Residential, we would just keep it Residential anyway --

CHAIR PALTIN: Because pocket parks are allowed in Residential.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right. Right. So only where it...in...in the draft that we have, is PK/OS, and then that conceptual map would determine one or the other, because we're separating them.

CHAIR PALTIN: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So moved.

COUNCILMEMBER SINENCI: Second.

CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Sinenci. Everyone understand what we're doing? Anyone want to check in with Ms. Maydan? That's what she told me yesterday.

MS. MAYDAN: Can I just make one clarification?

CHAIR PALTIN: Sure.

MS. MAYDAN: We would use--thank you. We would use both the conceptual site plan that Mr. Cheng provided, as well as the District Land Use map that follows. The...they... they coincide, but both of...using both of those would be helpful to our GIS guys to... to do the mapping.

CHAIR PALTIN: Just lay it on...overlay it, so to speak. Okay. Any further questions or clarifications needed? All right. All those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: We got a unanimous with one excused, Member King.

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VOTE: AYES: Chair Paltin, and Councilmembers Johnson, Kama, Lee, Molina, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair King.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: And then the last area that we need to do was the Kā'anapali Town North. And I had a question on that one for Ms. Maydan. As I'm looking at the map on page 69, it looks like that could possibly be a gulch along the north side of the property. And then I thought we had already decided gulches were Open Space. Is there additional part of that, besides the gulch? Or is that a gulch?

MS. MAYDAN: Thank you, Chair. Yes, you're correct. It is the makai portions of a gulch, and I looked at this plan in detail this morning, as far as some of the older Kā'anapali 2020 plans, and they had all of that area identified as Open Space in their plan. So I would recommend that you put all of it in Open Space, all of the PK/OS in Open Space.

CHAIR PALTIN: Okay, that's easy enough. I'll entertain a motion to put all of the PK/OS for Kā'anapali Town North in Open Space.

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

COUNCILMEMBER JOHNSON: Second.

CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Johnson. All those in favor, raise your hand and say "aye." I've got it unanimous, with Member Sugimura and Member King excused.

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VOTE: AYES: Chair Paltin, and Councilmembers Johnson, Kama, Lee, Molina, Rawlins-Fernandez, and Sinenci.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair King and Councilmember Sugimura.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Sorry. I...I saw everyone's hand still up, so --

CHAIR PALTIN: Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- I...I thought I would raise...

CHAIR PALTIN: Okay. That was still voting. Okay. But you are voting yes, right? Okay, okay. We're good then. And then I think that brings us to the close of Section 3. Yay, guys. Section 3 and revisits done. So then when we come back from lunch, we'll be doing Section 1 and Section 4 revisit, and then we'll be done. And I just wanted to mention, and I'll mention it again at the end, we were talking about, you know, what's next? And so this isn't the type of thing that, in two weeks it'll come up with a Committee report at the full Council meeting. And the reason being, all that scrubbing that our hard-working Staff needs to do to put the correct legislative language in to interpret our legislative intent into legalese. So you know, I don't want to throw out dates, but you know, we're looking at probably around August. So between then and there, a final version, which is not verbatim the words we worked on, but should capture the entirety of our legislative intent will come out. And I guess, by...by the Maui County Code 2.80B, we'll need to have a public hearing between then and first reading. So just a precursor of what's going to go on. What I'd like to do is wait on the public hearing until we have that final draft that's going to go to first reading, and then people can look at all of that, we'll take the public hearing. I believe the requirement is that the public hearing be held in West Maui. So if we're not back to in-person between now and then, I'm not sure if virtual is okay. Which I assume it's...it's kind of more accessible because people can watch and participate from their living rooms, but we'll...we'll check on that. But just a precursor of what the next steps are. After it moves out of Committee, we'll have a public hearing. All right. So I don't want to keep you guys from your lunch. Member Rawlins-Fernandez might though? Nah, just joking.

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COUNCILMEMBER RAWLINS-FERNANDEZ: No, no, I'm actually trying to extend our lunch.

CHAIR PALTIN: Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm not sure what time we're supposed to reconvene, or if you had in mind, but I was hoping we could reconvene at 2:00?

CHAIR PALTIN: I don't have a problem with that. We're just going to have to blow through 1 and 4 or stay later, because we got to get this out. So one, I think we have maybe four revisits in Section 4 possibly, because with that cultural overlay language things. But I don't have a problem if Members commit to finishing this out today, because I know we don't want to keep going on and on about West Maui. Okay? Consensus?

COUNCILMEMBERS VOICED CONSENSUS.

CHAIR PALTIN: Yeah? Okay. So we'll be in lunch till 2:00 p.m. if that's amenable to everyone. And have a great lunch. I see the light at the end of the tunnel. We're almost there, home stretch, gangee. We'll see you at 2:00. This meeting will be in recess. We'll reconvene at 2:00 p.m. See you there. . . .(gavel). . .

RECESS: 12:21 p.m.

RECONVENE: 2:01 p.m.

CHAIR PALTIN: . . .(gavel). . . Aloha, welcome. Will the Planning and Sustainable Land Use Committee meeting of June 17th reconvene. The time is 2:02, and we've got Members Sinenci, Molina, King, Johnson and Kama, as well as myself here with us this afternoon. Thank you for that lunch break, it was great. We finished up Section 3, and what we have remaining is Section 1 and Section 4. Oh, I see Member Sugimura's purple flower, but I don't see her. And then we're...what we're...oh, there, I see her. I guess we're waiting for Member Rawlins-Fernandez's Section 1 edits, then we have Section 4 as well. Let's just see if she submitted anything this morning for Section 1. The last item that was uploaded to Granicus this morning, should be the edits that we made to Section 1 on the first go around. I'm not sure if it was going to be completely changed by Member Rawlins-Fernandez or not, but that...those were the edits that we agreed to. But since she's not here, what we have is the track changes, and that's item 50 on your Granicus. Oh, you just joined the call. She's on her way. Awesome. Welcome, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: *(audio interference)*

CHAIR PALTIN: I hear feedback. Oh, and Chair Lee. I'm going to mute you, Ms. Eaton.

MS. EATON: Hm, I thought I was.

CHAIR PALTIN: Oh, wait. Okay, now...now you're muted. Then everyone else is muted. Okay, so we left off with Section 1 and Section 4 to go. Member Rawlins-Fernandez, did you

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have a document to upload to Granicus? Awesome. Do we want to let you upload that and move on to Section 4, or do we want to go straight into Section 1? Section 4 first? Okay. Right. If everyone can get out their track changes for Section 4 while Member Rawlins-Fernandez uploads her edits for Section 1. So this is the Section 4 --

VICE-CHAIR KING: Is that your matrix?

CHAIR PALTIN: I beg your pardon?

VICE-CHAIR KING: Is that your matrix that you're talking about? It has 2 and 4.

CHAIR PALTIN: Yeah. The...the Section 4 one. I guess we printed it out, and then stapled it together separately, so we're on Section 4. And I guess, you know, most relevant to... and top of mind, is an amendment to...from two, three...the bottom of page 4 on your track changes from Section 4. This was the action item related to the cultural overlay that we were kind of discussing earlier, when Dr. Six did...or after Dr. Six did her presentation. So as it currently stands, what it says is, "Develop a cultural overlay map, identifying known above-ground resources, the location of important historic events, known burials, and known archaeological resources, and create a cultural overlay district to protect cultural assets and establish an efficient review process for property owners." Type: Project. Priority: I think we discussed the possibility of moving the priority to high, Timing to Short, and adding Department of Management, specifically the County Archaeologist, to the Planning Lead Agency. Right now the cost is 125, I think that would continue. And then we also earlier discussed a Cultural Reserve ascription to start listing areas that we would like to include in the overlay. So would the Cultural Reserve ascription be another action item, or would it be tacked onto this existing action item? Member Rawlins-Fernandez, did you have that intent, or maybe Ms. Maydan? Would it be prudent to add it as its own separate action item? A Cultural Reserve ascription, with areas that we identified we'd like to include in the cultural overlay?

MS. MAYDAN: Mahalo, Chair. If the Committee's intent is to develop a map, and have it included in this Plan, I would add it to this existing action and reference the map.

CHAIR PALTIN: Reference the cultural overlay as a map? Or which map would we reference?

MS. MAYDAN: Perhaps I'm misunderstanding. The ascription, is it just a written description of areas, or is it a map depicting potential areas that would be included in an overlay?

CHAIR PALTIN: At this time, I think it's a written description.

MS. MAYDAN: Okay. I would think that since it is...the ascription is tied to the overlay, it would make sense to just add it to this action. It, of course, would be a beefy action, but it would just be an action that has a lot of detail and guidance for the departments when they implement this action.

CHAIR PALTIN: Okay. So I guess if we take things one...one...one item at a time, do we have

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consensus on moving the Priority to High, the Timing to Short, and adding County Department of Management, specifically the Archaeologist, to the Lead Agency? That seems like an easy one, and maybe we can get consensus on that action.

COUNCILMEMBERS VOICED CONSENSUS.

CHAIR PALTIN: Consensus. Member King, did your Staff fill you in on what was covered this morning? Oh, okay.

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

CHAIR PALTIN: So basically, Dr. Six went over three known cemetery in the area of Lāhainā Town South, and based on previous actions, there were three inadvertent finds. I know at least two of the cemeteries and one of the inadvertent finds were post-contact, but there were some pre-contact, and this was information that was a combination of her SHPD data and an old archaeology report for A&B, who pulled out and did not submit that information to SHPD, but there are copies of that report going around. This is in the same area of archaeological iwi kūpuna, with the situation with the trenching last December. So same area. And so what we ultimately decided to do is leave the area as status quo, which was 20 acres of Residential as opposed to 64 acres of Residential and two sections of Neighborhood Center. So...and then part of the solution, or how...how we wanted to address it, was with this cultural overlay that, like, a SMA area would require extra protections. Like any ground-moving work in the cultural overlay area would require archaeological monitoring or a rigorous AIS plan, and things of that nature. And so because the cultural overlay is not created right now, it's not in existence, Member Rawlins-Fernandez's suggestion was to create a Cultural Reserve ascription, which we would list areas that we intend to include in the cultural overlay for now, being that the cultural overlay has not yet been created.

VICE-CHAIR KING: So we have the information we need to do that?

CHAIR PALTIN: Well, I did --

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

CHAIR PALTIN: -- I did write out some areas that I thought would fit within a Cultural Reserve Community Plan designation, but ultimately, you know, instead of making a new designation, we went with the overlay route with an ascription. And some of those areas were like, Moku'ūla, Mokuhinia, which have great cultural significance, Lāhainā Town South area, which we realize has a lot of possibility for iwi kūpuna. Honokahua burial preserve area would...would fit within there. You know, known, intact heiau. There's a Honua'ūla heiau in Honolua Valley that's known, and then there's the...you know, the cemetery at Mala; the Pu'ūpiha Cemetery, I think, and the Puehuehueiki Cemetery, which is, you know, a lot of the old timers are buried there. So those were some of the areas. I know the Kahana family has burials right off of Highway 30, mauka of lower Honoapi'ilani Road, and north of Hui Road D. And I think, you know, if people know where their family burials are, and they still tend to them, that might be a good idea for

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them to reach out to the County and...and make sure that they're in this overlay, so that, you know, the...the families' burials can be protected in the future.

VICE-CHAIR KING: Okay.

CHAIR PALTIN: And so the...and...oh, and Member Sinenci, I always forget, Olowalu has a lot of archaeological artifacts, too, as...as mentioned in that section of this Community Plan. So would it --

VICE-CHAIR KING: What action...what action item are we addressing right now?

CHAIR PALTIN: It's a new one. It's on page 4 of the track changes of the Section 4. One, two, three, four...it's right after 122.3.05. It's new, at the bottom of the page.

VICE-CHAIR KING: 22? Oh, page 122?

CHAIR PALTIN: No, I'm...I'm working off the track changes document that was in your Granicus.

VICE-CHAIR KING: Chair, I'm not sure I'm on the right one. It says 2 and 4. Is that the one? That says 2 and 4? But I...I...the pages aren't numbered, so...

CHAIR PALTIN: So it would be on the Section 4, the fourth page.

VICE-CHAIR KING: Okay.

CHAIR PALTIN: Okay. So would that be, like, a part A? Create for the action item? Ms. Maydan, would it be like "Part A, create a Cultural Reserve ascription with a list of areas to be included in the cultural overlay until such time the cultural overlay could be...is completed," or something like that?

MS. MAYDAN: Thanks, Chair. Yeah, so the...you could make it...I don't know if there's going to be more parts. Yeah, if...if there's several parts, you could say "A" and it could be a list of areas that should be included in the Cultural Overlay District.

CHAIR PALTIN: Okay. Okay, so I think that's...that's fairly easy. We'll just say, "Part A: Develop a list of known sensitive areas to include in a Cultural Reserve ascription, which would serve in the interim until a cultural overlay can be created." Something like that, Ms. Maydan?

MS. MAYDAN: So Chair, I...I just want to be clear that as an action, it is a task that the... whether it's the Department or the Archaeologist is tasked with, it's an action that they will work on and implement. As an action, it's not a policy that will be used for project review. I just wanted to --

CHAIR PALTIN: Okay.

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MS. MAYDAN: -- make sure that that's not misunderstood.

CHAIR PALTIN: Yeah, I...I think that's the direction that we're going in. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So I guess the...the thought was, that we would do the ascription now, not like make it as an...and Ms. Maydan said that she would do the map. But you wanted an action item to correspond with the map?

CHAIR PALTIN: Oh, okay. So we'll make an ascription list, and then the action would be to turn the ascription list into a map?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

CHAIR PALTIN: Okay. Okay. So then I'm not clear where the ascription list would be. I mean, where it would be best housed, if it's Section 4 or...it wouldn't be a policy, it wouldn't be an action item, it would be a list of things to turn into a map. Yes, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Maybe in...what is the...Appendix D?

CHAIR PALTIN: Oh, Appendix...appendices, that might work, yeah?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

CHAIR PALTIN: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: So Appendix D has all the Community Plan designations, and then we could create an appendix that lists all the...that has that location...site lists? For the ascription sites.

CHAIR PALTIN: Okay, okay. We're not on...we were going to revisit Section 5, if you had additional Hawaiian words in Section 1, so I guess we would make the action item be a new action item that would say "Move the areas described within the Cultural Reserve ascription list into a map of the cultural overlay."

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, "into the cultural overlay."

CHAIR PALTIN: "Into the cultural --"

COUNCILMEMBER RAWLINS-FERNANDEZ: "Into the overlay..overlay is established by Council."

CHAIR PALTIN: Okay. And I guess our choosing of the cultural reserve ascription list is kind of suggestion. They may need to vet it with community and whatnot. So it would be... a wording for the action item would be something like "Vet...vet the locations for inclusion in the cultural overlay areas described in the Cultural Reserve ascription list

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found on Appendix H,” or whatever it is. Okay. Okay. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah. So...and I imagine when the cultural overlay, like, through that process of establishing it, there would be a lot of public hearings that would go along with it for the inclusion of the, you know, significant sites that would be protected via this overlay. So --

CHAIR PALTIN: So...so we're just taking recommendations, suggestions of the areas that we know to be culturally significant, and then the action would be for the Planning Department or Department of Management to vet with the community the appropriateness for items on the Cultural Reserve be included in the cultural overlay. Okay. Member King.

VICE-CHAIR KING: Yeah. Thanks Chair. Just wanted to make sure that we're not publishing anything that shouldn't be published. Because whenever this comes up about significant sites or burial sites, I think we always hear that that's... that's information that shouldn't be published, because we don't want people tromping around and finding those sites and...and invading them. So if we put it in the appendix, is that going to violate any privacy for those sites?

CHAIR PALTIN: So the areas that...oh, sorry, Member Rawlins-Fernandez. Oh, okay. Like, the areas that we were talking about or listing are all known areas already. So we weren't talking about any unknown areas. And I believe the way that Dr. Six was going about the cultural overlay was...you know how she presented to us in previous meetings about those blocks of red and yellow, and then the significance and the higher up? So the areas that are widely known to be culturally significant, like, I mean, obviously, Honokahua Preserve was, like, a landmark situation, and it's well known. So the areas that are well known, there's no problem in repeating what's known. The areas that are not known, she had that method of that fishnet grid, with those certain-sized blocks. So you don't know exactly where it is, but you know that this grid includes culturally significant areas. . . .*(inaudible)*. . .

VICE-CHAIR KING: Okay. I just wanted to make sure that we weren't publishing anything that was going to --

CHAIR PALTIN: Yeah. We'll leave that part, the...the unknown part to her to figure out. But within the community, there's definitely known significant areas that we'd like to protect. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And then to Member King's concern...legitimate concern, because Member King wasn't part of our morning's discussions, the idea behind doing this is, it...it would be...the sites that aren't controversial, you know, like, it's...it's widely accepted that these areas would be protected. And then that way, it's...it's kind of taking baby steps toward this kind of new process that we develop.

CHAIR PALTIN: Okay. Staff? Ms. Lillis, I just was wondering if what I had said captured the

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legislative intent? Do we need to write that out?

MS. LILLIS: No, Chair. I think we have your intent for sensitive areas. We understand what you mean.

CHAIR PALTIN: Okay. Members, do you need me to write that out before we make a motion? Member Sinenci. Oh, were you making the motion?

COUNCILMEMBER SINENCI: And just to add...no, no need, I think we got it. But I did want to add that, you know, part of putting in the ascription is we know that this is a long-term plan, so if we needed to come back later to put these things in, then it's going to take . . . *(inaudible)*. . . so I think this is a good move in looking forward and being proactive to putting these in the Plan now, so that when it does come time for us to... to list them, they're already in the Plan.

CHAIR PALTIN: Yeah. Yeah. It's like a...a interim step, or a baby step, to get where we... we'd like to go.

MS. MAYDAN: Chair, I have a --

CHAIR PALTIN: Yes, Ms. Maydan?

MS. MAYDAN: Thank you. I just have a clarifying question to make sure that we're understanding the intent correctly, and that it can be implemented as the Committee is discussing.

CHAIR PALTIN: Okay.

MS. MAYDAN: So there's the action for the overlay district, and you'll add to it that the ascription shall guide development of the overlay district, as far as some areas to be included. And that the intention is also to have, perhaps, as Member Rawlins-Fernandez suggested, the...the ascription, the map, included in an appendix perhaps, to...to...to work as an interim before the overlay is established. If that's correct, the component we're missing is a policy in the Plan that points to that map that says projects shall comply with this. Just like as an example, in Section 2, the policy section, the policy about gulches. There's also, on page 58, the West Maui gulches map. So there's a policy that references that map, and says that the gulches shall be in Open Space.

CHAIR PALTIN: Okay. And...and the policy I think that we spoke of earlier was that...I mean the one that I...the one and only one that I had come up with, was any ground-altering activities that...will have an archaeological monitor on site. Is that kind of what you mean?

MS. MAYDAN: Is that for just areas identified in the ascription, or blanket? A blanket statement for everywhere?

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CHAIR PALTIN: I think eventually it may be for what makes it into the cultural overlay. Is that your understanding, Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm sorry, will you ask the question again?

CHAIR PALTIN: She was asking for a policy --

COUNCILMEMBER RAWLINS-FERNANDEZ: Um-hum.

CHAIR PALTIN: -- to direct them what to do with the items in the ascription, or areas in the ascription.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So I...I wrote in the chat, incorporate appropriate sites on the ascription list in Appendix F into a Council-established cultural overlay through a public process.

CHAIR PALTIN: Okay. That sounds good for the action item below the cultural overlay action item. In terms of what we do though, with those sites on the ascription list or the cultural overlay, is there a policy...I mean I...I had envisioned that policy, if something was in the cultural overlay or in the ascription list, if there's any ground-altering activity, there should be an archaeological monitor on site. Is there more policy that we want to say should be taken? Or is that it at this time, and we'll think on it more as the ascription and the overlay comes into being?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, the latter is what I was thinking, so that we can develop the cultural overlay policy. And so the policy for the Community Plan would...you know, the Planning Department would work off of the cultural overlay, once established by Council.

CHAIR PALTIN: Okay. And are Members okay with for...for now, just...if anything ground-altering occurs in these areas, an archaeological monitor should be on site as just an interim precaution, because we know that these are sensitive areas? Until we can get more policies for the cultural overlay or the ascription. But just as an interim measure, to offer some level of protection. Okay. So I think we know where we're going now. So the new action item tied to the cultural overlay would say "Incorporate appropriate sites on the ascription list in Appendix F into a Council-established cultural overlay through a public process." So that would be the motion for the new action item.

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

COUNCILMEMBER SINENCI: Second.

CHAIR PALTIN: And it looks like it's moved by Member Rawlins-Fernandez, seconded by Member Sinenci. Does anyone have any questions or discussion about what we're doing here? Everyone followed along, know what we're up to? Any discussion? We discussed a lot this morning. Okay, seeing none, all those in favor, raise your hand and say "aye."

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COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. That's good.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: And then I guess, you know, since it's related, we can create that Appendix F right now. Appendix F would include a Cultural Reserve ascription list of sites with cultural significance. And Member Sinenci typed a number of great suggestions in the chat, so these would include for Appendix F, Moku'ula, Mokuhinia, Lāhainā Town South, Honokahua Burial Preserve, Honua'ula Heiau in Honolulu Valley, Puehuehueiki Cemetery, Highway 30 north of Hui D Road is a Kahana burial site. Known sites in Olowalu, Puamana, Kaua'ula, he has Pu'u Pa'upa'u at Lahainaluna, and I think Dr. Six mentioned Pu'upihā Cemetery as well. And by no means is that an exhaustive list, but just off of the top of our heads, those are known areas of sensitivity. Does anyone...can anyone think of additional...I know there's one burial area right near Nāpili Kai Beach Resort, but if...I don't know the exact location. I can...I can get back to the Planning Department on that one. It's also, like, Kahana family burials, I think Nāpili Kai bought some land from the Naleieha family, but the burials remain, and they still respect that area. Ms. Maydan, is that a...a okay list to have as an Appendix F of areas to start for our cultural overlay?

MS. MAYDAN: For us to begin mapping this to include?

CHAIR PALTIN: In the cultural overlay --

MS. MAYDAN: For us to begin mapping to --

COUNCILMEMBER RAWLINS-FERNANDEZ: Not...not the over --

MS. MAYDAN: -- to include in the Plan?

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COUNCILMEMBER RAWLINS-FERNANDEZ: Point...point of order.

CHAIR PALTIN: Okay. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So not...not an overlay, but like an ascription map.

CHAIR PALTIN: Oh, ascription map. Sorry, my bad.

COUNCILMEMBER RAWLINS-FERNANDEZ: It's the...it's the predecessor to the overlay.

CHAIR PALTIN: Okay. So an ascription map, pre-step to the overlay.

MS. MAYDAN: Um-hum. Thank you, Chair. Yes, I think so. I'm guessing that our GIS Staff, as they would develop it, may have questions, just to clarify or make sure that they are accurately representing --

CHAIR PALTIN: Okay --

MS. MAYDAN: -- the list.

CHAIR PALTIN: -- and we'd be happy to work with them. Mr. Lall or Mr. Napier, did you have any questions for us?

MR. LALL: I have no questions at the moment.

CHAIR PALTIN: Okay. No questions. And then, you know, we can...we can work on this some more, as the general area has been described already, and if there's any questions, feel free to contact me, or I guess Member Sinenci knows a lot too, having gone to Lahainalua High School, and we'll do our best to assist. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And just for my final comment, I mahalo the Staff and the Members. This is such an important issue to include in this Plan. I mean, there's a great...this is becoming an even greater Plan. I think we've touched on the historical precedence of Lāhainā Town, and by doing this, we really honor the wahi kapu, the sacredness, and the historical presence that...that Lāhainā Lele...Malu 'Ulu o Lele, the ancient name of Lāhainā. And again, mahalo for everybody's input in this. This is truly, truly becoming a great document. Thank you.

CHAIR PALTIN: Thank you. Ms. Maydan, I just was wondering, you know, the policy, like how it's specific on gulches, and it's near to the gulch map, the policy that we stated about archaeological monitoring, would it be okay to put it in Appendix F as well? That lists these items, this is the intention for the...the policy, and the reason why we're listing them as kind of an interim step?

MS. MAYDAN: Mahalo, Chair. I would recommend putting it in the policy section, in Section

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2.

CHAIR PALTIN: Okay.

MS. MAYDAN: So that it is not missed. So that it's clear that it is part of the policy component of the Plan, and it can reference an appendix.

CHAIR PALTIN: Okay. Thank you. So shucks, did we have the motion for the Appendix F? Oh, Member Kama.

COUNCILMEMBER KAMA: Chair, I don't know...I just realized what Member Sinenci just said, that you know what? That's true, Malu 'Ulu o Lele was the original name, and yet I'm not sure if it's mentioned at all in this entire document, and whether or not we'd like to at least have a statement about that someplace in the document.

CHAIR PALTIN: It was referenced in Section 1, and that's where we're going after we complete this part. It was --

COUNCILMEMBER KAMA: Oh, okay. Thank you.

CHAIR PALTIN: Yeah. Okay. So did we...I'm sorry, I missed it. Did we have the motion already for the Appendix F? So, okay. So I'll entertain a motion to create Appendix F, which would have a list of areas to include in the Cultural Reserve ascription that was mentioned in the action item previously, and would include the...the areas that Member Sinenci has included in the chat, and that I said orally.

COUNCILMEMBER SINENCI: So moved.

VICE-CHAIR KING: Second.

CHAIR PALTIN: Moved by Member Sinenci, seconded by Member King. Any further discussion? Seeing none, all those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: We got that unanimous. Thank you, Members.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: Okay. So I just wanted to clarify that previous action item for Section 4, that was “Incorporate appropriate sites on the ascription list in Appendix F into a Council-established cultural overlay through a public process,” the type would be all the same as the previous one. Type would be Project, Priority would be High, Timing would be Short, and the Lead Agency would be Management and Planning, and Cost would be To Be Determined. So it would be all the same as the previous one that we were talking about, if...if we can get a consensus on that. Because I didn’t specifically...it wasn’t specifically mentioned.

COUNCILMEMBERS VOICED CONSENSUS.

CHAIR PALTIN: Okay. Consensus. All right. So I think we completed that action. We...we might need to go back to the policy or the associated policy, but we’re...we’re jumping around quite a bit. Did we want to finish off the Section 4 first, or did we want to stick on this subject and go to Section 2 and add that policy? Policy? Okay. All right. So for Section 2, I think it would be most appropriate in Section 2.3, and it would be a new one in the end, right after Councilmember Sinenci’s one about water bottling that we added yesterday. And this one would say “Any ground-altering activities in the areas listed in the cultural ascription will have an archaeological monitor on site, due to the sensitive nature of the areas.”

COUNCILMEMBER SINENCI: So moved.

COUNCILMEMBER RAWLINS-FERNANDEZ: Second.

CHAIR PALTIN: Moved by Member Sinenci. Seconded by Member Rawlins-Fernandez. Discussion? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Would you mind repeating the language?

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CHAIR PALTIN: Sure. "Any ground-altering activities in the areas described in Appendix F will have a cultural..." or "will have an archaeological monitor on site, due to the sensitive nature of these areas." Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Chair. So is the intention with this policy, just so that the Planning Department has direction, or did you want to include something about the cultural overlay?

CHAIR PALTIN: So we...we haven't come up with policies for the cultural overlay yet, it's just an interim protection measure for now. I'm thinking...I mean, we just found out about this yesterday and today, about this situation, and...and I think it's going to take longer for us to come up with policies for the cultural overlay, which is okay, because the cultural overlay hasn't been created yet. But it's something that we, as a body, can think of what types of policies would be important in a cultural overlay. It's kind of like a stopgap, interim, baby step measure. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So would you be open to keeping...you know, keeping that...adding language to keep that option open, so that...to serve as the temporary measure until the overlay is established, so that...so any ground-altering activity in the areas listed in Appendix F will...must have a cultural monitor on site, and then something like until the, you know, policies of a cultural overlay is established by Council, in which...in which time those policies would supersede.

CHAIR PALTIN: So moved. . . .(laughing). . . I can't. I can't do that. But yeah, I like that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

COUNCILMEMBER SINENCI: Friendly amendment.

CHAIR PALTIN: Friendly amendment.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

CHAIR PALTIN: Okay. So that clarifies that this is an interim, stopgap measure for now. Any further discussion? Seeing none, all those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. That motion passes unanimously.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: Okay. I think we addressed all the issues that we needed regarding Dr. Six's presentation that we learned about, and addressed it as best we could in the time allotted. And so now, moving on to our other revisits from Section 4, the last page of the Section 4 track changes that says Revisit, is "Require public shoreline access to be provided through establishment of both vertical and lateral access through public rights of way, and public transit corridors, as a condition of any discretionary County permits for properties that lie within the Special Management Area, or abut the shoreline." And I guess the problem with this was that Michael...our Deputy Corp. Counsel, Mr. Hopper, said "Any discretionary County permits" was problematic language for him because the discretionary permit had to fit somehow the creation of public access. Like, if it was a shed that had nothing to do with shoreline access or something, asking them to create public shoreline access, just so they could build a shed on one corner of their property that isn't in the way of shoreline access might be considered overreach, I believe? Or maybe...so Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So this one was of...my revisits, and I understand the concern shared by our Deputy Corporation Counsel, and so the proposal to address that concern could be an SMA Major permit.

CHAIR PALTIN: Okay. Mr. Hopper, would that address your concern? An SMA Major, instead of any discretionary County permit?

MR. HOPPER: I think so. And...and then, maybe language "to the extent permitted by law" or something like that. Because an SMA Major permit could be...I mean, I don't know about Lāhainā, but I know there are some areas that are...don't abut the shoreline or affect shoreline access, but that are still in the SMA. For example, I think South Maui goes all the way up to Pi'ilani Highway. So I think an SMA Major permit would be much, much more likely to have an effect on shoreline access because it's generally for larger projects, so I think that that's correct. But maybe a statement that, you know, "to the extent permitted by law" or "legally allowed," something like that. Because the

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Commission, when it would review that, and the Department, when it would review that, would look to see...you'd still need to do the impact analysis of what's being requested, and...and...and...and have that access provided. And I think Department can comment, but I think to a large extent, that's already being done for SMA Major permits that would abut the shoreline as well. But I do think that that's something that...that...that...that would make sense. And...and I...but I would, you know, suggest that...that additional language.

CHAIR PALTIN: Yeah. If...if I could interject. Where I live is within the SMA Management Area, but I'm very far from the shoreline. And so would it be okay to...Member Rawlins-Fernandez, to change it to "For properties that will lie within the Special Management Area and abut the shoreline"?

COUNCILMEMBER RAWLINS-FERNANDEZ: I was thinking "That abut the shoreline," but either one.

CHAIR PALTIN: "Within the SMA that abut the shoreline." Yeah, that works.

COUNCILMEMBER RAWLINS-FERNANDEZ: I think yeah. And/or "that."

CHAIR PALTIN: Okay. Well since it's your proposal, I'll go with your "that." Because I mean, I could grant people access through our property, but it won't get them to the beach. And then did you have any problem with Mr. Hopper's suggestion, "to the extent permitted by law"?

COUNCILMEMBER RAWLINS-FERNANDEZ: Nope. No problem.

CHAIR PALTIN: Okay. Member King.

VICE-CHAIR KING: Yeah, I just wanted to ask if that covers the entire area, that phrase "abut the shoreline." Does "the shoreline" mean everything that's beach, or is it just where the shore hits the beach?

CHAIR PALTIN: Oh, there's a certified shoreline. But Ms. Maydan, or Director McLean? Would abut the shoreline cover the entire area that people would need public access to?

MS. MAYDAN: I believe that that makes sense.

CHAIR PALTIN: Okay.

MS. MAYDAN: Chair, I just realized we're in the Action Section, correct? And just looking at this, all of a sudden, it dawned on me, this is policy language.

CHAIR PALTIN: Oh, okay. Because that's what they would check when they're issuing the SMA Major?

MS. MAYDAN: Correct. This is not an action to be implemented and checked off a list, this is

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a policy to be used when reviewing projects.

CHAIR PALTIN: Okay, okay. And which section in policies would you suggest, 2.1? Or...no, that's Emergency.

MS. MAYDAN: I think 2.1. Let's see, where are we?

CHAIR PALTIN: Maybe 2.5 Safe Healthy.

MS. MAYDAN: Yeah, I think if that...I think that's correct, Chair.

CHAIR PALTIN: Okay. So the revisit would be to make those amendments and move it to Section 2.5 as a new policy, because we want it to be complied with on an ongoing basis. Okay. So I will entertain a motion to take this new wording and put it in Section 2.5, and the wording shall read, "Require public shoreline access to be provided through establishment of both vertical and lateral access through public rights of way and public transit corridors as a condition of any SMA Major permit for properties that lie within the Special Management Area that abut the shoreline, to the extent permitted by law."

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

COUNCILMEMBER MOLINA: Second.

CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Molina. Any further discussion needed? Seeing none, all those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Motion passes unanimously.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: Okay. All right. So that revisit is done. Thank you for pointing out that that should be a policy and not an action item, Ms. Maydan. Moving up to the next one, I'm on the second to the last page, the bottom revisit, which was "Inform current pool owners in the Special Management Area of Policy 2.3.6, and its prohibition within the West Maui Community Plan area." Type: Project. Priority: High. Timing: Mid. County Lead Agency: Planning. Estimated cost: 150. Funding Source: County. And I guess we had in my notes that Member Rawlins-Fernandez wanted to propose additional language.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yes, I did. I don't have that prepared right now. Chair, you're muted.

CHAIR PALTIN: Okay, then. Let's move on to the one above it. I think this was language proposed by Member Rawlins-Fernandez, with a revisit from Member Sugimura. So the language read "Obtain funding and design, and build a canoe hale structure for storage of canoes at the proposed Hanaka'ō'ō Beach Mauka Expansion." Proposed by Member Rawlins-Fernandez, revisit request from Member Sugimura. Member Sugimura.

COUNCILMEMBER SUGIMURA: I spoke to Kā'anapali 2020, because that's the property you're talking about, the 97 acres. And basically what they said was that they would, as they have for the last 20 years, have to check back with their Kā'anapali 2020 Committee to figure out what the next step would be. So on this particular request, they don't have a definitive opinion. You can put it in there, but they would have to talk to their committee, and to see, you know, where we are based upon the many changes that have occurred, or the changes that have occurred with the actions of this West Maui Community Plan and the Council. Thank you.

CHAIR PALTIN: Thank you. That makes total sense, and I think the vision...vision for this, was, when sea level rise pushes the canoe clubs out of Hanaka'ō'ō. So then we can put it in with, I guess, the...the Timing would be Long, Priority at this time would be kind of

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Low, Type would be Project, Funding To Be Determined, Lead Agency possibly Parks, and...and this would be one of the lower priorities, because it's more so when sea level rise starts to take effect, and hopefully that's not within the 20-year life of this Plan, but you never know, I guess. Yes, Member...or Chair Lee?

COUNCILMEMBER LEE: Chair, so in this case, as far as implementation, because the...the time frame is long, the County doesn't have to purchase this right away?

CHAIR PALTIN: I think no, but maybe the land, they should try purchasing sooner rather than later, because the Open Space is...or Park designated. But yeah, I wouldn't imagine us obtaining funding and design and building a canoe hale soon, because we have one at Canoe Beach now that would...it would only be something that would make sense when sea level rise takes effect, I think.

COUNCILMEMBER LEE: So in this case, we're not allowing the landowner to use that portion of the property that we designate as Park, right? Because the idea is for the County to purchase that property for Park; is that right?

CHAIR PALTIN: I don't agree, because it's zoned Agriculture, and if they'd like to use it for agriculture, and the County hasn't purchased it, they are definitely entitled to do that, right?

COUNCILMEMBER LEE: Oh, so how much time are we talking about? How much time would the County have to purchase that property? Let's say because the property owner may have a use for agriculture, let's say, and they're waiting for the County to purchase it, and the County doesn't purchase it. What...when does the County have to purchase it by?

CHAIR PALTIN: So --

COUNCILMEMBER LEE: So the landowner can use his property.

CHAIR PALTIN: Yes. For me, if the landowner decides to do agriculture, and they do it, then you know, maybe we could designate it as Ag. But it's been fallow for about four years so far. So it's...you know, nothing has been --

COUNCILMEMBER LEE: Yeah, I know, but that's because nobody designated it Park. So now that we're designating it Park, don't you think the implementation should be rather expeditious?

CHAIR PALTIN: Okay. I'll put a proposal together for next Budget.

COUNCILMEMBER LEE: Okay, good. All right. Sounds good.

CHAIR PALTIN: All right. Cool. So then I guess, do we still need to revisit this? Member Sugimura, I think...I think I saw you raise your hand.

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COUNCILMEMBER SUGIMURA: Are you thinking of buying the 97 acres? That --

CHAIR PALTIN: That would be the...be the goal, right? I wouldn't want them to fund the public's park, Kā'anapali 2020.

COUNCILMEMBER SUGIMURA: Oh, I not...I...I didn't mean that, that they would pay for it. I just wondered what...what magnitude are you thinking? Because it's 97 acres of land that you're...that is across the street.

CHAIR PALTIN: Open...oh, I guess not Open Space fund. Maybe Park funds? West Maui Park funds.

COUNCILMEMBER SUGIMURA: Okay, so the 97 acres. I just wondering how...how much? And what about the neighbors? Is it Hawaiian Homelands that's next to us, or there's other parcels that are next to us. Are you also looking at them, or is it only the...the Kā'anapali 2020?

CHAIR PALTIN: What do you mean, am I also looking at them? I...I wasn't planning on buying DHHL lands.

COUNCILMEMBER SUGIMURA: There's...there's neighbors there, right? That's not only us across the...I mean, not only not us, but not only Kā'anapali 2020.

CHAIR PALTIN: I think the employee retirement system had a little bit of land there, but that they were in...possibly in the process of selling it. That's what started all of the situation at the start of the Community Plan, where people thought "We are West Maui people, we're consultants and not County planners," and they wanted to build affordable housing there, but there was no access to that property. I guess Ms. Maydan, is it only Kā'anapali Land Management that's the owner of those 97 acres?

COUNCILMEMBER SUGIMURA: Yeah.

MS. MAYDAN: Yes.

CHAIR PALTIN: Oh, yeah? It's...they're the only...so then I guess I don't understand your question, Ms. Sugimura. What about the others that --

COUNCILMEMBER SUGIMURA: So are there...maybe Ms. Maydan, are there...who are the neighbors to this? Trying to pull up my map, but...

CHAIR PALTIN: It looks like State Villages of Leiali'i.

COUNCILMEMBER SUGIMURA: Hawaiian Homelands.

CHAIR PALTIN: Hawaiian Homelands, DHHL Honokōwai is on the north part of Kā'anapali Town, and then I guess to the south of it is us, as in the County; the Civic Center, and the Villages of Leiali'i, which is a Hawaiian Homeland subdivision, and I think they can

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go mauka, as soon as their water is able to go above, like, the 180-foot level. I don't think that they would have any issue with a big park next to them.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR PALTIN: But I guess I still don't understand --

COUNCILMEMBER SUGIMURA: I just wondering. That's okay, thank you.

CHAIR PALTIN: -- about the --

COUNCILMEMBER SUGIMURA: Yeah, thanks. Thanks.

CHAIR PALTIN: Okay. All right. So the...in revisiting this, I guess it's a project. The Priority would be Low, the Timing would be Long, the County Lead Agency could be Parks, Estimated Cost: To Be Determined, Funding Source: County. Ms. Maydan, does that give you all the information you need for that action item?

MS. MAYDAN: Thanks, Chair. I think you did cover it all.

CHAIR PALTIN: Okay. And Staff, was there any action needed to be taken by us. Since this was a revisit, did we not vote on it the first time?

MS. LILLIS: That's correct, Chair.

CHAIR PALTIN: Oh, okay. Thank you. All right. So then, I'll entertain a motion to make that an action item as stated.

VICE-CHAIR KING: So moved.

COUNCILMEMBER SINENCI: Second.

CHAIR PALTIN: Moved by Member King, seconded by Member Sinenci. All those in favor, raise your hand and say "aye." So all those opposed, raise your hand and say "no". Motion passes, eight-one, with Member Sugimura voting no.

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

NOES: Councilmember Sugimura.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: Okay. So the last one we have is the pool owner notification. Member Rawlins-Fernandez, do you need more time?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So I pulled up the meeting minutes from March 4th, and we talked about putting funding into this fiscal year's Budget. Like I said, I recommend that we put it into the Budget session so we can allocate money for a mailer to inform pool owners of the law. And then we said that we wanted it to be ongoing, instead of just a one-time thing. So it said, Budget session...yeah. So it could be ongoing for the next 20 years, but I don't know what my idea was there. Sorry. I guess I'll wait until it's taken up again, and if I have something, I'll propose it then. Sorry. Chair, you're muted.

CHAIR PALTIN: Thanks. I think we discussed having the water bill putting...or Water Department putting some information in their bills or a mailer for the SMA areas of the community plan, or something like this. I'm not...I don't need to micromanage how it gets done, if the Planning Department can do it in an efficient and cost-effective manner, that would be great. I don't want to like assign to them how it must be done. Ms. Maydan or Director McLean, any issues with the language as it's worded for the swimming pool notification in the SMA?

MS. MAYDAN: Mahalo, Chair. I don't believe Director McLean is on the call, and this would not be the Long Range Division implementing this. I don't have any questions. I don't know if Director would. I imagine one of the tricky parts will be identifying pool owners, you know.

CHAIR PALTIN: For me, I don't mind if it was like a direct mailer to everyone in the SMA, so if you don't have a pool owner that you're aware that this should not be going on in the SMA, and if you see it, maybe some information on who to call to report it and, you know, just a general information folks for people in the SMA, maybe it can also be put up like on the County Planning Division website for SMA, or include it in the SMA Rules

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or something, like as some sort of educational piece possibly? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I think...so Member King spoke to this item too, and she said that Public Works is working on a new ordinance regarding discharge, and she offered to take it up in the CARE Committee, and then we can help address it island-wide, instead of just in the district, and promote it through a mailer, and then keep it as an ongoing issue to make sure it's being monitored.

CHAIR PALTIN: Okay. In that case, Ms. Maydan, is it correctly placed as an action item or...I guess it has a corresponding policy, and there is a desire to do it more broadly. Is it okay just as it reads then, and we'll take other actions outside of this West Maui Community Plan?

MS. MAYDAN: I think that's fine, Chair.

CHAIR PALTIN: Okay. So I'll entertain a motion to accept this item as it reads currently.

VICE-CHAIR KING: So moved.

COUNCILMEMBER RAWLINS-FERNANDEZ: Second.

CHAIR PALTIN: Moved by Member King, seconded by Member Rawlins-Fernandez. I think we've discussed it quite a bit, but if anyone has any more discussion. Seeing none...oh, Member King.

VICE-CHAIR KING: Well, I just...I wanted to thank Member Rawlins-Fernandez for reminding me about that because it did come up in our Committee, and I'm happy to bring...as soon as I get that proposal, that proposed legislation. But I also think that hopefully that they would pay for the notification, we wouldn't have to put it specifically in the Budget, if it's the policy coming from the . . .*(inaudible)*. . . But, you know, we'll find out when they propose it, if they want to spend their...part of their money on that.

CHAIR PALTIN: Okay. All right. Sounds good. Member Kama.

COUNCILMEMBER KAMA: I'm so sorry, Chair. Can you kind of bring me up to speed about what this is about?

CHAIR PALTIN: Sure. So there was a policy in Section 2.3.6 that says, "Require new development and encourage existing developments with pools within the Special Management Area, to use best management practices for cleaning and maintaining the pool, specifically prohibiting drainage of pool water directly to the ocean, and encouraging utilizing pool water for irrigation on site." Does that jog your memory?

COUNCILMEMBER KAMA: Well, I couldn't quite remember, I just read it again. So I'm good now. Thank you.

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CHAIR PALTIN: Okay. All those in favor of the motion, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. Motion passes unanimously.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: And that concludes our revisits and issues with Section 4. I see that Staff has been able to upload onto Granicus Member Rawlins-Fernandez's Section 1 Amendments. And so at this time, I'd like to take a ten-minute recess to allow Members to refresh their Granicus, print out the document, go over it, and then come back for discussion on it. Does that sound like a good plan of action? Maybe 15 minutes would be appropriate, because there's a lot of words on there. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: No objection to your proposal of taking a 15-minute recess. It's probably about that time anyway. And so it's...

CHAIR PALTIN: Oh, did you want to give like an opening presentation or anything before we read it?

COUNCILMEMBER RAWLINS-FERNANDEZ: Sure. Well, I just wanted to let Members know, that it's the clean copy, not the copy that's Ramseyered or has track changes. So what was in the plan was seven pages long, and what you have now is about nine pages long. So it's a little longer, but I think it's worth it. I want to give my disclaimer that I don't claim to be an expert on this side of the island, and that Kumu Pueo Pata is actually publishing a book on the place names of West Maui, and I'm so sad that it's not published already so that I could cite to some of the information that will be contained in his book. So some of the language that was in there was just kind of reworded, but a lot of the information since the community didn't come out in opposition of Section 1, I assume that for the most part they were okay with the information that was in there.

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So I used a lot of the information that was in there and just chose different words and framing. And then incorporated a little more 'ike kūpuna into it.

CHAIR PALTIN: Okay. Great. And Staff can upload a redline version of the transmittal in comparison to the current draft Section 1 if Members would like. Is that something that feel you need or would you like the clean version only?

COUNCILMEMBER JOHNSON: I'd like the clean version myself personally, but...

CHAIR PALTIN: Okay. I see Member Sugimura nodding her head and I'm not sure if that's that you would like a redline version or you prefer the clean version. You'd like a...I don't know.

COUNCILMEMBER KAMA: Clean version. I want a clean version.

COUNCILMEMBER SUGIMURA: No, redline.

CHAIR PALTIN: Oh, you'd like a redline?

COUNCILMEMBER SUGIMURA: Redline.

CHAIR PALTIN: All right. Okay. We'll request Staff to also upload a redline version as well. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So I did not send a redline version, but if Staff somehow has one, then that's great.

CHAIR PALTIN: Yeah. I did receive a text that says, I can upload a redline of KRF's transmittal in comparison to the current draft Section 1. So somehow they did it.

COUNCILMEMBER RAWLINS-FERNANDEZ: I mean, our OCS Staff is incredible.

CHAIR PALTIN: Yeah, Member Molina. I don't really want to lose 'em, but I guess that's the way the cookie crumbles.

VICE-CHAIR KING: Losing one?

CHAIR PALTIN: Losing one. Okay. All right. So they'll work on that. And in the meantime we have the clean version. Staff will get that redline uploaded, and we'll take a break and come back at 3:30. So this meeting will be in recess until 3:30. You guys have your assignments. Ready, set, go. . . .(gavel). . .

RECESS: 3:16 p.m.

RECONVENE: 3:38 p.m.

CHAIR PALTIN: . . .(gavel). . . Aloha and welcome back. The PSLU meeting of June 17th

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reconvened at 3:38 p.m. Thank you for that brief recess for us to read through the draft Section 1 revision. So I offered the redline version, but then I forgot that we can't upload materials to Granicus while we're on recess, we have to be in open session. Members were emailed a redline version and now that we're open...in open session, we can upload the redline version to Granicus. I didn't make it all the way through reading in that 20 minutes. I just saw a couple of just, you know, minor typographical type of issues, but I think that Staff can do that under nonsubstantive changes. Sometimes Honokōhau had kahakō, sometimes it didn't. And I think there was one, like some spaces missing and then a period, but then it continued on. But those are all nonsubstantive changes that the intent is clear so it...I don't think we need to be the editors, because I'm not that good at editing that way. Even though English is my first language. I guess one of the questions that I had was kaukau ali'i. Is that a Chanter Chief on page 4, second paragraph from the bottom.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for your question, Chair. I didn't make a list of the new hua 'ōlelo, but I will. And I...so I can. I can do that. But basically in English it's sometimes called like lesser chiefs, and I don't really like that transition, so that's why I used, kaukau akauli'i instead.

CHAIR PALTIN: Okay. Okay. And then I guess, ka Mō'i is what we're using for the King. Members, does anyone else have any questions or comments, or are you still finishing up reading?

VICE-CHAIR KING: Chair, I think some of us are still...are reading the redline version so we can see where the changes are made.

CHAIR PALTIN: Okay. Do we need another 20 minutes? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. If I...so...yeah. Okay. I wish I had another week to work on this. Not all the diacriticals are there. I figured in the grander scheme of completing Section 1, you know, that could be fixed after as a nonsubstantive amendment. The bigger question I had was about the parameters of the West Maui Community Plan area. And so if Ms. Maydan is still on the line...so I went into 2.80B to find out what the actual boundaries are, just because in the original copy, it just says, "The West Maui region encompasses the western slopes of the West Maui mountains and coastal planes from Papawai Point, South of Olowalu to Pōelua Bay near Kahakuloa on the North, the regions." and then that's it. So it's just one sentence. And so I had wondered, you know, like...I looked...so I looked in the 1996...the current community plan, the 1996 plan. And there's a lot more description, and it reads, "The West Maui Community Plan covers the entire Lāhainā Judicial District located on the western slopes and coastal plane of West Maui. Its common boundary with the Wailuku Judicial District begins at the southern shore of West Maui, about three-quarters of a mile west of Papawai Point. Beginning at this point, the West Maui regions boundaries run mauka along the centerline of the Manawainui Gulch to the ridgeline of the West Maui mountains. The boundary then continues along the ridgeline in a northerly direction to 'Eke Crater, and then North along Pōelua Gulch to the northern shoreline of West Maui." And CPAC received this map so it kind of shows

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the line. I'm not sure if it's in the community plan draft that we have now. But I was hoping that, you know, we could make the boundaries more specific like the 1996 plan does, and even more descriptive if possible. But I didn't want to put what was in the 1996 plan because I wasn't sure if that was still accurate as the boundaries. So I don't know if the Planning Department would be able to answer that question.

CHAIR PALTIN: Okay. Ms. Maydan or Director McLean.

MS. MAYDAN: Mahalo, Chair. The boundaries have not changed, so what is in the '96 plan would be accurate if that description is preferred.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. I think that would be better. If we had like actual like coordinates, that would be the best, and then we would know exactly. But even our Charter for the Councilmember residency areas aren't...they don't have coordinates, so I'm guessing we don't actually have coordinates. Ms. Maydan, in 2.80, does it have the boundaries for all of the community plan areas?

MS. MAYDAN: Good question. I do not believe so. I want to say no, but I want to look it up just to make absolutely sure there is not a map. But I will look just to make sure and let you know if I am incorrect.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Maydan. Mahalo, Chair. So if I were going to make an amendment today, that would be what I would do. I would take what was in the '96 plan, and then incorporate it into the Section 1 just for, you know, that clarity of where the boundaries exactly are.

CHAIR PALTIN: Okay. I'm okay with that. Is that a motion?

COUNCILMEMBER RAWLINS-FERNANDEZ: Sure. I move to include the planning area description from the 1996 community plan...West Maui Community Plan, that first paragraph that I read, into this draft...into Section 1.

COUNCILMEMBER KAMA: Second.

CHAIR PALTIN: Moved by Member Rawlins-Fernandez, seconded by Member Kama. All those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Motion passes with eight "ayes" and one excused, Member Johnson.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Johnson.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

CHAIR PALTIN: On page 8, I had something in my notes, although it didn't come up on OCS' draft of revisions or in Member Rawlins-Fernandez's version, but I kind of felt it was important to include, and I'm not sure if it was missed. But basically it's a sentence after 44,000 annually that says, "A single person in Lāhainā earning up to 54,700 is considered low-income." And that's from May 28, 2019, *Star Advertiser*. And so if 73 percent of West Maui workers earn less than 44,000 annually, they're nearly 9,000 below low-income.

COUNCILMEMBER RAWLINS-FERNANDEZ: So moved.

CHAIR PALTIN: Moved by Rawlins-Fernandez to add that sentence after 44,000 annually on page 8, where it says, "Will new residential growth lead to economic growth and better jobs."

COUNCILMEMBER KAMA: Second.

CHAIR PALTIN: Second by Member Kama. All those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. Measure passes with eight "ayes" and one excused, Member Johnson.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember Johnson.**

MOTION CARRIED.

ACTION: **APPROVED AMENDMENT.**

CHAIR PALTIN: I guess I had a question on page 3 as well. In Member Rawlins-Fernandez's version, I guess it went from Hono space, "a" space, piilani to Honoapiilani squished together, and I just was wondering the significance of doing that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So I have been told that having the word together is more appropriate.

CHAIR PALTIN: Okay. And it's...

COUNCILMEMBER RAWLINS-FERNANDEZ: But I'm open to...so, you know, there aren't many schools of thought, and I'm not going to be a stickler on, you know, a lot of these things. So if Chair, you, as the Residency Councilmember for that district, or anyone in the district would prefer separating it, of course, I would not oppose.

CHAIR PALTIN: Okay. I just was thinking, because a little bit further down when it says, 'Auwai-a'Pi'ilani, there's those little dashes between, and maybe we could do something similar like instead of spaces, just put the dashes between for consistency.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So do you want that for everyone, or just in that one sentence where it's known for Honoapi'ilani or the bays of Pi'ilani. So in that one sentence it had...it was space before. So do you want...just in that one sentence to have dashes?

CHAIR PALTIN: Yeah, I didn't really notice another location where it was smushed together or spaced out, but I guess every place where it's smushed together maybe have the dashes instead of spaces, or if there are spaces just throughout the document, instead of Hono space, "a" space, Pi'ilani, we have the dashes in there.

COUNCILMEMBER RAWLINS-FERNANDEZ: So Chair?

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CHAIR PALTIN: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: I guess...okay. So like Launiupoko. It means the small leaf, the small coconut leaf, right. So would you want to take all place name words and put a space between what the words are, you know, like...

CHAIR PALTIN: I don't think so. I personally...not really.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Because that's what we would be doing with Honoapi'ilani. So maybe we can consult with linguistic experts and kūpuna and then we can make a decision after that.

CHAIR PALTIN: Okay. I just was wondering. So 'Auwai-a-Pi'ilani, the way that it's written, should that be without the dashes?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that question, Chair. So that wasn't intentional on my part. So a lot of like the diacriticals are inconsistent, and that's because I figured the diacriticals could be considered nonsubstantive, and we can make those amendments after. But the words themselves, as long as we understand what the words are, were more important for us to come to consensus on.

CHAIR PALTIN: Okay. I guess I'm not understanding. Like in Honoapi'ilani, we're talking about the bays of Pi'ilani, but then for like Launiupoko, the meaning would be short coconut leaf. But then sometimes when we're talking about it as a place, like in reference to Launiupoko the place, we wouldn't break it up with the hashmarks or the minus signs in between. But if we're explaining the meaning of the word like Launiupoko, short coconut leaf, then we would put the dashes in between, is that what you meant?

COUNCILMEMBER RAWLINS-FERNANDEZ: I think it could be either way. I think that's a stylistic decision.

CHAIR PALTIN: Okay. Because when you look below that 'Auwai-a-Pi'ilani and it says, Honoapi'ilani Highway, like a lot of people are familiar with seeing it like that. But then you have it like the Honoa with a capital "P", that's kind of like an unfamiliar way to look at it. And then like with the next part, Bays of Pi'ilani, it's like we're translating Honoapi'ilani to the Bays of Pi'ilani, and we're not referring to it as a highway or something like that, you know what I mean. So if...

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So for this you only want dashes?

CHAIR PALTIN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: But only for this instance.

CHAIR PALTIN: Yeah. If we're using it to...and then describing the English meaning, then I think dashes to break it up makes sense. But if we're not going to say Launiupoko,

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which means short coconut leaf, then I feel like the dashes don't really make sense. Because it's Launiupoko like on the park sign, or on the street, it's spelled like that. But if we're going to say, Launiupoko, which means short coconut leaf, then it makes sense to have the dashes between Lau-niu-poko. Does that make sense?

COUNCILMEMBER RAWLINS-FERNANDEZ: I have no opposition or problem with that.

CHAIR PALTIN: Okay. So that's kind of my intent like for consistency, and I think that's kind of nonsubstantive. Member Molina, did you have your hand up?

COUNCILMEMBER MOLINA: Madam Chair, when you deem it appropriate, I just wanted to make a suggestion on page 10 for Member Rawlins' consideration. I can totally agree within...it starts, "within the next 20 years, housing affordability and availability for residents will be our essential goal." But also another goal is...for many years, the concern out in West Maui has been the need for hospital or a state of the art medical facility, so I don't know, if this...it would be something that would be appropriate to include in a document like this.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, I think it says that in the following paragraph of the next sentence.

COUNCILMEMBER MOLINA: Oh, okay. Maybe I missed it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

COUNCILMEMBER MOLINA: Oh, okay. Okay. I guess I...I'm sorry, I missed that. The next paragraph...

COUNCILMEMBER RAWLINS-FERNANDEZ: And that one I didn't really change. That one is...

COUNCILMEMBER MOLINA: That's something already in there. Oh, okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

CHAIR PALTIN: The last paragraph it does say, "access to high quality health care," and...

COUNCILMEMBER MOLINA: Okay. That would cover it then.

CHAIR PALTIN: ...that would be like a version of a community hospital. And I think the main concern was that we weren't duplicating the services at the main hospital, but complementing it, so maybe that's why they say, high quality health care.

COUNCILMEMBER MOLINA: Okay, okay. Okay, I'm fine. Thank you.

CHAIR PALTIN: Okay.

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VICE-CHAIR KING: Chair?

CHAIR PALTIN: Member King.

VICE-CHAIR KING: Thank you. I just wanted to make a suggestion about...because a lot of new Hawaiian words were added in this section that aren't in the dictionary, Hawaiian Word Dictionary. So if maybe Staff could go through and see what needs to be added. For instance on page 3, there's a sentence that refers to 'ili 'āina and 'auwai. 'Auwai is in the dictionary, but 'ili 'āina is not in that Appendix H. So if you could go through and make sure that, you know, the words that were added that aren't in the dictionary are in there.

CHAIR PALTIN: Yeah. There's...I think...yeah. There's quite a few, like...

VICE-CHAIR KING: Or if they could give an example...

CHAIR PALTIN: *(inaudible)*. . . or Ke Ali'i Nui aren't in there. I was wondering on page 4 as well, when it says lo'I Kalo, there's a capital "I" for that Lo'i. Was that intended to be like that? Oh, okay.

VICE-CHAIR KING: That's what autocorrect does.

CHAIR PALTIN: Oh, okay. Okay.

VICE-CHAIR KING: Loko i'a could also be put in...I don't know if you folks already talked about that. That one needs to go in the dictionary.

CHAIR PALTIN: I think we did already put Loko i'a.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. That one is in there.

VICE-CHAIR KING: Okay. So anyway, maybe just go through the whole thing to make sure that . . . *(inaudible)*. . . necessarily, but the words are not in the dictionary already.

CHAIR PALTIN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Yeah. So I made that announcement when we reconvened that if I had another week, the diacriticals would all be accurate and the words...oh, oh, that's why. Okay. I said the hua 'ōlelo, hua 'ōlelo is the words I would add to the appendix.

CHAIR PALTIN: Okay. So just for clarification for the record, no objections to Honokōhau having a kahakō over the third "o", or Honokōwai also having a kahakō over the third "o".

COUNCILMEMBER RAWLINS-FERNANDEZ: No objections. But Chair, I did consult with...on Pōelua.

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CHAIR PALTIN: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: So Polua and Pōelua are correct. Polua is a contraction of Pōelua. And so since Polua is the contraction, that Pōelua is the more official or formal name.

CHAIR PALTIN: Okay, perfect. And we had discussed...I think we've seen both having a footnote to mention that, so we could say that Pōelua is the formal way, the Polua is a contraction which might be used colloquially. Okay, okay. So everybody okay with a footnote to describe that for Pōelua.

COUNCILMEMBERS: Consensus.

CHAIR PALTIN: Okay. Consensus. And I think Maka'āinana might have a kahakō over the ā. 'Ōlelo a. Other than that, I don't have any issue. And if we can have the editing to be considered as nonsubstantive revision and maybe Staff, if they have questions, can consult with Member Rawlins-Fernandez or myself on it, and then we'll have the final draft. So...

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR PALTIN: Awesome. And so the intent is for all the figures and diagrams to remain in except for that Tour Maui one, is that correct? And then we had, I think in the accepted amendments the first time around, accepted an additional diagram that Member Rawlins-Fernandez and myself had included in our ASF to complement the diagram, I think, on page 11. Members, do you recall? Member Sinenci. So that would remain in as well since it's already accepted. Member Sinenci.

COUNCILMEMBER SINENCI: Oh, okay. Thank you. I just brought up Member Kama asked about Malu 'Ulu o Lele as the old name of...the ancient name. I know...I just see Malu 'Ulu o Lele referred to as park. Malu 'Ulu o Lele Park. Are there other areas that refer it?

COUNCILMEMBER RAWLINS-FERNANDEZ: I have no objection to clarifying that...to adding that.

CHAIR PALTIN: I think there is a Malu 'Ulu o Lele Park, but the entirety of Lāhainā in the olden days was called Malu 'Ulu o Lele, which means the shade of the breadfruit tree of Lele, and Lele was an ancient name for...that Lāhainā...was referred to. And the reason that it was called that was because there was so much breadfruit trees, I guess it wasn't as hot. And then maybe, you know, when there wasn't any breadfruit trees, then it became Lāhainā through a merciless sun. Because we don't have the shade of the breadfruit anymore and it's...now it's so hot.

COUNCILMEMBER RAWLINS-FERNANDEZ: Makes sense to me.

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CHAIR PALTIN: Yeah. And then...

COUNCILMEMBER SINENCI: Friendly amendment.

CHAIR PALTIN: And so the changes that we made previously, like Malu 'Ulu o Lele, your linguist said it was better to squeeze it together? Okay. I don't want...

COUNCILMEMBER RAWLINS-FERNANDEZ: And in...except for, you know, the section where we would be defining it, if you wanted to define it, then we could put the dashes as you suggested.

CHAIR PALTIN: Yeah, yeah. I don't want to go against a linguist, because they're obviously more smart than me. But yeah, for the definition, if we put the dashes, like we're breaking it down, Malu 'Ulu o Lele, the shade of the breadfruit tree of Lele. So yeah, I don't want to...if there's a linguist, that's what they studied for. I don't want to mess that up. So we'll go that route, if it's okay with Members. So any objections to accepting this revised version of Section 1, subject to editing with nonsubstantive change for correction for like grammar issues and spelling of Hawaiian words, nonsubstantive revision to add Hawaiian words into the Appendix of Hawaiian word definitions.

COUNCILMEMBERS VOICED NO OBJECTIONS.

MS. MAYDAN: Chair. I have two clarifying questions, if that's okay.

CHAIR PALTIN: Sure, sure. We love clarifying questions. Go ahead.

MS. MAYDAN: Mahalo. Member Molina asked for updated information regarding the population forecast that we transmitted on March 3rd, and I'm just clarifying if that is to be included. And that would be on page 21 in the plan, page 6 and 7 in the revised document. And they're minor changes...or I'm sorry, minor additions basically, and they're in our March 3rd transmittal providing an estimated 2020 population, and providing more source information as was requested previously.

CHAIR PALTIN: Yeah. I mean if Member Molina requested it and you gave it to us, we would love the updated information so we can stay fresh.

MS. MAYDAN: Mahalo. Okay.

CHAIR PALTIN: Thank you for clarifying that.

MS. MAYDAN: And my other...would...Annalise Kehler let me know that a lot of the information in the history section that we worked on was adapted from Kepā, and we would like to be able to give credit there, and perhaps...would that be a nonsubstantive change to add a sentence acknowledging that a good majority of the history has been adapted by and source their report.

CHAIR PALTIN: Is that in addition to the reference appendix, because I had thought that he

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was...there's a Maly, Kepā on page 161, did you want to just do a little separate footnote near areas in this section, in addition to the...

MS. MAYDAN: Yeah. I think the...yeah. I think the request either as a footnote or at the beginning of the West Maui...oops, sorry...West Maui Yesterday section. Just making sure it's clear that a lot of this was adapted from that report, so it's clear that we are not claiming that it is our source material.

CHAIR PALTIN: Okay. And then would...Member Rawlins-Fernandez, who you consulted with, should we put both of those entities at the West Maui Yesterday section?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, I'll add...I'll send Staff citations. But I think...so I think what Ms. Maydan is saying from Kepā Maly, I don't know if like majority of the history...majority of what the text is now is from...adapted from that report, because I added a lot, so I don't think majority may still hold true. So we could figure out language for that. I don't have any objections to adding that as a reference, and I'll send Staff citations in the...to put in the appropriate locations.

CHAIR PALTIN: Is that okay, Ms. Maydan, with you, like putting a footnote about Kepā Maly, and a footnote about Member Rawlins-Fernandez's sources together at the West Maui Yesterday section.

MS. MAYDAN: Yes, absolutely. Mahalo.

CHAIR PALTIN: Okay. And then I guess Staff will reach out to Member Rawlins-Fernandez if they have any question about hua 'ōlelo, the Hawaiian word definition, or for the sources of the Appendix on references. And then other than that, I imagine we've completed our review of the West Maui Community Plan. Member King, followed by Member Rawlins-Fernandez.

VICE-CHAIR KING: Okay, I have a question on page 21, and it was something that I just noticed and I apologize if you...the Department reviewed...explained this before. But there's a table in there that talks about resident units needed and, you know, the projected growth. And then there's a line in there that says non-resident, and it says total units needed by 2040 is 3,359, but the units available in 2012 was 1,724. Is that projecting some number of tourists that's desired that area to increase its accommodations.

CHAIR PALTIN: Ms. Maydan.

VICE-CHAIR KING: There's not a really whole lot said in the...

MS. MAYDAN: Mahalo, Chair. Mahalo, King. No it's not projecting tourists, it's projecting non-residents potentially moving here. It's accounting for reality so that we don't underestimate the housing units potentially needed in the future. This is the standard way that the Department has done it. This is how it was for the Maui Island Plan as well. Does that answer your question, Member King?

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VICE-CHAIR KING: Well, I guess it assumes that everybody is okay with that number, you know, the resident number growing, and that's we're accepting...it's kind of a weird way to say...not say talk about these homes, because if they move here then they would be residents. But the fact that underneath the source says the data are also from Hawai'i Tourism Authority, that's what made me think that that was projecting like accommodations for tourists. So I just wanted to point out that that's unclear and if it's a policy issue, does the CPAC understand that they are then saying that they understand and accept that they're going to need an additional 1,724 units for people who might move here?

CHAIR PALTIN: Ms. Maydan.

MS. MAYDAN: Thank you, Chair. Member King, thank you for your question. It's...we always, throughout the process, make sure that everyone understands that population projections are absolutely not a policy issue. They are simply a tool in the community plan process. Forecasts are absolutely not crystal balls by any means, but they are simply a tool for communities to use while thinking about the future and potential housing units needed.

VICE-CHAIR KING: Okay. So maybe that wording needs to be future residents instead of non-residents, because if they move here, they're not non-residents anymore. Is that what you're projecting, future residents?

CHAIR PALTIN: Ms. Maydan.

MS. MAYDAN: I'm trying to think of how this would be clarified better.

CHAIR PALTIN: Ms. Maydan, on the red part right above of it, it says, "Where will new residents live?" Would it be appropriate to say new residents based on that heading?

VICE-CHAIR KING: Yeah, I would agree with that. Because non-resident...if they're non-residents when they're here, they're tourists or transients.

MS. MAYDAN: It also...it's also taking into account second homes, so they may or may not be residents.

VICE-CHAIR KING: Yeah, but we don't need to address any kind of demand for second homes, I don't think. They actually...does DBEDT actually project who needs to have a second home? Because it says, you know, the additional units needed by 2040 is 1,635. But if they're second homes, I don't think we have to say that anybody really needs a second home.

MS. MAYDAN: It is purely informational. If the Committee chose to delete it, it would not change the contents of the plan, I would say.

VICE-CHAIR KING: Okay. I just wonder did the...was this discussed? I think it's probably

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easy to overlook, but when you look at it, it seems...it just seems inappropriate, I guess, would be my word for that.

MS. MAYDAN: I'm trying to recall specific conversations around it with the CPAC. If it was discussed, I don't recall in extensive detail, but that's my memory.

CHAIR PALTIN: Ms. Maydan, for me, I do believe it's realistic to account for future residents moving in since at this time there's nothing we can do about that, that's realistic. And if that additional units needed were to account for residents moving here only, then you know, it's realistic and what can we do. But if it includes the number of second homes, who really needs a second home, like what's going to happen if you don't get the second home, you're only going to have one home? And it seems as though right now, a lot of the second home buyers, or the influx folks, maybe not necessarily for West Maui, but they're buying existing homes as we see, you know, homes being bought for cash money at or above the asking price. So if they are planning to move here, not a lot of them wait for a new home to build. If they have a lot of money, they'll just offer that cash to existing homeowners. So do we need to say include second homes, or can we just say this is anticipated for...what do they call that when you emigrate, or immigrate, or...I'm not sure the actual word, when people move here, and exclude the second home number.

MS. MAYDAN: Your Committee could choose to change this however you like. I'll just remind you that this is the introductory section that really doesn't have any binding regulatory substance at all, it's purely information to set the stage and it...you know, it is a fact that folks buy second homes here, and it has a significant impact on our communities and our home prices.

CHAIR PALTIN: Okay. Then...

VICE-CHAIR KING: I think at the very least we should change it to new residents, rather than non-residents. I mean...

CHAIR PALTIN: Okay. I was also going to suggest changing the wording in the third column to additional units expected to some other word than needed. Additional units desired to 2040, or...

VICE-CHAIR KING: Desired by 2040.

CHAIR PALTIN: Projected to be demanded. Projected to be wanted. Additional units. Because just the word "needed" and the association with second homes is...like maybe need a first home.

VICE-CHAIR KING: Well, maybe we can just change it to 2040 projected demand.

CHAIR PALTIN: There you go. Okay. I like that one. Projected demand for 2040, and then change non-resident to new resident. Is that a motion? Oh, Member Rawlins-Fernandez.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. I'll second Member King's motion.

CHAIR PALTIN: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: But...so the word needed is in the first column too. Total units needed, plus total available and then...

CHAIR PALTIN: Projected demand to 2040...

COUNCILMEMBER RAWLINS-FERNANDEZ: . . . *(inaudible)*. . . projected demand.

VICE-CHAIR KING: Yeah, let's...yeah, let's put that in there. That's...

CHAIR PALTIN: So the additional projected demand to 2040 and total units projected demand to 2040.

VICE-CHAIR KING: Yes.

CHAIR PALTIN: Friendly amendment.

VICE-CHAIR KING: Accepted. Thank you.

CHAIR PALTIN: Any further discussion on this particular action here? Seeing none. All those in favor raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Motion passes with seven "ayes" and two excused, Member Lee and Member Sugimura.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Lee and Sugimura.

MOTION CARRIED.

ACTION: APPROVED AMENDMENT.

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CHAIR PALTIN: And then Member Sinenci, you had a question about the Resident Alien Act.

COUNCILMEMBER SINENCI: Thank you, Chair. I was being facetious, but I was...it does have an explanation. Thank you.

CHAIR PALTIN: Okay. Thank you. I wasn't sure. Okay.

VICE-CHAIR KING: So there's no projected demand for aliens.

CHAIR PALTIN: Okay. So any further comments, because I think we're about ready to pass this out of Committee. Oh, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. You started taking the motion to add the amendments to Section 1 that I proposed, and then we added, you know, nonsubstantive and appropriate amendments from Staff, but we didn't end up taking the motion. I think there was a question from Ms. Maydan, and then we took up some of those clarifying things first. So we actually didn't accept the amendments proposed.

CHAIR PALTIN: Oh, okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: So I move to accept the amendments to Section 1 as proposed in the draft submitted to Staff and the Committee with nonsubstantive and appropriate amendments.

VICE-CHAIR KING: Second.

CHAIR PALTIN: It's been moved by Member Rawlins-Fernandez, seconded by Member King. I thought I saw...I heard Chair Lee.

COUNCILMEMBER RAWLINS-FERNANDEZ: No, that was Pro Temp Kama.

CHAIR PALTIN: Oh, okay. All right. So it's been moved and seconded. Any further discussion necessary to accept the amended Section 1. Member King.

VICE-CHAIR KING: You just said part of that was to...for Staff to add the appropriate one words to the appendix, the definition?

COUNCILMEMBER RAWLINS-FERNANDEZ: Friendly amendment.

CHAIR PALTIN: Okay. Friendly amendment to the appendix for the Hawaiian words, as well as the appendix for sources, right?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes.

CHAIR PALTIN: Okay. So friendly amendment on both of those. Member Sinenci.

COUNCILMEMBER SINENCI: Yeah, just my final comments, Chair. I did want to mahalo nui

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the Planning Department and the CPAC Committee for this entire process. And, you know, just this last week, us going through this, I can just imagine the . . .*(inaudible)*. . . some meetings.

COUNCILMEMBER RAWLINS-FERNANDEZ: Member Sinenci?

COUNCILMEMBER SINENCI: Oh...

COUNCILMEMBER RAWLINS-FERNANDEZ: Member Sinenci?

CHAIR PALTIN: Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Just a point of order or point of clarification, we're going to...we're just doing Section 1 real fast --

COUNCILMEMBER SINENCI: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- and then we're going to...

CHAIR PALTIN: ...accept the whole thing. So maybe --

COUNCILMEMBER SINENCI: I'll save my comments for...

CHAIR PALTIN: -- save your comments for the big bang. Okay. All right. So just Section 1, this vote ready, set...all those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay. So motion passes with seven "ayes" and two excused, Chair Lee and Member Sugimura.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Lee and Sugimura.

MOTION CARRIED.

ACTION: APPROVED SECTION 1, AS AMENDED.

CHAIR PALTIN: Okay. Now we're...Staff, Ms. Lillis, when we first started this project in March, I thought we had started with a motion to accept it. It's been so long ago, I forgot who made that motion and who seconded it. Can you refresh my memory?

MS. LILLIS: It will take us a bit to pull that up, but we can certainly do that.

CHAIR PALTIN: Unless anybody here recalls. No.

VICE-CHAIR KING: I thought I might have done it as the Vice-Chair, but I can't even remember back then.

CHAIR PALTIN: Yeah. I guess we'd like to be accurate here. Oh, and then can we have some comments from Ms. Eaton while Staff is looking that up.

MS. EATON: Little premature. I want to wait until you guys have accepted this document.

CHAIR PALTIN: Oh, okay. Do you want to...

MS. EATON: Then I'll have a comment.

CHAIR PALTIN: You want to save the comment until after the vote. Okay. Everybody's waiting for...I think I should have got some of that confetti. We'll have to make eco-friendly confetti, which is this. So...nice weather. And I hear there's a little bit of a South swell.

VICE-CHAIR KING: Should we just make a new motion? Do we have to go back and figure out who did the original motion or can we just make a new one?

CHAIR PALTIN: Mr. Hopper, do we need to figure out who made the original motion?

COUNCILMEMBER KAMA: If there's a motion on the floor.

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CHAIR PALTIN: Or can we just make one. Or is it more appropriate for Mr. Raatz.

MR. HOPPER: Mr. Raatz has probably been following a little more closely, but I mean I think you've got some flexibility in Committee to...you know, because this has been such a long process. I think you could probably have a new motion, and that may be more appropriate if we can't accurately document what happened at the beginning. But I'd like to hear what he would have to say as well.

CHAIR PALTIN: Okay. Mr. Raatz, how do you feel about this?

MR. RAATZ: The Committee Staff agrees with Mr. Hopper. You have flexibility. There's nothing wrong with accepting a new motion at this point.

CHAIR PALTIN: Okay. Let's do it then. Okay. Moved by Member King...

MR. RAATZ: Although...Chair, if you'd like, as it turns out, we just got notification from our Secretary, Ms. Balala, Councilmember King made the motion, Councilmember Kama made the second.

CHAIR PALTIN: Okay. So it was moved by Councilmember King and seconded by Member Kama to accept the West Maui Community Plan document. Okay. Now...

VICE-CHAIR KING: Accepting it as amended, right? Yeah.

CHAIR PALTIN: Accepting it as amended. Yes. And...huh?

COUNCILMEMBER RAWLINS-FERNANDEZ: I think it's the Committee would recommend the adoption...recommend to Council the adoption.

CHAIR PALTIN: Okay. It's been moved and seconded by Member King and Member Kama to recommend the adoption of the amended West Maui Community Plan document. And now would be the time for your big bang discussions and I'll go to Member King as the maker of the motion, and then Member Kama as the seconder of the motion.

VICE-CHAIR KING: Okay. Thank you. It's been a great process. And for those of us--and I include Member Rawlins-Fernandez--who were involved in the Moloka'i Community Plan, this process has been a cake walk compared to that one and breakneck speed compared to that one, so I know you feel like it's taken a long time, but it took us almost two years to get that one done. We had a lot of Committee meetings where people just didn't show up and we couldn't have the meeting, you know, because we didn't have a quorum. So I want to thank this Committee for showing up, and most of the people showing up on time. Thank you for keeping us going, Chair Paltin, on the process, moving along, and making sure everybody got heard because I think that's really important. And one of the things we also struggle with on the Moloka'i Community Plan, because when people don't show up and you have a bare quorum, and then you try to pass it at Council you get all these questions, because people weren't there during

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the meetings. So it's really impressive to me that all the Councilmembers were this involved, understanding what was going on, being part of the discussion, and everybody contributed to some of the amendments or the discussion that was going on. So I think I just want to congratulate everybody, and say that just as somebody who ran the last community plan process and struggled through it that I'm just...I'm really impressed, you know, and I have a lot of appreciation for the Committee and also the Staff, and the Department. And I think that we have a good template, I'm hoping that this will mean that we'll...you know, the future plans will go faster because of it. And then hopefully in ten years when we revisit this plan it will go faster too because of the process being...we have a template now for the process. So I'll end there and let everybody else give their comments. But thank you, Chair especially for, you know, this process...you and your Staff.

CHAIR PALTIN: Thank you, Member King. Member Kama, as the seconder of the motion, any comments?

COUNCILMEMBER KAMA: Thank you, Chair. Yes. First I just want to thank you for shepherding us through this process and making sure that all of us were on the right page, on the right paragraph, and on the right word many times, and that things were clear enough so that it was understood, and that we took the time to make sure that we all were really clear about what we were thinking and hearing and what we were agreeing to or not agreeing to. So I think kudos to you, Chair, for all of that. Also to our Staff I echo with what Member King had to say. But I'm also proud of the fact that we've heard horror stories in the past of how long it has taken the Council to approve the community plan, and this process has showed us that we don't need to take a whole year, that we can do it when we decide to focus and buckle down and give the time that we need, you know. You took a lot of your time during Committee, and you got a whole week of just our undivided attention towards the end. That was helpful, and I look at this process as truly a template for us to follow. So I'm making the assumption that by the time the Wailuku/Kahului Community Plan comes around, it's going to be cracker jacks, because we've already going to be able to have done it over and over and over again, and that's why too, the Committee and to you, Chair, my hat goes off, and also to the Staff. But also for the hard work that many of you have put in. I know...I just...I love listening to everyone's participation and what they have to say, and what they're thinking, and what they don't know, and what they...you know, I just love that because it means that we're all thinking. We may not always agree, but at least we're thinking about stuff and how we can make things better for one another. So thank you, Chair, thank you, Committee. Well done, thou good and faithful servants.

CHAIR PALTIN: Thank you, Member Kama. Member Sinenci, we're ready for you.

COUNCILMEMBER SINENCI: Thank you, Chair. In retrospect I did have something to say about Section 1. I did want to mahalo Member Rawlins-Fernandez for her track changes. I think it was suitable, and it was indicative of all the changes that this Committee did throughout the week. And I just wanted to say that her dad, an alumni of Lahainaluna, would have been proud of her. So good job. Kudos. And again, just mahalo to you, Chair Paltin, the PSLU Staff for taking us through this and making it,

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you know, sometimes easy for us to go through. Also to the Planning Department, Ms. Eaton, Ms. Maydan, Director, and everybody else. Mahalo for going...putting in the time for this. It's a great document, and you guys should be proud of it. And yeah. So again, mahalo to everybody. Thank you.

CHAIR PALTIN: Thank you, Member Sinenci. Member Johnson. You're muted. Member Johnson, you're muted.

COUNCILMEMBER JOHNSON: Oh, I muted myself. Sorry. Thank you, Chair. The words that come to my mind right now is, you know, make your mark. And I think of the testifiers who came to come and testify during the CPAC meetings, they made their mark on this document. The work that Kai Nishiki and the other members, they made their mark on this document. Us guys here, this body, we made our mark. And then all the Departments, they've all had their hands on this document. And I think that is the embodiment. That is the mark. We made it, and it's...I just gotta give a shout out to everybody who put their, you know, blood, sweat, and tears in this one. It crosses a lot of boundaries, you know, a lot of groups of different backgrounds have come together, and this is the end result, and I think it's beautiful. So mahalo to all.

CHAIR PALTIN: Thank you, Member Johnson. Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. First of all, I really want to express my disappointment that we're not able to drag this process out longer and come back again for another meeting. All kidding aside.

CHAIR PALTIN: Public hearing, don't forget the public hearing.

COUNCILMEMBER MOLINA: Oh, yeah. The book hasn't quite closed yet, but thank you, Madam Chair for, you know, shepherding us through this process. And I echo many of the accolades expressed by my colleagues, and of course to the Planning Department, who had to not only work with us, but also man those very interesting CPAC meetings in West Maui. And of course Chair Kai Nishiki and all the input that was received. Because as I look at this document now, it's a very culturally sensitive document. It places great emphasis on the host culture, which it should, especially in this area, Lāhainā being the royal capital at one time in the island's history. So that's why doing this community plan has a special significance. So I just want to thank everyone involved and Corporation Counsel, Administration, kudos to everybody. Thank you.

CHAIR PALTIN: Thank you, Member Molina. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. My apologies. I didn't prepare a poem for my closing remarks. But I speak in favor of the motion and strong support of the work that we've done together. Along with my colleagues, I extend my deep mahalo to all the CPAC members, the Alaka'i members, and all the community members that came out to participate and contribute to this update, especially Kai Nishiki, the CPAC Chair, you know, she didn't just stop when the CPAC work ended. She continued to shepherd the update through, and made herself available at the whims of this

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Committee and, you know, that takes time and energy. And it's all on a volunteer basis, and that's all fueled by just such deep aloha for our home, for this place. And so mahalo. Mahalo to our Planning Department. I know how difficult this work is, and I think they learn so much from the Moloka'i Community Plan update, I can tell, because this community plan process, I think as far as I can see, went so smoothly. I love the new methods that they've used, having the new website dedicated to the district, you know, all the shirts, and all the online surveys, and just a lot of outreach. And so much thought and energy went into making sure that the planning process was done with integrity and as much involvement and engagement as possible. So I really appreciate that. My, you know, sincere mahalo to you, Chair, for all your energy and motivation in getting this...getting us through this, and your Staff for, you know...you and your Staff attended all, if not...maybe missing one or two of the CPAC meetings. And I think your involvement in the CPAC meetings was just tremendously valuable for our process here, because you were able to explain to us why certain things was in the update, which helped to expedite the plan. And that's not something that the consultants even considered in their recommendations, to have the Councilmember of that residency area attend the CPAC meeting. So mahalo for doing that. Mahalo to our PSLU Staff for all their hard work and, you know, getting us all the documents that we needed so quickly. It will be really sad to not have Ana anymore. And to Member King and Pro Temp Kama's points of, you know, like having this one week of like all attention on this plan process. I'm really thankful that, you know, this Council was willing to do that. Everyone contributed to enabling us to have this week. Everyone had to sacrifice their Committee time so that we could have this one week of work to dedicate all of our focus and energy into the plan update, and I think that, you know, it was a success. It would have been incredible to have had this process for the Moloka'i Community Plan, I can tell you that for sure. And I plan to not just hope that other Councils would follow suit. I plan to institutionalize this process, and to recommend or introduce bills so that this process can be put into our Code, and then that way all Councils can kind of follow this process and expedite it for the benefit of our community. And last thing I just wanted to mahalo, Member Sinenci, you made me cry. Yeah. I'm sure that...my Lahainaluna graduate. Okay. Mahalo. Chair, you're muted.

CHAIR PALTIN: Thank you. Thank you, Member Rawlins-Fernandez. And I echo all of the comments made by my colleagues. There's not enough time to go through and thank every single person that made a difference in this plan because I know Member Johnson has to leave at 5:00. And, you know, for me, I think planning was my introduction to this type of community service. Prior to mention of the general plan, my biggest worry was, you know, getting in a canoe, or a surfboard, or anything like that. And when the general plan came about and Maui Land and Pine was talking about developing overlooking Honolulu, and former Member Cochran got us all riled up and created the Save Honolulu coalition, that was the start of my experience with planning and learning about the General Plan, learning about the Maui Island Plan, and learning about the West Maui Community Plan. So this moment of passing the West Maui Community Plan is 16 years coming, you know, it's been an anticipation in my mind for the past 16 years that this would happen, and that we would pass this West Maui Community Plan. And prior to being on the Council, when we had those workshops in 2017, I didn't know if I would get on a Council, but I went to all the workshops I could. When we were

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starting with the Alaka'i, I wasn't thinking of necessarily the Council, I was wanting to participate in any way I could. And so this is the realization of like 15 years of envisioning the future of West Maui for me. And I really appreciate everybody that came out and testified at CPAC, at the workshops, at the Planning Commission, and also the CPAC members who are all volunteers, the Maui Planning Commission members that are all volunteers, and throughout the controversial issues and maps and land designations. What I appreciate most is folks that were on opposite sides of the vote coming together and creating policies and action items for the best of experiences for West Maui. You could have voted for development of Olowalu or against development of Olowalu, for the changing of Plantation Estates or against the changing of Plantation Estates Community Plan designation. But that didn't stop folks from giving other input that would make this plan better. And everybody that gave their input from their heart and with passion, it was heard. Even if we went a different direction or we disagreed, nobody can say that people weren't passionate about it. And at the end of the day, everyone voted what they thought was best for West Maui. And so I just want to thank everybody. And we still have a public hearing to hear input once we get the finalized draft. We still have first and second reading. What I like about having one to two times to testify at the Council level and having a week of recessed meetings, our Planning Department did say that in the past, a lot of the influential people wouldn't give their input at the CPAC level or the MPC level, and they'd wait for it to go to Council, and then Council would change it based on that input. I'd like to keep it like this so that people make sure to come at the CPAC level, to come at the MPC level, when the plan is being created and then, you know, give guidance, and eComment and things like that at the Council level, give feedback at the public hearing level so that we have this time to do the work, and then we accept the feedback, we accept it at the beginning, we accept it at the end, we accept it at first reading and second reading. So I can't thank the Planning Department Staff enough. I can't thank OCS Staff enough. I can't thank you, my colleagues, for letting me have your slots for Committee meetings. When it was first suggested, I was like I don't know if they're going to agree to that, but surprisingly, you all did. Thank you so much. And I'll call for the question and then I'll let Ms. Eaton make a comment. I think that was her intention. Member King.

VICE-CHAIR KING: Chair, before you call for the question, I just wanted to clarify...because I don't want the Department to think that we were throwing them under the bus about the Moloka'i Community Plan. Because for one thing, that plan was about five times thicker than the West Maui Community Plan because it was an entire island. That was actually three community plans within one, so it was going to take longer. But there was also that added annoyance, shall we say, of having put the Moloka'i Community Plan aside...previous Councils set it aside and decided to work on Lāna'i and then come back to it. So there were extenuating circumstances. I don't want the Department to think that I was blaming them, it was circumstances, and it was a really difficult term, I think, because there was a lot of dissent in the Council, and also because we only had seven people on the Planning Committee. That's what we were given, and it was sometimes pulling teeth to get four people to show up, I don't know why. But that just made me appreciate this Council so much more because everybody is showing up and participating. And I do appreciate the Department getting us through and supporting the changes that we wanted to make that...you know, to make this plan stronger. And

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I really appreciate that since the time I got on the Council, the community plans have become...have been treated more like law and like regulation, rather than just a loose guideline that doesn't have to be followed. I think we made this one even stronger than the last two as far as that statement goes, and I hope that goes through the rest of the community plan. I just wanted to say that because, you know, I do appreciate Pam and the work in Planning, and how everything that everybody put into this community planning process.

CHAIR PALTIN: Thank you. With no other comments, I'll call for the question. All those in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR PALTIN: The motion passes as amended. Updated version of the West Maui Community Plan will go on to public hearing, first reading, and second reading. Good job guys.

VICE-CHAIR KING: Did you want to mention the votes to give what's unanimous.

CHAIR PALTIN: Oh, yeah. It passes unanimously, seven "ayes," two excused, Member Lee and Member Sugimura.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Lee and Sugimura.

MOTION CARRIED.

ACTION: PUBLIC HEARING on revised bill, FIRST READING of revised bill, and FILING of communication.

CHAIR PALTIN: Fake confetti. And Ms. Eaton, whatever you had to say, we're ready for you.

MS. EATON: Oh, camera's on. Sorry. I just...I got to tell you guys, I am...I really want to, from the bottom of my heart, thank my Staff. I'm going to start there. All of you guys, what you said was so eloquent and I really, really appreciate it. And in the spirit of not duplicating, I won't duplicate. But this West Maui Community Plan hopefully will be

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the only community plan of which 100 percent of the work was done in-house. So thank you, Council. Thank you for giving us funding for doing the additional community plans. We really appreciate it. I also want to commend you. I haven't really rallied with my Staff, but I got to say, this one week concentrated effort has been phenomenal. Reason being, we are also very active with South Maui. So to know that we had this time to set aside and, you know, 24/7 focus on this, has been really, really helpful. Because as I know, Kelly knows, you know, we have an Alaka'i meeting next month, we have a town hall on...we have...so to have this one week set aside and to have a really concentrated effort, thank you. I want to thank...during the birth...growth and rebirth of this plan or whatever, there were times when it was just Jen and me on our Staff. And so we've had some significant staffing changes. We had Doug Miller, Mark King, and Tiffany Bostwick leave, and Dave Yamashita, but we've also gained some amazing Staff and you're going to see them shine in South Maui and in the Central Maui Plan. I finally really want to thank you all. I had talked to Tamara, but I can't even begin to put into words how much it means to me that you guys really came together in the spirit of cooperation. I might be getting this lump in my throat. I have been doing this for 39 years. And the biggest change I've seen in doing long-range planning, whether it's transportation, coastal access, public access, or land use, is that that spirit of cooperation and collaboration really compromised, in the last 15 or so years kind of went by the wayside. And I think this is all across the country. And that it is it was black or white, me or you, you know, and that was my biggest fear coming into this. I just want to thank every single one of you for the way you've worked with one another, the way you compromised, and Chair, you did such a beautiful job. I was like writing notes, your diplomacy. I just...you are so to be commended. Thank you so much. You worked so well together, all of you. I'm sorry that Members Lee and Sugimura aren't on the call. But just thank you guys so much. You see it's a huge, huge amount of work. I have the most amazing Staff and huge thank you to all the groups you mentioned, your Staffs, as well as the Planning Commission and CPAC. And I just...I'm like...want to dance. So no, thank you guys. Super...I learned a lot this week. So thank you guys so much, and I really appreciate all your comments and all your time. Thanks so much.

CHAIR PALTIN: Thank you, Ms. Eaton. And I will see you all tomorrow for the Council meeting at 9:00 a.m. We also have a mahalo from Director McLean. And so...what a week, huh? I'll be ready for Saturday. So I'll see everyone back here again at 9:00 a.m. for tomorrow's Council meeting. And with no further ado, I'll recess this meeting...six minutes to spare for Member Johnson.

VICE-CHAIR KING: Are you recessing or adjourning?

CHAIR PALTIN: Oh, yeah. Got into the habit of that. I will adjourn this meeting, and we'll see this item up at public hearing, first and second reading. Aloha, mahalo, everyone, for your good work. The meeting will be adjourned at 4:54. . . .(gavel). . .

PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES
Council of the County of Maui

June 17, 2021

ADJOURN: 4:54 p.m.

APPROVED:



TAMARA PALTIN, Chair
Planning and Sustainable Land Use
Committee

pslu:min:210617r

Transcribed by: Marie Tesoro, Crystal Sakai,
Kaliko Reed & Terianne Arreola

PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES
Council of the County of Maui

June 17, 2021

CERTIFICATIONS

I, Marie Tesoro, hereby certify that pages 1 through 22 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

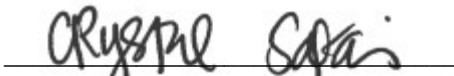
DATED the 20th day of July 2021, in Wailuku, Hawai'i



Marie Tesoro

I, Crystal Sakai, hereby certify that pages 22 through 39 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 20th day of July 2021, in Wailuku, Hawai'i



Crystal Sakai

I, Kaliko Reed, hereby certify that pages 39 through 70 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 20th day of July 2021, in Wailuku, Hawai'i



Kaliko Reed

I, Terianne Arreola, hereby certify that pages 70 through 98 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 20th day of July 2021, in Wailuku, Hawai'i



Terianne Arreola