

**GOVERNMENT RELATIONS, ETHICS, AND  
TRANSPARENCY COMMITTEE**  
Council of the County of Maui

**M I N U T E S**

**June 7, 2022**

**Online Only via BlueJeans Link**

**CONVENE:** 9:00 a.m.

**PRESENT:** Councilmember Michael J. Molina, Chair  
Councilmember Keani N.W. Rawlins-Fernandez, Vice-Chair  
Councilmember Gabe Johnson, Member  
Councilmember Tasha Kama, Member  
Councilmember Kelly T. King, Member (In at 9:05 a.m.)  
Councilmember Alice L. Lee, Member  
Councilmember Tamara Paltin, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member (In at 9:35 a.m.)

**STAFF:** Kasie Apo Takayama, Legislative Analyst  
Brittney Sunderland, Legislative Analyst  
James Forrest, Legislative Attorney  
Pauline Martins, Committee Secretary  
Jean Pokipala, Council Services Assistant Clerk  
Lenora Dinneen, Council Services Assistant Clerk

Zhantell Lindo, Council Aide, Moloka‘i District Office  
Denise Fernandez, Council Aide, Lāna‘i District Office  
Mavis Oliveira, Council Aide, East Maui District Office  
Christian Balagso, Council Aide, West Maui District Office  
Daniel Kanahele, Council Aide, South Maui District Office  
Anabelle Hernandez, Council Aide, Makawao- Ha‘ikū-Pā‘ia District Office

Axel Beers, Executive Assistant to Councilmember King  
Davideane Sickels, Executive Assistant to Councilmember Kama  
Dawn Lono, Executive Assistant to Councilmember Sinenci  
Ellen McKinley, Executive Assistant to Councilmember King  
Evan Dust, Executive Assistant to Councilmember Kama  
Gina Young, Executive Assistant to Councilmember Sinenci  
Jordan Helle, Executive Assistant to Councilmember Sugimura  
Kainoa Kaumeheiwa-Rego, Executive Assistant to Councilmember  
Rawlins-Fernandez  
Lois Whitney, Executive Assistant to Councilmember Kama  
Roxanne Morita, Executive Assistant to Councilmember Johnson  
Sarah Sexton, Executive Assistant to Councilmember King  
Sarah Pajimola, Executive Assistant to Councilmember  
Rawlins-Fernandez

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**ADMIN.:** Moana M. Lutey, Corporation Counsel, Department of the Corporation Counsel  
Richelle Thompson, First Deputy Corporation Counsel, Department of the Corporation Counsel  
Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel  
Christie Trenholme, Deputy Corporation Counsel, Department of the Corporation Counsel  
Allison Cleghorn, Economic Development Specialist, Office of the Mayor  
Alexander de Roode, Economic Development Specialist, Office of the Mayor  
Helene Kau, Director, Department of Water Supply  
Michele McLean, Director, Department of Planning  
Johann Lall, Graphic Information System Analyst, Department of Planning

**OTHERS:** Ethan McKown, Caseworker, Office of Congressman Kaiuli'i Kahele  
Paul Deslauriers  
Norman Franco  
Mike Moran  
Napua Hueu  
Lucienne de Naie  
Mary Ann Pahukoa  
Aram Armstrong  
Shay Chan Hodges  
Toni Eaton  
Albert Perez  
Sean Lester  
Zachary Grossman  
Dick Mayer  
Blossom Feiteira  
Zandra Amaral-Crouse  
Jerome Kekiwi, Jr.  
Cara Flores  
Johann Lall  
Lori Buchanan  
  
Junya Nakoa  
Chalyse Ah Chan-Bowlin (Young-U'u)  
Sierra Knight  
Miss Amy Chang  
Kamalani Pahukoa  
Plus (6) other people

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

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CHAIR MOLINA: . . .*(gavel)*. . . The GREAT Committee meeting for Tuesday, June 7th, 2022, will now come to order. The time is 9:00 a.m. I'm your Committee Chair Mike Molina, and for the record, I am transmitting from my residence here in Makawao. And in the other room I have my wife, who's working on her things. And for the record, the District Office in Pā'ia has been closed today due to staffing shortages. So this is, of course, a convenient site for testimony. So hopefully everything will be back and running soon over there. And let's do Committee roll call right now. And let's start off with our Council Chair Alice Lee, who has our word or greeting for the day. Good morning, Chair Lee.

COUNCILMEMBER LEE: Good morning, Mr. Chair. Can you hear me?

CHAIR MOLINA: Yep, you're coming in loud and clear.

COUNCILMEMBER LEE: Okay, because I'm having trouble with my BlueJeans. I'm on my personal computer today. So this morning's greeting is all the way from Africa, and it is ki kati. Ki kati from Uganda. Good morning. And I'm here alone in my workspace, struggling with my BlueJeans.

CHAIR MOLINA: Okay. Ki kati and aloha. Yeah, I know I have had some struggles with my blue jeans, but I'm not talking about the computer kind, okay? Has to do...has to do with gaining weight, you know, trying to fit into those blue jeans. All right. Okay, let's go check in...let's go take a drive out to East Maui right now, and check in on Councilmember Sinenci. Aloha and ki kati.

COUNCILMEMBER SINENCI: Ki kati, Chair. And aloha kakahiaka, fellow Councilmembers. E ola i ka wai. I am here this morning broadcasting from the Hāna District Office. Currently I'm by myself, so there's no testifiers at the District Office. Aloha.

CHAIR MOLINA: Okay. Mahalo, Councilmember Sinenci. Let's go out to West Maui and check in on Councilmember Paltin. Aloha and ki kati.

COUNCILMEMBER PALTIN: Aloha kakahiaka a me ki kati kākou. Broadcasting live and direct from the Old Lāhainā Center here in Historic Lāhainā Town. And with me I have EA Angela Lucero and West Maui District Office Aide Christian Balagso, and we have no testifiers in the office at this time. Thank you.

CHAIR MOLINA: Okay. Thank you, Member Paltin. And anyone waiting in line for marriage licenses at the moment?

COUNCILMEMBER PALTIN: No marriage license today. We have a record five yesterday though. Side business.

CHAIR MOLINA: Amazing. Mahalo, Member Paltin. Okay. Let's go to South Maui and check in on Councilmember King. Aloha and ki kati.

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COUNCILMEMBER KING: Aloha kakahiaka and ki kati. And you know, Chair, I had the same thought as you when Chair Lee said she was struggling with her BlueJeans. Not the technical kind, but we've all been...we've all been sitting on our rear ends attending meetings for so long. But I am here in my South Maui Office, my home. There is one testifier at our South Maui District Office. So we're on a roll. That's two days...two days in a row. But no one else is in the...in the house with me. Thank you.

CHAIR MOLINA: Okay. Mahalo, Member King. Let's go ahead and check in on the neighborhood. Councilmember Kama, aloha and ki kati.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and ki kati...ki kati to all of my fellow colleagues. I am in my home in my office. In the other room I have my daughter from Oregon, and with her is my three granddaughters visiting her. And Lena is home, and her caregiver is expected to arrive soon. So sorry for all the noise. Thank you, Chair.

CHAIR MOLINA: Mahalo, Member Kama. All right. Let's go across the pond and check in on Councilmember Johnson over in Lānaʻi if he's there. Aloha and ki kati.

COUNCILMEMBER JOHNSON: Good morning, Chair, Councilmembers. Ki kati to all of you and to the community who's watching. I'm alone in my workspace, and there are no testifiers at the Lānaʻi District Office. Mahalo.

CHAIR MOLINA: Mahalo, Member Johnson. And let's go over to Molokaʻi and check in on Committee Vice-Chair Rawlins-Fernandez. Aloha and ki kati.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Molokaʻi Nui A Hina. I'm at the Molokaʻi District Office, alone on my side of the office. And we have our Community Outreach Specialist Zhantell Lindo on the other side of the office reporting no testifiers. Excited for today's meeting.

CHAIR MOLINA: Mahalo, Vice-Chair Rawlins-Fernandez. And Chair's been informed that Councilmember Sugimura's running a little bit late this morning, but she will be joining us sometime soon to work with us and address our proceedings this morning. Joining us as well this morning will be from Corporation Counsel, First Deputy Corp. Counsel Richelle Thomson, as well as Deputy Corporation Counsel Caleb Rowe; from the Department of Management, Managing Director Sandy Baz; from the Department of Water Supply, Director Helene Kau; and from the Planning Department, Director Michele McLean. And of course we have our venerable, hard-working Committee Staff with Kasie Apo Takayama, Brittney Sunderland, Mr. James Forrest, Pauline Martins, Jocelyn Moniz, and Lei Dinneen from Council Services. Members, we've got four items on our agenda today, and three of them are Charter amendment considerations. But let's first discuss what the ground rules for public testimony this morning. Oral testimony via phone or video conferencing will be accepted. And please note that if you are signed in, you are on the list to testify, and even if you did not request to testify, your name's going to go on there. So please let Staff know in chat if you are signed on

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and do not intend to testify. Testifiers wanting to provide video testimony can join via the BlueJeans meeting link at 175115369, as noted in our agenda. Committee intends to keep this same meeting link and phone number for future GREAT meetings in the...for this term for the ease and convenience of the public. And by the way, that phone number is 1-408-915-6290. And written testimony is also highly encouraged. Now, with regards to oral testimony, you'll be given three minutes to testify. If you are still testifying beyond that time, we will kindly ask you to complete your testimony. And when testifying, please state your first name and last name. And if you are testifying on behalf of an organization, or if you are a paid lobbyist, please inform the Committee of that. And please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with other testifiers. And while others are testifying, please be courteous to them by turning off your video and muting your microphone while waiting for your turn to testify. And for those of you who just would...simply want to watch our proceedings, just put on your good old telly at Channel 53, and watch our friends over at *Akakū* handle our meetings spectacular...spectacularly. I'm in such a wonderful vibrant mood this morning. I don't know why. It's an off week, but glad to be with you guys. Okay. With that said, let us go now to, I believe it's Ms. Sunderland, to announce our first testifiers.

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

MS. SUNDERLAND: Chair, the first testifier we have listed is the Office of Congressman Kahele, Ethan McKown, to be followed by Paul Deslauriers.

CHAIR MOLINA: Aloha, Ethan. Please proceed with your testimony. Ethan McKown from Congressman Kahele's Office, it's your opportunity to testify. Please proceed. He may be having some technical difficulties. So Ms. Sunderland, go ahead and announce our next testifier, and we can come back to Ethan McKown at some point.

MS. SUNDERLAND: Chair, I apologize for the pronunciation if I get this wrong. Our next testifier we have is Paul Deslauriers, to be followed by Norm.

CHAIR MOLINA: Okay. Good morning, Mr. Deslauriers.

MR. DESLAURIERS: Good morning, Chair Molina, and good morning, County Councilmembers. While on the Charter Commission for this past one and a quarter years, I had an opportunity to hear a lot of testimony about the needs and dysfunctions of our community, and there were three major ones that often rose and were repeated with a lot of arguments for change. The first one was affordable housing, the second was planning and development, and the third was water rights. And so I would like to testify on Resolution 22-144 and 22-119. First on 22-144, during the Charter Commission deliberations, I worked with Dick Mayer and Kelly King, and had a lot of discussions within the community about the need for this change in our commissions, and the way that we do our planning, and dove deeply into it. And we even had a short

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video made with Dick Mayer, Kelly King, and Mike Moran looking at how important it is for our community. And several points were made during deliberations and research that I did. And the first one is that it really does empower the community to have a strong say in their future. It gives them responsibility for their own community, their own area, so that if things go wrong or if things go right, they can take responsibility for that. And it is in opposition to the old school of top-down, hierarchical framework. Instead of having it be so that we have a central Planning Commission which then dictates or gives their decisions on things, it creates a much higher level of inclusion if we bring it down to the base of our pyramid of structure here. So it empowers our community in a powerful way, I think. And then it also...there's no one knows better where the potholes are, where the drainage issues are, where infrastructure needs are, than those who live in that local area. It greatly reduces legal battles. I mean, there's some legal battles that have been going on for over ten years, some of the decisions made by the Planning Commission that did not include the community input properly. It also expedites things. Instead of having one Planning Commission, we'll have, then, these different Planning Commissions where they'll be able to handle the issues and needs of planning and when construction needs to happen. They can handle that on a local level, and do so much more effectively and efficiently. And it also stops from having these bottlenecks that sometimes happen in terms of getting things resolved, getting planning done. And especially as we're dealing with affordable housing issues at this point in time, we need a way to expedite things quickly and effectively with community input. And this supports that even more so. And it also coincides with the Community Plan and...so that it could be followed much more effectively. Certainly, that has not been the case up to this point in time. And the Chairs of the different Committees can then come together and deal with Countywide issues. Overall, as we had discussions with people on this, it really was shown how important it is, and the level of enthusiasm that people had for this. Unfortunately, it did not pass the Charter Commission at this point in time, so...it was lost by one vote. And I think that having this be revisited, I would like to commend the...our County Councilmembers . . . *(timer sounds)*. . . Do I have a chance to talk on the other resolution?

CHAIR MOLINA: Yeah, go ahead. That's a separate item. Go ahead, Mr. Deslauriers.

MR. DESLAURIERS: Okay.

CHAIR MOLINA: And then after that, I'll ask the Members if they have any questions for you.

MR. DESLAURIERS: Okay, thank you. The other big issue was about water and water rights. And the system that we had really was constructed in 1876, and even though it was an engineering model at the time, and marvel, over the past years, it has gone into disrepair. Yet, anyone who controls any aspects, including distribution of the water, controls the water. And the way it's set up right now is that we have foreign entities, international foreign entities, who have that level of control. Yes, there are local representatives who will listen, and discuss issues, and look at needs, but they're not the final decision makers. We're dealing with large corporations of A&B and a Canadian

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pension fund that has interests on the very, very highest level of those organizations. That does not include the interests of Maui County. It's about their profits, it's about their investors, and supporting those investors. And it provides a framework to ensure that there's monitoring, and there's ways to manage the systems, and also ways to repair the system. It empowers our local community for the most important resource that we have. Again, if you...whoever controls the water, controls the future, so...of our community. So I think it's imperative that we have this amendment. I would love to see this get on the ballot. I know that many, many people will support this to come through. It is very important for the future of Maui County. So hopefully both of these will pass. It's an election year, so everyone's really looking at how all of you also vote on these issues. But I know for the community, from what I've done in terms of research through the Commission, it's very important at this point in time. So thank you.

CHAIR MOLINA: Okay. Thank you very much, Mr. Deslauriers. Members, any questions...clarification questions for Mr. Deslauriers related to his testimony? Member King.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Paul. Good to see you. Thank you for your testimony.

MR. DESLAURIERS: Aloha, Kelly.

COUNCILMEMBER KING: I just have a quick question. When you took the vote on the Planning Commissions at the Charter Commission meeting, were all members there?

MR. DESLAURIERS: No, all members were not there, unfortunately. And again, the...they both lost by one vote. And unfortunately for the water issue, there was misinformation that was actually put forth that derailed that amendment from going through. So I was...I was upset and disappointed, and I'm just so glad to see that the County Council has taken this up. And Shane Sinenci, thank you so much for taking this on. Greatly appreciate it.

COUNCILMEMBER KING: Yeah, sometimes...yeah, that's why we always ask the question of, you know, new boards and commission applicants, are you going to show up for the meeting, because that one vote could be very important. Thank you so much. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Member King. Members, any other need to clarify Mr. Deslauriers' testimony? Seeing none, thank you very much, Mr. Deslauriers, and for your work on the Charter Commission.

MR. DESLAURIERS: Tamara has a question.

CHAIR MOLINA: Oh, I'm sorry. Oh, I don't see her screen. Okay. Go ahead, Member Paltin.

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COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Deslauriers, for your question [sic]. I wanted to clarify one part at what you said. If it was a Countywide issue for the Planning Commissions, it would be the chairs of all the Planning Commissions would...is that what you said, like they would form their own board or something? How...can you clarify that, what you were saying?

MR. DESLAURIERS: Yes. One of the things that we discussed was what happens when we do have Countywide issues that are affecting instead of just the individual areas where the Commissions would be responsible for. The chairs of those commissions could come together and then help deal with those Countywide issues. So it creates that level of inclusion and input from all of the communities on these issues that affect all of Maui County.

COUNCILMEMBER PALTIN: Okay. And just...so that would be kind of different than what we have now. Because right now, if it's a Countywide issue, it goes through the Maui Planning Commission, the Lānaʻi Planning Commission, and the Molokaʻi Planning Commission as a whole, and then the three recommendations get forwarded to the Council. So you're advocating that it would be the chairs of all these commissions get together for a Countywide decision?

MR. DESLAURIERS: Yes...I...well, I would advocate that because that's one of the things that we had in the one that we had for the Charter Commission. And it seemed very reasonable to do that in terms of dealing with it so that there's a level of inclusion also that would occur for all the communities.

COUNCILMEMBER PALTIN: Okay, thank you.

CHAIR MOLINA: All right. Thank you very much, Member Paltin. Members, any other need to clarify Mr. Deslauriers' testimony? I'm only seeing some of you on the screen. I'm not sure why I'm getting only...I'm getting six people, but missing one. So I don't see Mr. Sinenci on there. So I presume he has no questions for Mr. Deslauriers, right, Mr. Sinenci? Okay. I guess that must be right. All right. Thank you very much for your testimony, Mr. Deslauriers. Ms. Sunderland...

MR. DESLAURIERS: Thank you.

CHAIR MOLINA: Thank you. Let's go back to our testifier from Congressman Kahele's Office if that individual is now available.

MR. MCKOWN: Yep. Can you hear me?

CHAIR MOLINA: Okay. Yes, Ethan, go ahead and proceed with your testimony.

MR. MCKOWN: Great. Thanks so much, and thank you for your patience, Chair. Aloha kakahiaka. My name is Ethan McKown, and I'm going to be providing testimony on



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behalf of Congressman Kahele for Resolution 22...22-119. The Congressman provided the letter, and I'm just going to read it into the...to the Committee. Aloha, Committee Chair Molina and Maui County Council. Today I am writing in support of Resolution 22-119 and the creation of the East Maui Water Authority. Wai, water, is the lifeblood of our society, and across my career in public service, I have always been a staunch believer that our freshwater resources belong in the hands of our people, not special interests or for-profit entities. This amendment presents an opportunity for Maui County to ensure that its water resources are protected, not only for our local communities, but for our future generations and the 'āina on which they will depend. The benefits of Maui County obtaining the long-term water lease are innumerable. These include incorporation of community-based watershed management planning, the creation of a municipal agency that can use public and private grants and financing for long-term capital improvements to the system, secure water resources for all farms and agribusinesses, and formalized mechanisms to incorporate the interests of all stakeholders. This is a once in a generation opportunity for our local communities to have ownership over Maui's water resources. This resolution is a critical first step that the County Council can take today to stand up as servant leaders for the betterment of a vital resource that touches and impacts everyone. As I stated in a 2019 letter to Mayor Victorino, I believe the County of Maui must take steps to secure its own long-term water lease to free itself from its dependency on private, commercial, third-party operators who are not duty bound, as we are, to uphold the State's public trust obligations to conserve and protect Hawai'i's natural resources for the benefit of present and future generations. The opportunity to accomplish this is now. Me ka ha'aha'a, Kaiali'i Kahele, Member of Congress. Thank you.

CHAIR MOLINA: Thank you very much for your testimony, Mr. McKown. Members, any need to clarify Mr. McKown's testimony on behalf of Congressman Kahele? I see Mr. Sinenci on my screen here. Okay, I don't see he has his hand up as well. So...okay. Seeing no questions, thank you very much for your testimony, Mr. McKown.

MR. MCKOWN: No problem. Thank you. Aloha.

CHAIR MOLINA: Thank you. Okay. Ms. Sunderland, please continue with announcing our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have up is Norm, to be followed by Jordan Hocker.

CHAIR MOLINA: Norm, good morning. Please proceed with your testimony.

MR. FRANCO: Yeah, can you hear me?

CHAIR MOLINA: Loud and clear.

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MR. FRANCO: Okay. I somehow don't have the video going, but that's okay. You don't need to see my ugly face. Thanks for the invitation. I was a past member of the Board of Water Supply. I know the limitations of the board. We have a five-year term, which means that we have 60 meetings. And it usually takes about 20 meetings or so just to get your mind around the issues of water and the understanding of the system. And then the remaining 40 meetings, a lot of times, we're in cases concerning disgruntled customers who didn't like the decision of the Director. And so we go into executive session. So the way I see this Water Authority is like a policy-making decision body, with the Board of Water Supply acting on the policies and the decisions made by the Board of Water Supply. So there's still a functioning of both groups, but the way I like the idea, which was supported by a TIG report of December 19th, 19...2019, is that it has a broad base representation of the community. Especially of great concern was the people in the East Maui area and the high priority given to the taro farmers, which is the key point of our State Constitution that the Native Hawaiians have first priority on all water matters. And the complexity of the East Maui system is that not only in farming, but you have residential users. We have about 30,000-plus Upcountry residents depending on the water coming from East Maui. And the preservation of the watershed is crucial to the overall health of our community. So to broaden the base of the decision makers and maybe have...giving them longer terms than five years, bringing in people who have certain expertise, electro-hydrolysis...I studied the Arizona . . .*(timer sounds)*. . . County water system, and it's all based on computers. And so the use of water is based on the crops that you raise and you put in the ground and the water use of that crop. Okay, I can go on forever. Thank you very much.

CHAIR MOLINA: Okay. Thank you very much. Now, I'm going to take a wild guess. This is Norm Franco, right?

MR. FRANCO: Yes, sir. . . .*(inaudible)*. . .

CHAIR MOLINA: Okay. All right, Members. We all know...we all know what you look like, and you're good looking and you have a nice face. So Members, any need to clarify Mr. Franco's testimony? Seeing none, Norm. Thank you very much for your testimony, Norman.

MR. FRANCO: Mahalo. Aloha.

CHAIR MOLINA: Aloha. Okay. Ms. Sunderland, please continue with announcing our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Jordan Hocker, to be followed by Mike Moran.

CHAIR MOLINA: Aloha and good morning, Ms. Hocker. Please proceed with your testimony.

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MS. HOCKER: Aloha. Good morning, everyone. I'll be testifying on three agenda items, but I will try not to take the full three minutes because I know we have other people who are more qualified to speak than I am. So I want to say, first off, that I'm in full support of the establishment of an East Maui Community Water Authority from a couple different standpoints. First of all, you would have to be sleeping to not see how hard East Maui has fought for the rights of its water. You can bring in scientists all day long, but the intergenerational knowledge of how the watershed operates, and where it is healthy and unhealthy, really is...it's in East Maui. As someone who is pursuing a degree in sustainable science management, there has to be recognition that that knowledge is as important as scientific knowledge going forward when we're managing our water. And, you know, as a Kula resident, I am Upcountry, and we do rely heavily on East Maui's watershed. And so to have folks who live in East Maui, who know the issues that are being faced, who have been fighting for decades or, you know, hundreds of years to have some say, some control over that water. The healthier that watershed is, the better our water resources are going to be for the systems that are fed by East Maui, period. And I think that having a community-based water authority also can mitigate complaints that, you know, sometimes we get developers on the Board of Water Supply who are interested in transporting water from that East Maui watershed to even further away, to areas that are experiencing drought. And as many of you know, as our global average temperature rises due to climate change, we're going to look at a decrease in rainfall. And as much water as can be in those streams, as much water as can be into that watershed will increase the amount of infiltration that goes into our aquifer. And that will benefit us as a whole because although we're surrounded by ocean water and I think that, you know, there's this idea in the back of our heads like, oh, okay, we can just desalinate the water around us. The reality is that the byproducts of that...and once we have saltwater infiltration fully into our aquifer, there is no going back. All of our plant life, all of our stream life, everything will suffer from that point forward. And so I really think we should be resting more heavily on intergenerational knowledge, on the knowledge of Kānaka Maoli from East Maui that have seen those streams change, seen that watershed shift. And so I fully...I fully support this resolution, and I want to take a moment to thank those who have been fighting, you know, generation after generation to have representation, to be heard, and as well as Councilmember Shane Sinenci. So I hope that, you know, this body will push this further along. I really want to see this on the ballot . . .(timer sounds). . . . .(inaudible). . . And then I'll move on to 10-3, or 10...GREAT agenda Item 10(3). With a similar thing about the water, when it comes to the Planning Commission, as someone who pays attention to planning from a sustainability standpoint, from an infrastructure standpoint, allowing communities to have a greater say as to what happens in terms of development I think is very, very important. Upcountry, you know...I've testified this on the record before. The pandemic stopped a lot of us in our tracks, but it didn't stop development. And often, I've questioned why certain decisions were made because they have a long-term fallout that isn't being considered. And so I think that when we think more locally with these planning decisions, especially in areas that have really complicated special management needs, like Kihei, like the West Side, that I'm hoping this will make those decisions a little more smart, well thought out, thinking into the future instead of, you know, right

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now, which...what I feel is...we're working with is planning decisions made in the '70s that now we're figuring out and having to scramble as to how we're going to correct those issues. So I do support this Charter amendment. I will be following this as it fleshes out here in the Council, and I appreciate that it's been brought forward. And then I'll just move on to GREAT 57. Here, I strongly support...if people are not residents of Maui County, they do not need to be on our boards and commissions. And if that changes, then we...you know, taxpayers who are influenced, residents who are influenced by the decisions that are being made deserve to know because as we know, there's a difference between living here part time, or being here and moving away, than being here full time and fully committed to the community. So that'll end my testimony. Thank you so much for your time today.

CHAIR MOLINA: All right. Thank you very much for your testimony, Ms. Hocker. Members, any need to clarify Ms. Hocker's testimony on the agenda items that she spoke on? Okay, seeing none. Thank you very much for your testimony, Jordan. Aloha. Ms. Sunderland, please continue with announcing our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Mike Moran, to be followed by Napua Hueu.

CHAIR MOLINA: Okay. Aloha and good morning, Mr. Moran.

MR. MORAN: Aloha and good morning, Chair Molina and Committee Members. Mike Moran. I'm going to touch on three of the items this morning, two from the Association and one just for me as an individual. And I'll explain that as I proceed. But starting with...in good numerical order, starting with 10(1), it's pleasant to attend these meetings when there's not so much conflict, at least from our point of view, that we're supporting everything that we're talking about. But we certainly understand and appreciate that the Council doesn't have a choice. Sometimes you have to take on the conflicts and try and settle issues. But 10(1), supporting for the action on the climate change. I think we all are aware of this. We all know it. And there don't seem to be many deniers anymore who say, no, it's not happening, it's a hoax. We seem to see it. And what we have noted is that every time we seem to get scientific input, it's like it's worse than we thought. Things are coming faster. The sea level is going to come higher. So it's not getting better, it's getting worse. So we have to approach it. It affects everything, and of course, as a...mostly a shoreline community, we look at it with very close vision. And we really appreciate going forward with this, and we are in full support. Then moving on to 10(3), again, we are in full support of this. As the prior testifier addressed from the Planning Commission, we did participate in many of those meetings, and we spoke in favor of getting this for the local communities, and things happened. It didn't happen. But we noted that when...every time there seems to be an issue, like with the Advisory Committees that were passed for a couple...that almost all the testifiers who participated said yes, we need local input, that the people who live in the community should be the ones that are participating and making decisions on it. And yes, sometimes they're overall issues and there has to be a Countywide issue, or sometimes just an islandwide

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issue. But we still are in support of letting the local communities...and we know there's challenges. Yes, money would have to be spent, but we seem to have money for many things, and we think this is...would be money well spent in getting these community Planning Commissions established in all the communities. We, too, have been very disappointed for, I can say, this entire century with so much disregard for the local community when you go to Planning Commissions. And this is not a reflection on the present Director or past Directors. The system is in place, and they give it their best guidance, but it's the system that needs to be changed, and we are in favor of that. On to 10(2), we had questions at the Association on, you know, when is it an issue that fits the parameters of our bylaws, which direct things to a local perspective on it. And it is challenging sometimes, and I think we tend to...because of our limitations...you know, we're all volunteers. And sometimes it's which islandwide or Countywide issue should we approach. Well, we tend to say, okay, let's not do that one because we're already overwhelmed. So sometimes things that individuals may feel are extremely important, such as this East Maui issue, the board did not take this on. So we didn't discuss it. We didn't vote on it. So the board does not have an official position on it, but I sure do. And I wanted to express that we are...that I am in full support. I have to watch that I and we, get the right pronoun in there. But I am in full support, and many of our other directors and our members are as well, but just...we had no official position. And the other item that I am not touching is the same thing, that the...that the KCA board did not take that on even though it's important too. And again, you folks in your position don't have that pick and choose ability that we do. So we thank you very much. And again, we repeat that this is the best commission--I'll get the right word out--Council that we have seen in...certainly in this century. So thank you for all the good work you do, and mahalo for the opportunity to testify. Aloha.

CHAIR MOLINA: Aloha. Thank you for your testimony, Mr. Moran, and for those kind words. Members, any need to clarify Mr. Moran's testimony? Seeing none. Thank you very much, Mr. Moran. And before we go on with announcing our next testifier, Chair would like to recognize the presence of Councilmember Sugimura. Aloha and good morning.

COUNCILMEMBER SUGIMURA: Aloha. Good morning. And I'm here on the 8th Floor. Miki Yokouchi's on the other half of the building. And thank you.

CHAIR MOLINA: Okay. All right. Thank you very much, Member Sugimura. All right. Ms. Sunderland, please, can you continue announcing our next testifiers?

MS. SUNDERLAND: Chair, my apologies for any mispronunciation. The next testifier we have listed is Napua Hueu, to be followed by Lucienne de Naie.

CHAIR MOLINA: Okay. Aloha and good morning, Ms. Hueu.

MS. HUEU: Aloha. Good morning. My name is Napua Hueu, and I am a lifelong resident and generational taro farmer of East Maui. I'm testifying today also as the Community Coordinator for our Honomanū Lo'i Restoration Project that we've been doing since

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2019. I am in support of Resolution 22-119 as is, which would include representation from the Honomanū lease area. Historically, this middle lying area between Ke‘anae and Kailua has gone largely disregarded, despite the fact that it was among the largest habitated areas in East Maui in ancient times. There is still active human life and habitation in the East Makaiwa Ahupua‘a, where lineal descendants of this area known as Wahinepee or Waikamoi still reside. Now, this is neighboring to Honomanū Ahupua‘a. The postal address of this area can be identified as 10301 Hāna Highway. Many of the residents who live here at 10301 Hāna Highway are part of our farming initiatives in the neighboring Honomanū Ahupua‘a. Historically, the residents of Wahinepee would farm in the Honomanū Ahupua‘a, and that is still happening today. As you may or may not know, the State of Hawai‘i, DLNR, A&B, EMI have quintessentially locked Wahinepee residents out of their traditional taro farming region mauka of the area, which is known as Lo‘i Loa. And that was in ancient times where a large amount of our taro was grown for the East Makaiwa Ahupua‘a. Because of the lack of access in this area, residents of Wahinepee have, in more modern times, farmed in Honomanū Ahupua‘a. So we do have active taro patches, and have restored a primary ‘auwai in Honomanū Ahupua‘a. I will update photos of this as part of my testimony, written testimony, for proof that there is active indigenous agriculture and tenancy in Honomanū Ahupua‘a. Honomanū is the largest stream in East Maui, and East Makaiwa Ahupua‘a, the neighboring Ahupua‘a, is where the primary intersection of the entire water system...diversion system is located. I will state here that Honomanū Ahupua‘a and East Makaiwa Ahupua‘a, which have been in organizational alliance since January of 2019, do not share the same perspectives as neighboring large leasehold areas, such as Ke‘anae and Wailua Nui. So it's very important that Honomanū has representation on the East Maui Water Authority in its formation because the dynamics of all the ahupua‘a are different. The tenancy of each ahupua‘a differ. Our tenancy in East Makaiwa, Honomanū Ahupua‘a differ from that of the larger Ke‘anae-Wailua Nui Ahupua‘a. And historically, the...there's been, you know, one primary nonprofit that has attempted to speak on behalf of the entire region of Ko‘olau, and it's our concern that our voices in the smaller taro farming ahupua‘a are not being heard. And so it's very important that we be represented on the East Maui Water Authority. In further, I wanted to note that East Maui Irrigation has no place serving on the board of the East Maui Water Authority, or the Committee, . . . *(timer sounds)*. . . whatever it's going to . . . *(inaudible)*. . . I have one more sentence. Had they been managing the water diversion with responsibility to the ecology over the course of their authority, we would not be here today needing to establish an East Maui Water Authority. Mahalo nui.

CHAIR MOLINA: Okay. Mahalo for your testimony, Ms. Hueu. Members, any need to clarify Ms. Hueu's testimony? Seeing none. Thank you for your testimony.

MS. HUEU: Mahalo.

CHAIR MOLINA: All right. Ms. Sunderland, please announce our next testifier.

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MS. SUNDERLAND: Chair, the next testifier we have listed is Lucienne de Naie, to be followed by Mary Ann Pahukoa.

CHAIR MOLINA: Aloha and good morning, Ms. de Naie.

MS. DE NAIE: Good morning. Aloha to all of you hardworking GREAT Committee Members, our whole County Council. Mahalo for this opportunity to testify. I actually didn't sign up for Item 1, but I would just like to say that as an individual, having gone through all the adaptations that we have during the pandemic, it would be good if our Charter reflected the ability to have all of our County processes adapt to these kinds of conditions, whether it's trying to save fuel or trying to avoid spreading disease. We do need to get, I think, creative in how we conduct our business, but still try to make it effective. So I am glad that that discussion is on the agenda for a Charter amendment. Move on to the Charter amendment proposed by Resolution 22-119. This is the East Maui Community Water Authority. I have been authorized to speak by the Sierra Club Maui on this in support of the...putting this Charter amendment on the ballot. Others have given plenty of reasons, and I've given plenty of reasons. I did hear some concern from...and legitimately, that there has not been a participation by Mahi Pono or Alexander & Baldwin/EMI in this process. And so we have not heard their side of the story. But I would bring to the Council's attention...the Committee's attention that an extensive environmental impact statement was done that was finalized last September, and it did include an analysis of a different ownership of the aqueduct system and a different...you know, the lease not being awarded to EMI or Mahi Pono. And in essence, basically it said, well, this is kind of speculative, but in the end, probably a lot of the impacts of...whoever owns it, the impacts would be kind of the same. And then they went on...the EIS went on to say that, well, the...this matter was discussed in this TIG report, but then they misquoted the TIG report and said, but they proposed that, you know, our operations would be charged ten times the amount that's being charged at the Kula Ag Park. And so this would be kind of...you know, this would really be tough, and it would have dramatic impact. . . .*(timer sounds)*. . . But that's not true. The TIG recommended 95 percent, 1,000 gallons, which is about the same as people are charged at Kula. So my conclusion is we have heard a little bit anyway from the current users of the system.

CHAIR MOLINA: Mahalo for your testimony, Ms. de Naie. Members, any need to clarify Ms. de Naie's testimony? Seeing none. Thank you for your testimony, Lucienne.

MS. DE NAIE: All right. Now I have one more. Sorry.

CHAIR MOLINA: Go ahead. All right, sorry. Yeah, I was anticipating it. Okay.

MS. DE NAIE: Yeah, yeah, yeah, yeah. Yeah, well, thank you for asking for questions though. And that is...well, I have two more actually. That is the Charter amendment 22-144, the proposed Planning Commissions for each Planning District. As I might've mentioned, I've actually served on a regional Planning Commission when I lived in San

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Diego County. And I served three years, and our commission put in a lot of work, went and actually personally visited places that we had to make decisions on. We made all the coastal zone, the SMA, decisions. And it would've been really silly to have, you know, one planning authority set in La Jolla or San Diego or something rule on these kinds of decisions that really, people in our community knew about. And that's one of the reasons that I've been a big supporter. Our region was about the same as our Planning Districts here, about the same, you know, it had three communities in it, just like many of our Planning Districts do. They, you know...or they have one long community that used to be three communities like Kihei. But I think that this could work out. There's going to be a transition period, of course, figuring out the cost, figuring out the meeting schedule so that we're not running the Planning Staff ragged. But it is done elsewhere. Of course it's done with neighborhood boards in Honolulu. And unless we think that, you know, we are going to stay exactly the same and never grow, and so we should just use the same structures, we should be planning for a future where we're going to need to have a better system of reducing the workload on one Planning Commission, and actually allowing easier public participation, and getting less contentious decisions so that the decisions reflect the realities of the area where the proposals are being brought forward. So thank you for your consideration and support for that. And I will go on to the last item, Bill 92. I'm speaking as an individual on these last two items. So Bill 92, you know, there's pluses and minuses to having people who don't live here being able to serve on boards and commissions, but I like the fact that it does have an exemption. I personally know three or four people who are part-time residents here who have amazing skill sets that they dedicate countless hours to the community with these skill sets, but because of children, grandchildren, family obligations, whatever, they live here part of the time, and they live in another state part of the time. So I think there should be an exception so folks like this, if they have the skill sets...and you know, some of these are like engineering. I know we've had people who live part time here serve on our Engineering Review Committee. I think we should utilize their talents while they're here, especially if we can meet by Zoom. But in general, I think that we definitely should have people who live here serve on boards and commissions and be bona fide residents. So mahalo for the chance to share those few thoughts, and thank you for your decision making.

CHAIR MOLINA: All right. Thank you very much, Ms. de Naie. Members, any need to clarify Ms. de Naie's testimony on our agenda items? I see Member Paltin. Go ahead.

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to clarify that for the Planning Commission one, you support the idea of a centralized Maui Planning Commission made up of the chairs of each of the smaller Planning Commissions and having the chairs be selected by the Council rather than elected from their own colleagues?

MS. DE NAIE: Actually, I would be happier having the chairs elected from their colleagues because, you know, I think we have...the Council has a lot to do, and you'd have to review these folks, whereas I think people who work, you know, on a commission with someone are in a position to know who could be an effective chair. I mean, a person



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could be very likable, but not be an effective chair, you know, for example. It happens. So that is something that is a little tweak that has occurred to me. Also, I actually think that this should replace the Maui Planning Commission, and that if there are Countywide issues, we should continue the system of having the new Maui Planning Commission, which would be the chairs of the regional Planning Commissions, and the Moloka'i and Lāna'i Commission, each consider something. Because my experience is things can be very, very different on Moloka'i as they are for even, you know, Hāna, or certainly as they are for Central Maui. And I don't know if one person representing that commission could adequately...it's a burden to put, I think, on one person to express all of that. So those are my thoughts.

COUNCILMEMBER PALTIN: So to clarify, you want it to go through a centralized Maui Planning Commission made up of chairs elected by their colleagues, as well as Moloka'i Planning Commission and Lāna'i Planning Commission . . .*(inaudible)*. . .

MS. DE NAIE: Yeah, that would be...yeah. That would be my preference, having attended some Moloka'i Planning Commission meetings. I have a lot of respect for the work--and Lāna'i as well--for the work that these islands, you know, put into knowing their own communities.

COUNCILMEMBER PALTIN: And Hāna would still be part of the Maui...centralized Maui Planning Commission with the chair participating?

MS. DE NAIE: Yes, because then it's kind of an equal footing. I mean, Hāna does have very, very unique set of circumstances. I mean, every community does. Your community has very unique sets of circumstances that, you know, are not found in the others. But I think then it could be kind of a balance. But you'll find quite often that in laws, when they're passed, there'll be exceptions for Lāna'i or Moloka'i, and there's a reason for that, because things are different there.

COUNCILMEMBER PALTIN: Okay. Thank you for the clarification.

CHAIR MOLINA: . . .*(inaudible)*. . .

MS. DE NAIE: Mahalo for asking.

CHAIR MOLINA: We have a question for you, Ms. de Naie, from Vice-Chair Rawlins-Fernandez. Go ahead.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. de Naie. Mahalo for your testimony this morning. So I have a question, somewhat dovetailing off of Member Paltin's question regarding that section of the proposal. So right now, the way that it operates, as you...as you know, and as you've pointed out, is that the...each Planning Commission, and then the Hāna Advisory Committee, will have an opportunity to weigh in on Countywide policy matters and then provide their input. As you correctly

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pointed out, the Moloka'i Planning Commission oftentimes requests an exemption to some of these Countywide items because it affects more Maui Island and not Moloka'i. And so this proposal would essentially take that...take that opportunity away from the Moloka'i Planning Commission and give it to this Countywide Planning Commission. I don't think the Moloka'i Planning Commission would be supportive of this concept. So my question to you is, what would be gained by having this Countywide commission rather than allowing each Planning Commission, as we currently do it, weigh in and provide their advice and consultation as it currently stands, instead of just having one person on a Countywide...because I don't know if this Countywide commission would understand the necessity and support of carving out Moloka'i from some of the proposals.

MS. DE NAIE: I'd have to agree with you. And that's why I think a hybrid, where...for instance, I would imagine in Hāna, the Hāna Planning Commission would also, I think, have a chance to review...these are mostly Countywide policies, you know, changes in our Title 19, Title 18. You know, these are the kinds of things that are...that are Countywide, you know, maybe bed and breakfast ordinances, whatever. And so I would think that each Planning Commission would also at least put it on their agenda to give their representative guidance on how to vote, you know, as a whole. But in the case of Moloka'i and Lāna'i, I think it would be beneficial to have just a separate opinion, because even if that person is given guidance by their colleagues on the Moloka'i Planning Commission, they're now one of nine votes. And the other eight people might go, well, you know, so what, Moloka'i, it's like...we're going to recommend this, and Moloka'i just has lost its voice. So I think it would be good if we keep...there's a reason that we have separate Planning Commissions, and we did this a while ago, because they are just very, very different communities facing their own very unique set of circumstances. And to pretend otherwise is really crazy. So I guess I agree with what you're saying, and I would hope that the Charter amendment could be tweaked. I mean, I think that's the purpose of discussing it in this Committee to make that adjustment. So that would just be my personal recommendation.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. de Naie. Mahalo, Chair.

CHAIR MOLINA: Okay. Mahalo, Vice-Chair Rawlins-Fernandez. Member King.

COUNCILMEMBER KING: Thank you, Chair. So aloha, Lucienne. Are you back on Maui now?

MS. DE NAIE: I am. I am home. Yesterday I got home, yes.

COUNCILMEMBER KING: Okay. Good for you. So just to follow up on the previous question, there's a clause in the resolution under, you know, the paragraph that talks about the Maui County Planning Commission shall be concerned with Countywide matters, and then there's a clause that was added that says, except when in conflict with another commission's authority, another Planning Commission's authority.

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MS. DE NAIE: Yeah.

COUNCILMEMBER KING: So that was put in, you know...so would that take care of your concern? Because that would not...that's put in there to not step on the toes of the other area Planning Commissions.

MS. DE NAIE: I saw that, and I thought, oh, well yeah, I guess that that could be interpreted as...you know, if Moloka'i has their own Planning Commission, and this is something that could look very different on Moloka'i or Lāna'i, they should not just have a rep that is one of nine voices, but they should have a chance to give their recommendations that fit their islands. Does that language really do that? That's...I mean, I think you guys and Corp. Counsel...you know, I applaud the attempt. It seems like that's good, but what does the authority mean? It wasn't clear to me, I guess. So if it's clear to you guys and clear to your Corp. Counsels...I'm a layman, but it wasn't clear to me how that would work out.

COUNCILMEMBER KING: No, that's good. That's why you're here to testify because we want to make sure everything's clear so that can have . . .*(inaudible)*. . .

MS. DE NAIE: Yeah.

COUNCILMEMBER KING: So thank you for that input.

MS. DE NAIE: Yeah.

COUNCILMEMBER KING: Thank you, Chair.

MS. DE NAIE: So that language should be made clearer. Thank you.

COUNCILMEMBER KING: Okay, great.

CHAIR MOLINA: Thank you very much, Member King. Members, any other need to clarify Ms. de Naie's testimony? Seeing none. Thank you very much for your testimony, Lucienne.

MS. DE NAIE: Mahalo.

CHAIR MOLINA: All right, Members, before we announce our next testifiers, just as an FYI, I appreciate you committing until 12:00...at least until 12:00 today for this off-week meeting. Your Committee Chair has to leave at 12:00. And if the meeting goes beyond 12:00, I've asked my wonderful Vice-Chair, Ms. Rawlins-Fernandez, to facilitate. So basically if you kind of...could kind of keep your questions to a minimum, otherwise you could be looking at a longer day. We do have some more testifiers to go, and of course three Charter amendments for discussion, as well as a proposed bill. So just an FYI if we could kind of keep things tight timewise so we can hopefully complete our agenda

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and not have to extend your day any further. All right. With that said, Ms. Sunderland, please announce our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Mary Ann Pahukoa, to be followed by Aram Armstrong.

CHAIR MOLINA: Aloha, Ms. Pahukoa.

MS. PAHUKOA: Aloha. Good morning. I'm just going to dive right into it. Thank you to all the previous testifiers and such great information and credible, you know, sources in our community and just people, just great people. Speaking on behalf of myself and my 'ohana, like I mentioned in Shane's Committee last week, you know, we support the purpose of this resolution to establish East Maui Community Water Authority. We've already created a smaller hui within East Maui to play as kind of the kua'āina sovereign, you know, middlemen, because that's what this County and this Administration is missing. So when we talk about...well, I'm not going to preach. We already know the Poho (*phonetic*) and A&B are just pure imperialistic corporations who seek one thing, a return. They don't choose to work with our County. They don't choose to listen or even respond to our community members or nonprofits, or you know, just groups of all kinds, corporate and non. They don't sit at the table with our communities. There's no authority over them. There's no dialogue, again, to, you know, calm down all these conflicts between taro farmers, stakeholders, mall users, and beyond. So you guys know this, the problem. I'm just going to remind you that this is the nation's largest privately-built and operated water system: 75 miles of ditches, tunnels, 165 million gallons of water per day, but it can grab 435 million of gallons of water per day. The really...the only way to really tour this system--and you can't even get it all--is by helicopter right now. Going back to the State, you know, whether the State is meeting their fiduciary responsibility to Native Hawaiians regarding their claims...and you know, to...revenue sharing is granted by the State Constitution, that needs to be resolved. And the TIG already went over everything. So I really hope you guys just really understand and comprehend the information that the TIG report, which was October...it was produced October of 2019. I think someone said September, but nonetheless, they worked many, many hours. We do have to talk about the Crown Lands. So this East Maui Water Community Authority, it's going to hit a lot of issues, and it's going to bring about a lot of...a lot of structures that need to be in place, you know . . . (*timer sounds*). . . . . (*inaudible*). . . I'm going to wrap it up and say, you know, I was practicing last night, and everyone says...not everyone...my other half said I'm missing the spiritual part of this. You know, there's too much data because it's such a complex system, and the spiritual part is simple. It's...as a taro farmer, you know, when the rain comes down and the way you borrow the water...and I cry because it's life, you know. It helps our limu grow. The estuaries are...it's one of our most heavily-fought issues, but so simple to understand. When these estuaries connect, we have more limu. We have more...we have more food for our keiki. People don't even know that the 'opihi, they travel from districts to islands. So when our estuaries connect here in East Maui, we don't just support Maui, we support, you know, wherever the current takes it, whether it be

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Moloka'i, whether it be O'ahu. This is a heartfelt issue for me and my family, and I thank you guys for taking this milestone because it...my dreams are coming true. So I get emotional because this is our everything, you know. I'm going to move on. I could cry and talk all day.

CHAIR MOLINA: . . .*(inaudible)*. . .

MS. PAHUKOA: And I'll move on, if I can, to the commission. I think it's really...it's really hard right now, especially in Hāna, when we're talking about Advisory Council and then a Planning Commission that has no idea what's going on in, you know, places like Koali and Kīpahulu, and the mountain ranges that you can't see from the road. And we don't have the personnel to go hiking and check out what these new owners are doing. I mean, I'm not even sure if this Council knows, but an excavator was helicoptered into Kīpahulu to excavate and clear land. It's known as Imperium's land, right there above...or adjacent to Kīpahulu National Park across, you know, one of the biggest land disputes, the Kaumaia 'āina. And so this...the...when it comes to the Planning Commissions, we really need people who are within the communities to understand the scope of what's going on. There's so many new development, and I know it's a voluntary commission, but we really need advocates and people who live here who understand, you know, what's going on in the backyards, and to bring to light all these issues, and share it, you know, within the community. It's hard...you know, Central Maui people don't know what's going on. And it's not their fault. It's just on the agenda item. But when it comes to the Planning Commission, I really hope that we get to include, or maybe even create paid positions because, you know, I hate to say paid, but it's true. We have...we all make a living...we need to make a living. And we need to take these issues serious. So you know, we all have issues with our Planning Commissions, but I commend everybody and all these experts. You know, everyone does such a good job, but I support what Lucienne said. She's one of my inspirations and a true pioneer. So we need people like her on the board, you know, experts like that, because we all can talk at the end of the day, but if you don't practice and you don't do your homework, you just don't get anywhere. It's kind of like preaching to a choir that...you know, there's no validity or substance to their position if they don't do their homework. And then back, I just wanted to mahalo our kūpuna, who, you know, fought for aloha 'āina, which in my 'ohana it's, you know, Harry Kunihi Mitchell, Uncle James Keola Hueu, Papa James Keola Hueu, the Kaauamo 'ohana, Kekiwi, Carmichael, Kanoa Kaho'okele, and everybody in Nahiku and beyond. You know, we're all 'ohana in this day. And so thank you guys so much for pursuing pono practices. And sorry I'm such a crybaby. Okay, pau. . . .*(timer sounds)*. . .

CHAIR MOLINA: Nothing wrong with your very passionate testimony, Ms. Pahukoa. And mahalo for bringing up those wonderful families from your area. Brings back a lot of memories for me. Members, any need to clarify Ms. Pahukoa's testimony? Seeing none. Mahalo for your testimony. Okay. Ms. Sunderland, please continue announcing our next testifiers.

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MS. SUNDERLAND: Chair, the next testifier we have listed is Aram Armstrong, to be followed by Shay Chan Hodges.

CHAIR MOLINA: Aloha and good morning, Mr. Armstrong. Mr. Aram Armstrong, if...

MR. ARMSTRONG: Aloha. I am unmuted now.

CHAIR MOLINA: There you are. Go ahead. Please proceed with your testimony.

MR. ARMSTRONG: Thank you, Chair Molina. One moment. I just need to breathe through what Mary Ann just gave us. That was very powerful testimony. I am calling in, just me and the mosquitoes from Ha'ikū. We're on Kolealea (*phonetic*) Stream, or some folks call it 'Ōpaepilau for some reason. We have no stream water...water in our stream at the moment, but I believe we're part of the East Maui water system. So I'd like to testify on part of...on behalf of East Maui Water Authority initiative. I'm hearing a lot of amazing support for this. So...I saw Shay Chan Hodges was after me, and I'm like all the data is here, and also all the spirit. So what I wanted to offer is some visuals because I'm a visual person. And one of the things with the water issue is it's kind of an invisible thing, as Mary Ann was saying. We don't see what's going on because you have to hike there or have a helicopter. And the analog that I was thinking of is the Gulf War fires, when we saw the fields of oil burning. We could see this as an image, but to see the water evaporating from the EMI system, we'd need like infrared cameras or something. We don't have this visibility, so we don't know what's going on. We don't know what's being lost. Also, Mary Ann brought up the issue of the aquatic deserts, the life in the water that's being affected by the streams. I was up on your side of the island, Tamara, at Honokōhau, and it seemed a little bit...it's a beautiful place to go snorkeling, but it's also a...somewhat of a desert with...probably what it was 20, 30, 50, 100 years ago. So the stream flow impacts all of us whether we are on the land or in the ocean. So that's...there's just general support for the East Maui Water Authority. We need to have somebody that cares about this issue, that's impacted by this issue, and is not a profit-based enterprise from a foreign country that is perhaps neglecting their fiscal duties or the ESG report that Shay Chan Hodges and her team were a part of, Environmental Social Governance. The other...the other issue I wanted to testify on behalf of is...I guess in the spirit of holistic governance, this top-down, bottom-up thing that Paul Deslauriers brought up, this is what I call a macroscope. Here's the top-down triangle, the bottom-up triangle, and the middle-out. So top-down is you folks in the County Council, the Mayor, the Governor, the President, that sort of laws, policies, incentives...

CHAIR MOLINA: Mr. Armstrong, could you hold up your visual a little higher?

MR. ARMSTRONG: A little higher?

CHAIR MOLINA: Yeah, there you go. Now I see it better. Go ahead.

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MR. ARMSTRONG: Okay. Awesome. Awesome. This is...this is like the debut of the microscope on *Akakū*. Aloha, *Akakū*. Thank you for broadcasting us. And so because we need these forces to be in balance, we need the governance and the people's voice to be in union...and the private enterprise and the NGOs, the 501(3)(c)s [*sic*], they're the engine that help us implement a lot of the stuff that's missing because we're underfunded in the government and we're overworked as citizens. So please pay your volunteers. I think that's important. Highly qualified volunteers that are paid for their time is respectful and sustainable. That is my testimony. Mahalo.

CHAIR MOLINA: Okay. Mahalo for your testimony, Mr. Armstrong. Members, any need to clarify Mr. Armstrong's testimony? Seeing none. Thank you for your testimony, Mr. Armstrong.

MR. ARMSTRONG: Take it easy. Thank you.

CHAIR MOLINA: Okay. Ms. Sunderland, please go ahead and announce our next testifier.

MS. SUNDERLAND: Chair, the next testifier we have listed is Shay Chan Hodges, to be followed by Toni Eaton.

CHAIR MOLINA: Good morning, Ms. Chan Hodges.

MS. CHAN HODGES: Good morning. My name is Shay Chan Hodges, and I'm testifying in support of establishing an East Maui Community Water Authority in order to ensure protection of our public trust resource, water. Last January, I testified before the County Council about Pretium Partners, a New-York-based investment firm, whose business plan and investors are revealed in the Pandora Papers. According to the *Washington Post*, Pretium Partners raised more than a billion dollars for the Progress Residential real estate venture, which reaped big profits from stressed American renters amid the housing affordability crisis by buying up housing. Four months ago, renters told their stories about Pretium and other housing investors to a U.S. Senate Committee on Banking, Housing, and Urban Affairs. They talked about living under hazardous conditions, flooded basements, constant rent increases, eviction threats, and landlords who are experts at exploiting legal loopholes. According to U.S. Senator Sherrod Brown, more and more wealthy, deep-pocketed investors are buying up the homes that serve as the foundation for families' lives. They see these buildings as nothing more than an annual return on equity. Pretium Partners is the second largest single family homeowner in the U.S. with a portfolio of 70,000 homes. The Canadian pension fund PSP, which is the sole owner of Mahi Pono, has invested over \$700 million in Pretium Partners over the last year and a half. According to the *Toronto Star*, PSP's mission is to maximize returns without taking undue risk. When PSP ended its fiscal year on March 31, 2021, the pension fund reported an 18.4 percent one-year portfolio return with net assets under management growing by nearly \$34.7 billion. The Pretium investment is just one example of PSP's values and its focus on investment earnings. As with Mahi Pono, PSP is the sole investor in a chain of elder care homes called Revera,

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which had one of the highest death rates in the world during COVID due to understaffing and low pay. The #MakeReveraPublic campaign, which is also concerned about Revera's tax avoidance in the UK, does not believe there is room for the profit motive in Canada's long-term care homes. As we consider Maui's water future, we should be thinking about how the profit motive affects stewardship of our natural resources, particularly for an investor with the track record of PSP. If Mahi Pono sees our water as nothing more than an annual return on equity, how do we protect the public trust for ourselves, our children, and their children? The Board of Land and Natural Resources is on track to give Mahi Pono a 30-year lease . . . *(timer sounds)*. . . thereby--I'll finish up--thereby granting control of East Maui water to a foreign entity. And while State agencies are supposed to ensure water rights are protected, they have not done a good job for decades. We elect our Mayor, Councilmembers, Legislators, and Governor for two- and four-year terms, and as a result, there is some accountability. We have no such recourse with a foreign entity. We need to act now before the public trust becomes a private source of wealth. Thank you so much, and please support the East Maui Water...East Maui Community Water Authority. Mahalo.

CHAIR MOLINA: Mahalo for your testimony, Ms. Chan Hodges. Members, any need to clarify her testimony? Seeing none. Thank you for your testimony, Shay.

MS. CHAN HODGES: Thank you.

CHAIR MOLINA: Okay. Continuing on, Ms. Sunderland, please announce our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Toni Eaton, to be followed by Albert Perez.

CHAIR MOLINA: Good morning, Ms. Eaton.

MS. EATON: Aloha. Aloha, Chair. Aloha, Councilmembers. I'm here testifying on behalf of myself. I am a member of the Board of Water Supply, but like I said, I'm here testifying on behalf of myself. I'm here to testify on agenda 10(2) in regards to Resolution 22-119. So the...first of all, the portion, Section 8, 19.4, where the...they're talking about the Administrator being appointed by the Mayor, I think that goes totally against autonomous or semi-autonomous agency. It...it's against every principle the...whereas in the...this resolution. The Mayor-appointed Administrator would feel obligated to his boss, the Mayor, and we don't need any more...we don't need any more puppets in the office...our public offices. The Administrator needs to be totally independent in its capacities and duties to serve the people of Maui and protect our precious resource. So another thing is that on...in the May 24th meeting, I heard so much negativity from the, you know, DLNR, the Department of Water Supply, and even some Councilmembers. So DLNR...let's take them on first. They think it's impossible for the authority to get the EMI distribution system, and they're totally missing the point. The authority wants the lease of the State land. The authority can still issue them our lease to fix their ditches, siphons, and diversions, the aqueduct system, which they claim to own, but we need to



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see the palapala, just to add that in. And if EMI says no, I don't want to play, I'm taking my ball and leaving, there are 41,000 acres of dry, arid central lands won't get any water. This will make the...their 263 million purchase in 2018 worthless. . . .*(inaudible)*. . . it's not about agriculture. It was never about agriculture. It was always about the water. And then secondly, the...DWS, they don't want the authority to get the leases because they claim that the water rates are cheap, so why rock the boat. The last MOU with the County and EMI was in 2018. The MOU stated that EMI, Mahi Pono, won't renegotiate the rates until they receive the 30-year lease. This...you know, this almost sounds like a quid pro quo; you help me get the leases, and I'll allow you to get water. But the thing is, there's no guarantee that their rates will stay the same. What's their incentive to provide cheap rates to the County when they get a 30-year lease? So the last concern that I have is that some Councilmembers, they're bringing up the cost of, you know, this authority, but I mean, compared to what? The cost of losing our precious water rights to a foreign corporation for the next 30 years? The costs of destroying our native ecosystem? Or the cost of continuation . . .*(inaudible)*. . . Hawaiian Homes Commission Act or the public trust doctrine by EMI Mahi Pono. . . .*(timer sounds)*. . . This is our time to act. I'll finish up right now. We finally have a few Members on this Council that are willing to challenge the status quo. They're willing to take on the colonizers, capitalists, and corporations, and say enough already. You see, the colonizers, they believe that they have rights; but us, as Native Hawaiians, we believe that we have obligations. We have responsibility. We have kuleana, kuleana to our . . .*(inaudible)*. . . who will continue to fight this cause. Put this on the ballot, and let the people decide. Mahalo.

CHAIR MOLINA: Okay. Mahalo for your testimony, Ms. Eaton. Members, any need to clarify Ms. Eaton's testimony? We have Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Eaton, for your testimony. Just clarifying when you said put it on the ballot, you still wanted us to amend the Administrator appointed to the Mayor? And asking if you had a suggestion of how the Administrator would then be appointed...or chosen, if not appointed by the Mayor.

CHAIR MOLINA: Okay. It looks like Ms. Eaton might have some...there might be some technical difficulties on there. Okay. Member Paltin, maybe at a later point if we do get Ms. Eaton back, I can...we can get her to answer your question. All right. So Members, for the time being let's go ahead on to our next testifier, and then after that testifier's done, we'll get back to Ms. Eaton so she can respond to Member Paltin's questions. So Ms. Sunderland, announce our next testifier.

MS. SUNDERLAND: Chair, the next testifier we have listed is Albert Perez, to be followed by Toni Eaton before Sean Lester.

CHAIR MOLINA: Okay. Good morning, Mr. Perez.

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MR. PEREZ: Good morning, Chair Molina, Members of the Council. This is Albert Perez, I'm with Maui Tomorrow. Great testimony today, very passionate. I'm testifying in support of the proposed Charter amendment for the East Maui Community Water Authority, GREAT 10(2). It is time for Maui County to take control of our water resources. Having a public water supply depending on private water companies is poor public policy, and places the public at the mercy of decisions that are based on what's best for the company, not necessarily the public interest. And it's risky. With climate change, we're seeing more drought with miconia and other invasive species, more susceptible to occasional rain bombs and drought in between. This increases the likelihood of...and impacts of landslides. And I remember a few years ago, there was a huge slide. I don't know if people remember, but 400 feet of the Hāna Highway was closed. So this area gets some big slides. As climate change continues, watershed health will be critical in preserving any stream flow at all. So if there is such a big slide, it may or may not be worth it for the private company to repair the damage. We do not want the decision on what happens with our public trust resource to be based on impacts to a company's bottom line. Or if they get sold, like they did in 2018, we'll have a whole new period of uncertainty while we wait and hope that the new owner will have the best interest of the public in mind. So that said, it's important to note that water for serious agricultural users can continue to be available, balanced with in-stream uses, such as kalo growing, that have priority. The advantage of a public water management entity like a water authority would be that decisions would be made transparently, consistent with the public trust, rather than behind closed doors based on what's best for the highest return of the company. So mahalo.

CHAIR MOLINA: Okay. Mahalo for your testimony, Mr. Perez. Members, any need to clarify Mr. Perez's testimony? Seeing none. Thank you very much, Albert. All right. Let's go back, Ms. Sunderland, to I guess Ms. Eaton if she's online. Is she currently back with us, Ms. Sunderland?

MS. SUNDERLAND: I'm checking through the testifiers now.

CHAIR MOLINA: Looking for Toni Eaton to respond to a question from Member Paltin. Nothing so far?

MS. SUNDERLAND: I do see her on the call. Her video is off, as well as her sound.

CHAIR MOLINA: Oh, okay. Ms. Eaton, if you can hear us, we'd like to give you a chance to respond to a question from Member Paltin. Ms. Eaton? Maybe having some technical difficulties out wherever she is. Okay. Well, I'll tell you what, let's continue on to the next testifier, and hopefully we can get Ms. Eaton back online. All right, Ms. Sunderland, announce our next testifier.

MS. SUNDERLAND: Chair, the next testifier we have listed is Sean Lester, to be followed by Zachary Grossman.

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CHAIR MOLINA: Good morning, Mr. Lester.

MR. LESTER: Aloha kākou, Members. It's good to see you. The long...you know, it's most amazing when you take a look at what's happening...and also I'm testifying on four...on four issues. Sean Lester. I live in South Maui. And so here we go. First of all, I just wanted to say, what we're doing here, this extraordinary ability to go back and forth with complex issues, is such an extraordinary thing that we have here in not only our local government, but the State and the United States itself. And I just want to take a moment to think about other places where people are fighting and dying for this exact thing we're doing right here. Thank you for being here. Thank you for stepping forward. This is...you're all volunteers. No one has come in and told you you have to do it, or your family will die, or anything else. And I just want to take a moment, a pause, and think about...about what we have here, this great thing. So to start with that, thank you. It's just Ukraine's really been on my mind. So thanks for listening. I want to start off with GREAT 10(1), Promoting Climate Change Adaptation. One of the things that's happened...you know, we...if we take a look at our system, we take a look at the fact that our waste...powerful waste plant that's over in Kahului was put there by one Mayor who just made a decision to stick it there because he had the power to. And now we have hundreds of millions of dollars' worth of reparations. We have to...we have to take that plant and move it to other places. We have Ma'alaea, I mean, the power plant that's put so close to the water that it's had major challenges. So because of ignorance in the past, we have to pay for that now and in the future. The ability to have a County policy to promote climate change adaptation is not only necessary...not only kind of necessary, it's vital for not only us, but our children, our children's children. You know, we have Ma'alaea that within two years, they're not going to be able to fix their diesel gen. sets. And now they have to look at the possibility of even building another generator system that we'll have to pay for. These are all things that in the past, they were simple and cheap, now they're not. So we really need to establish a County policy to promote climate change adaptation. It's vital to do that. And also, I think as far as telework and alternative work schedules for certain County employees, I think that this is really a good idea because it can be left up to the...to the supervisors. That's what their job is, is to see what's going to be most effective for the Departments. And so definitely allow that to happen. I think it's a very important flexibility. You know, when we take a look at what happened in Kīpahulu, where for a month you can't drive out the other side, or our . . . *(timer sounds)*. . . when you're coming from, from Lahaina, the same kind of problem. So anyway, I'm also for that. I'd like to move on to Reso 22-119 on the Charter proposal for East Maui Community Water Authority. You know, I lived...I lived for several years in Ke'anae, and there is the place that, in my own heart, I became Kānaka...I mean, not Kānaka, but hapa haole. You know, the people there taught me things that I never knew and was humbled by, the folks that I lived with. But the water was always overhanging everything, always. You know, that peninsula is one of the most...it's a place where kalo has been grown for almost...from what I understand, over 800 years, according to the archeologists. And that water needs to flow. And one of the things is the people never felt that they had the power to speak. So I think that the ability to establish the East Maui Community Water Authority is very important. But I

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also want to state that when I take a look at the job that the...Maui County itself has done regarding water, if you take a look at the flume system Upcountry, it's ridiculous. We lose huge amounts of water. And quite candidly, I'm not going to point fingers at the Council, but I'm going to say that we can't even get it together to buy the water for the Nā Wai 'Ehā and that side of the island. So I think that being able to work...you know, it's easy to bash corporations as if they're the worst things in the world. I think that it's very important for there to be a balance. The 41,000 acres in the middle of this island are vital for our future as well. So out of all of the injustice that's been done in the past with water, we need to have a wise group of people that have the ability to see the balance of both. The one thing I've learned in my time with the Hawaiians that have been in my hānai family is balance is important. So let's find a balance here so that everybody wins, so we end up with a million or two million trees in the middle of the...of the island, and the waters flow so that places like Ke'anae can have the cool water that's necessary for life to come back. The tears in the eyes of the people in Ke'anae and other places that I've seen have just been balanced on 100 years of weeping. And now it's for joy because they see they can have water. So that's kind of that side of it. Then I'll move on to Section 13-2, Charter amendments. You know, I think it's important to establish commissions, as you have stated here, amended to establish the Maui County Planning Commission for all Community Plan Areas on Maui; dissolve the Maui Planning Commission. I've seen so many disparities happen in the Planning Commission, and I really do question its efficacy over the last 20 years or so that I've been watching them. On O'ahu...as we're growing, we have a billion dollar budget this year, and it's going to keep growing. And the other thing that's happening is these large areas that we have, they're becoming more compressed, more...and more complex. And O'ahu handles it with community boards. And I've been a person...a proponent for community boards here for a long period of time, and now I think we're reaching a point where it's being able to see that the inception of that could really be an important thing. I also think, to take Councilmember Paltin and Sinenci, and others, and as well as Keani Fernandez, into effect whenever we're working with this, because of the complexity of what is the need for Lāna'i, what is the need for Moloka'i, what is the need for Hāna? Each one of these places needs to have a real, honest place at the table, and the same level as Wailuku, South Maui, or any other place. So please, whatever you do in that matrix, make sure that they are being listened to, not what you think they need, but what they're telling you they do need. Okay. So...and then finally...I think that's that. Residency requirement for board, commission, and Committee members. As far as...you know, I think this is really important. If we take a look at the last election cycle, we saw over \$500,000 being thrown at our local...our small, little local politics by outside resources. It's going to be happening more, and those were nondiscrete...they just happened to happen, they tick the box and \$50,000 float out of them...out of the box from some realtor company or whatever it may have been, we're going to have more and more of that. We want to make sure that we do not have that happen here locally, where somebody can just walk in and take over a position. So I do think that it's important to have people that have residency here. And there's also...if someone doesn't have residency, as Lucienne was talking about, perhaps they can be a...they can work with the board. But I think all boards, and commissions, and Committee Members should

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be here for, at least, probably two years before they're able to be on a board or commission. Thank you so much for your time. I very much appreciate it. And thank you for the work you do.

CHAIR MOLINA: Okay. Mahalo for your testimony, Mr. Lester. Members, any need to clarify Mr. Lester's testimony? Seeing none. Thank you very much for your testimony, Sean.

MR. LESTER: You're welcome.

CHAIR MOLINA: All right. Members, we're at a time where we're usually at a morning break, but let me check with Staff to see how much more testifiers we have left. Ms. Sunderland?

MS. SUNDERLAND: Looks like we have about ten testifiers left.

CHAIR MOLINA: Ten more. Okay. I'll tell you what, let's do this. Let's go back to Ms. Eaton if she's available. And then right after the completion of her testimony, we'll go ahead and take our morning break. Ms. Eaton, are you available to respond to questions from Member Paltin?

MS. EATON: Yes, sir, I'm here. Sorry. My phone overheated, and it just shut off.

CHAIR MOLINA: No problem. All right. Main thing never catch fire. Okay. All right. Member Paltin, go ahead with your question for Ms. Eaton.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Eaton, for your testimony. I just was clarifying, when you said put it on the ballot, did you mean for us to also amend how the Administrator was selected, and if you had an...a proposal for that, because that's how most of the Directors are chosen, where the Mayor appoints and the Council approves.

MS. EATON: Yeah. I don't think it would be...it would be just another Department of Water Supply if it goes that route. You know, I thought the whole purpose was to be a semi-autonomous or autonomous agency that would be, you know, making their own decisions. It doesn't...it doesn't really make sense to have the Mayor appoint the Administrator because that's how...like you said, that's how the other agencies are done. But for the East Maui Water Authority, I think they should be semi-autonomous or autonomous.

COUNCILMEMBER PALTIN: Oh, but I was wondering if you had a alternate suggestion.

MS. EATON: Well, . . . *(inaudible)*. . . authority, public authority, you get hired for the . . . *(inaudible)*. . . through the County, but not directly appointed by the Mayor. So this way the Administrator won't have to, you know, be accountable to the Mayor, per se. He would be more accountable to the people of Maui.

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COUNCILMEMBER PALTIN: So like civil service, then?

MS. EATON: Yeah, civil service, or exempt, or you know, something to that effect. Of course, the Council can, you know...would be able to evaluate that person's, you know, performance on a yearly basis, or whatever it be.

COUNCILMEMBER PALTIN: Okay. Thank you.

MS. EATON: You're welcome.

CHAIR MOLINA: Okay. Mahalo for your questions for Ms. Eaton, Member Paltin. Anyone else, questions for Ms. Eaton before we excuse her? Seeing none. Mahalo, Ms. Eaton, for your testimony.

MS. EATON: Mahalo.

CHAIR MOLINA: Aloha. Okay. Ms. Sunderland, let's do this. Please announce who our next two scheduled testifiers are. And right after that, we'll go ahead and take our morning break. Ms. Sunderland.

MS. SUNDERLAND: The next two testifiers we have listed are Zachary Grossman, to be followed by Dick Mayer.

CHAIR MOLINA: Okay. We have Mr. Grossman and Mr. Mayer on standby for testimony. In the meantime, Members, let's go ahead and take our morning break. Members, you want 10:45, 10:50? All right. Okay. I see no hands going up. So Chair's call is 10:50 a.m. So Members, the GREAT Committee meeting for June 7th, 2022 is now in recess until 10:50 a.m. . . .*(gavel)*. . .

**RECESS:            10:37 a.m.**

**RECONVENE:    10:51 a.m.**

CHAIR MOLINA: . . . *(gavel)* . . . The GREAT Committee meeting for Tuesday, June 7th, 2022 will now come back to order. The time is 10:51 a.m. Members, we last left off on public testimony. Ms. Sunderland, please go ahead and reannounce our next two testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Zachary Grossman, to be followed by Dick Mayer.

CHAIR MOLINA: Aloha, Mr. Grossman. Please proceed with your testimony.

MR. GROSSMAN: Aloha. Zach Grossman here. I'm testifying in relation to Resolution 22-119. I'm not so sure if I'm in support of this proposal. I'm not sure if that will mean...if the

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public authority can turn the water streams on where I live in East Kaupakalua Ahupua'a. Can the public authority turn the diversions on and off as they please? Not sure how that will work. Will they be another EMI, A&B? I really hope not. I grew up here in Ha'ikū. I've lived here for 30-plus years. I was...I was born right here. I have multiple generations right here in the area. The stream here in Ha'ikū used to flow year round until recently. All of us neighbors are farmers, and have been farmers for many generations. And there is more than...several farms here that died when the streams ran dry, I think it was, a few years ago, which has had a major environmental impact. And it was very sad, seeing all the farms literally disappear. My dad and other neighbors have been on the water meter list too, for more than 30 years. And I've known...I know multiple neighbors that have been on the list who have passed away and even recently waiting for water. I hear the County talking about food security. I know there's some of you in the County that care...really care about food security, but the rest, I'm not really too sure if you all really care about food security. I mean, I hear you guys talk about it all the time, and...while supporting Mahi Pono and EMI, who are literally like taking the water out of our streams and killing all of our small farms so they can grow in Central Maui. If the...this public authority thing happens, I really hope you all help us here return the water into the streams so we can bring our farms back. And that's all I have to say. Thank you.

CHAIR MOLINA: Okay. Thank you very much for your testimony, Mr. Grossman. Members, any need to clarify Mr. Grossman's testimony? Seeing none. Mr. Grossman, just a quick personal question. Are you related to a gentleman by the name of Jamie Grossman?

MR. GROSSMAN: Yes, I am.

CHAIR MOLINA: Oh, okay. Well, please give him my aloha. Good guy.

MR. GROSSMAN: I will. Thank you.

CHAIR MOLINA: Thank you. All right. Moving on to our next testifier, please announce the name of our next testifier, Ms. Sunderland.

MS. SUNDERLAND: Chair, it looks like Councilmember Paltin has a question.

CHAIR MOLINA: Oh, oh, I'm sorry. I'm sorry. Mr. Grossman, if you're still there, we have a question for you.

MR. GROSSMAN: Yes.

CHAIR MOLINA: Go ahead. Member Paltin, go ahead.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Grossman, for your testimony. I just was wondering what your family farm grows.

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MR. GROSSMAN: Taro. We still have a bunch of coconuts right now. We've been trying taro, but like the river's trickling right now, but it does run dry like probably ten months out of the year now. Sometimes it flows or it floods, but mostly everyone...this is in like the Jaws gulch. Everyone pretty much grew taro.

COUNCILMEMBER PALTIN: Is it --

MR. GROSSMAN: I think we had some of the biggest taro farms.

COUNCILMEMBER PALTIN: Is it like lo'i kalo or is it dry land?

MR. GROSSMAN: Well, it's dry land now. It used to be like wetland before, but now it's mostly dry land because...well, now we kind of like...after the flood, it opened up an area. I think it was a year ago when there was a flood. So there's like a big...there's like mud flats now. So we've been trying to do it in the mud flats, but you know, sometimes when the river trickles, it helps, but when it floods...you know, it's really hard to find the right area right now because we don't have a steady flow.

COUNCILMEMBER PALTIN: Okay. Thank you for that clarification.

CHAIR MOLINA: Thank you very much, Member Paltin. Members, any other need to clarify Mr. Grossman's testimony? Seeing none. Thank you very much, Zachary.

MR. GROSSMAN: Thank you.

CHAIR MOLINA: Okay. Ms. Sunderland, please go ahead and continue with announcing our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Dick Mayer--apologies for any mispronunciation--to be followed by Chalyse Ah Chan-Bowlin.

CHAIR MOLINA: Aloha, Mr. Mayer.

MR. MAYER: Good morning, everybody. And thank you for taking testimony. I would like to speak to two items: one, the East Maui Water Authority; and the second regarding Planning Commissions. With regard to the East Maui water, I spoke earlier in your other Committees and gave you some testimony. What I'm concerned about is the uncertainty if we do not pass this Charter amendment...two uncertainties. Number one, we do not know what DLNR will do if they were to auction off...in other words, if the County did not get the authority, we have no idea what conditions there would be in the lease itself. And that's unsettling because it may give authority, for example, to EMI or Mahi Pono, whoever ends up with it, to be able to set the rates that they would charge the County, and subsequently, all of the residents and farmers of Maui. And that would be a really dangerous situation, plus other uncertainties as to what would be in the



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conditions, whether it be...it would be...have periodic reviews if they got a 30-year lease. Would there be any quality standards that would need to be maintained, et cetera? So for that reason, I think we do need to have this taken under the County's authority. And that's why I'm recommending urgently that you pass this amendment and put it on the ballot. The second thing is...the only other concern is the Advisory Committee that is mentioned in the bill, I would make a little tweaking to that in the following manner. I think that you have right now eight members from the East Maui community, two from each of the lease areas. I would want them to still have majority control of the 11-member body, but there would be six residents, at least one from each lease area, plus two more from any of the lease areas, depending on who was selected. Then in addition to that, I would have five members, one member representing Hawaiian Home Land tenants because they have certain rights to that water and get revenues from the leases if they're...if they're out there. Number two, the one...the member should be an Upcountry resident. Number three, there should be Upcountry farmers and ranchers...should have a position. Number four, Central Maui agricultural interests should be represented. It could be Mahi Pono. Or if they were to sell the land, it could be somebody else. And lastly, one member from the Water Board, selected by the Water Board, to be on this Advisory Committee. So there'd be a link to the Department through that mechanism. If you put those 11 people on there, I think you would have a better and more diverse, and hopefully more helpful Advisory Committee to this amendment. That's all I have to say on that. I don't know if want to take questions now on that, go on to the next item.

CHAIR MOLINA: Go on to the next item, Mr. Mayer, and then I'll come back to the Members for any questions.

MR. MAYER: Very good. Thank you. The second item is in regard to the Planning Commissions. As you well know, I strongly support having the District Planning Commissions. I think that it's long overdue. I think communities need now to have enough representation in decision making that they need such a body to...happening. I do not think that these bodies will meet every single month. There may be one...there may be five issues a year, for example, Upcountry, or Hāna, or wherever. And so they do not have to meet on a regular...when there is an issue, they should be able to take it up. And I've given some wording...I think the wording in the Granicus version needs some tweaking, and I've suggested that and sent that. I know I've sent it to Kelly King, but I also sent it out to everybody else as well. The other issue is that the Central Maui...or Countywide Planning Commission. My original reason for suggesting that to the drafters of the ordinance was that the Planning Department kept complaining that there were so many committees that they would have difficulty monitoring all these things, and staffing them all, et cetera. And so I said, well, certain things that have Countywide implications should be taken up by a central Planning Commission with representatives from each of the other districts. Why was it set up the way it was with a chair appointed by the Council, and then each of the commissions? There were eight Community Plan Districts. So they needed...I thought it would be best to have nine members. And that's why the one person was added to that...would be represented by

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the Council. And I think that's very important to have that. Now on the other hand, if you feel that these issues, all the Countywide ones, really need words from each of the districts, you don't need a central one. You could do without it, and just have eight Community Plan groups...Districts, giving you advice on things. For example, the industrial zoning thing that you took up this week with apartments, each commission could make its comments. It may not affect some areas that don't have industrial land, and they may not have anything to say, but those that do would have a chance to give you some input. Another one might be agricultural subdivisions. Right now we don't have any real good legislation on that. You may want to send that out to each of the commissions. It does not have to be done by a central group. It was done to be a little bit more expeditious, but if you feel you'd like input from all of them, then leave that whole section out about a central Planning Commission completely from the ordinance. I'm available for any questions you have on either of those topics that I talked about.

CHAIR MOLINA: Okay. Thank you very much, Mr. Mayer. All right. We have...the floor is open for questions...or clarification questions for you, Mr. Mayer. Councilmember King.

COUNCILMEMBER KING: Thank you, Chair. I actually was just going to suggest, if there aren't any objections, that Mr. Mayer could be a resource person for when we get to this item.

CHAIR MOLINA: Okay. Members, any objections to having Mr. Mayer as a resource once we get to that item?

COUNCILMEMBERS: No objections.

CHAIR MOLINA: Seeing none, okay. So with that said, Members, then I'll...if you could withhold your questions for now until we get to that item.

COUNCILMEMBER KING: Thank you, Members. Thank you, Chair.

CHAIR MOLINA: Thank you. All right. Thank you. Okay. Thank you very much, Mr. Mayer. So we'll see you soon when we get to that item.

MR. MAYER: Okay, great. On the other...on the other item, on the water...East Water Authority, any questions?

CHAIR MOLINA: Okay. Members, any questions for Mr. Mayer as it relates to the water authority matter? Seeing none. Thank you.

MR. MAYER: I'll be...I'll be available.

CHAIR MOLINA: Okay. We look forward to it. Ms. Sunderland, please continue with announcing our next testifiers.

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MS. SUNDERLAND: Chair, the next testifier we have listed is Blossomom--excuse me-- Blossom Feiteira, to be followed by Zandra Amaral-Crouse.

CHAIR MOLINA: Aloha, Ms. Feiteira. Blossom Feiteira, if you're there, this is your time to testify. Okay. Tell you what, let's move on to the next testifier. Announce the next testifier, Ms. Sunderland, and hopefully we can get Ms. Feiteira back online.

MS. SUNDERLAND: Chair, the next testifier...

CHAIR MOLINA: Oh, sorry, Ms. Sunderland. Stand by. I just see Ms. Feiteira logged on. Okay. Go ahead, Ms. Feiteira. You have the floor for your testimony.

MS. FEITEIRA: Hi. Good afternoon, Mr. Chair. Can you hear me now?

CHAIR MOLINA: Loud and clear.

MS. FEITEIRA: Thank you. I'm still having issues with technology, but we're working on it. Mr. Chair, Members of the Committee, mahalo for the opportunity to provide testimony on three items on your agenda, GREAT 10-2 [sic], GREAT 10-3 [sic], and Bill 92. Regarding the East Maui Community Water Authority, I think it's an excellent idea and an opportunity for the County to be able to take charge of a very important resource for our island. As you've heard from previous testifiers, water has become a highly sought-after resource by many people, but the challenge that we always face when water is in the hands of private developers is that they are not obligated to comply with the Constitutional mandates and fiduciary obligation that government agencies have. I think that the County of Maui has had this conversation for several years, and I am very happy to see that the County Council is finally making a move to make that solid and real on behalf of our County. So thank you for that. Regarding 10-3 [sic], establishing a Community Planning Commission in all of the Plan Community Areas, as the Lead Facilitator for the Comprehensive Affordable Housing Plan for Maui County, one of the things that came through very loud and clear in all of our meetings is a desire and need by community members to have a say in what is happening in their community. And nothing better that can help to resolve that concern is by establishing these community-based Planning Commissions, where they can actually see what's happening before it happens. And so again, thank you for that. And finally, under Bill 92, establishing a residency requirement for those that are sitting on our boards, commissions, and committees, I have always had the personal belief that nobody can serve our people better than us. And what I mean by that is that lifelong residents who have been there, done that, seen the changes, and have dealt with it can understand better what their community needs in terms of resolutions and solutions. And so by establishing a residency requirement for all of these positions, I think will help along with the community Planning Commission, as well as the Water Authority, gives the County a very well-rounded opportunity to meet your fiduciary obligation to our community and to the next generation. So mahalo for the opportunity to testify, Mr. Chair. I'm good.

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CHAIR MOLINA: All right. Thank you. Mahalo for the testimony, Ms. Feiteira. Members, any need to clarify Ms. Feiteira's testimony? Okay. Seeing none. Mahalo for your testimony, Blossom. All right. Ms. Sunderland, please go ahead and announce our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Zandra Amaral-Crouse, to be followed by the caller listed as Student.

CHAIR MOLINA: Aloha, Ms. Crouse.

MS. AMARAL-CROUSE: Good morning.

CHAIR MOLINA: Good morning.

MS. AMARAL-CROUSE: Good morning, Mike. Can you guys hear me?

CHAIR MOLINA: Loud and clear.

MS. AMARAL-CROUSE: Okay. I'd like to thank you all for these resolutions and bringing it forward, and the bills. I would like to go ahead and read part of my testimony, only because I pray that these will make it onto the ballot, but I pray that the residents become informed of the importance, the first being the bill for Hawai'i immigration...I'm sorry, the EMI Irrigation. EMI Irrigation is applying for a 30-year water lease for the license areas, whereas Alexander & Baldwin, Inc. and Mahi Pono Holdings, LLC both have 50 percent interest in EMI, and whereas Mahi Poho...Pono Holdings, LLC investor and member owners are...and member owners is one of Canada's largest pension fund managers. Public Section [sic] Pension Investments owns and operates...they also own and operate approximately 41,000 acres of agriculture land in Central Maui. And the reason why I bring that up is because the correlation between agriculture and water is so prevalent. And many business owners will tell you, with all the investors through the pension fund that the Canadian holdings have, their first obligation is to their pension holders, not to Maui County, the Pomona Farming, LLC, a California-based agriculture group, the PSI [sic] Investments. Whereas approval of a 30-year water lease to EMI would place a significant amount of water resources under the control of a foreign, nonprofit [sic] investor entity, and whereas a temporary investigative TIG group have been organized. And I believe that this really brings it back to the people of Maui and give them an opportunity to get involved with saying how, where, and when. It's kind of like Auntie Blossom says, nobody knows the needs of our community more than the local people . . . (timer sounds) . . . who have been here for generations. I thank you, and I look forward to Maui County taking control of East Maui Irrigation. Thank you. I'd like to go on to Resolution 22-144, as it relates to the Community Plans. And this kind of goes along with the control of the water. Nobody knows Maui Nui, Maui, Moloka'i, Lāna'i than local people. And having family on...in Hāna, having family on Moloka'i, having family on Lāna'i, and having been born and raised here with us going from island to island for the past 70 years of my life, definitely there are differences. It is important for every community to have their own Planning Commissions, at least to

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give them a say, and let it be through the mouths of our kupunas, and those who know the land, not only physically, but spiritually. Going on to Bill 92 (2022) regarding residency requirements...and again, I sing the same song. No one knows the spiritual as well as the physical importance of our communities, Hāna, Molokaʻi, Lānaʻi, Maui Nui, Wailuku, Lāhainā, Hāna. We all are so much together in one thought, one heart, but so different in how and what we need to preserve. Also, I do believe that skill is important on these boards and commissions. However...and I'll leave you with this. Skill versus local and cultural knowledge is far more important than how to do the job. It's why we do the job. The spirituality behind it gets the job done. The people gets it done. I appreciate all of you, and I appreciate Auntie Blossom, and Mike Moran, and all of the rest of the testifiers--Dick Mayer--that came before us. I would like to end with my son-in-law, David Hoʻopai, there, of the Hāna community for hundreds of years. My daughter-in-law, the Kanoa family of Keʻanae. When my little moʻopunas make one year old, we go to their kalo patches in Keʻanae, and God rest her soul, grandma used to tell us which one to pick. And she'd make it...she'd cut it off and put it in a separate tub to replant again. The importance of kalo growers are not only for their sustenance, but also their spirituality. I humbly ask all of you to keep in mind, which I know you will, the hearts, spirits...spiritual, and the cultural needs of our people, which constitutes the needs . . . *(timer sounds)*. . . of our land. Thank you. A hui hou. I'm pau.

CHAIR MOLINA: Okay. Mahalo for your testimony, Ms. Amaral-Crouse. Any need to clarify Ms. Amaral-Crouse's testimony? Seeing none. Nice to see you, Zandra, and mahalo for your thoughts.

MS. AMARAL-CROUSE: A hui hou. Mālama.

CHAIR MOLINA: Aloha. Okay. Ms. Sunderland, please continue with announcing our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is the caller by the name Student, to be followed by Jerome Kekiwi, Jr.

CHAIR MOLINA: Okay. Caller by the name of Student, you have the floor for testimony. Please state your full name for the record. Okay. Caller by the name of Student, your chance to testify. Otherwise we're going to go ahead and move on to our next testifier. Okay. At this point, seeing no indication of the testifier that's currently being called up, Ms. Sunderland, announce our next testifiers. And we can come back to the individual if they do come back online. Go ahead, Ms. Sunderland.

MS. SUNDERLAND: Chair, the next testifier we have listed is Jerome Kekiwi, Jr., to be followed by Cara Flores.

CHAIR MOLINA: Aloha, Mr. Kekiwi. Please proceed with your testimony.

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MR. KEKIWI: Aloha. First and foremost, mahalo ke akua. Thank you for this beautiful day and every day you give us on this 'āina. Aloha. My name is Jerome Kekiwi, Jr., and I am the President of Nā Moku 'Aupuni 'O Ko'olau Hui. Our members are the lineal descendants and current residents of Ke'anae and Wailua Nui in East Maui. We're the lead plaintiffs in the East Maui water cases, including the June, 2008...'18 decision that restored East Maui streams. I am testifying today on item GREAT-10(2), proposing an amendment to the Revised Charter of the County of Maui, as amended, to establish a East Maui Community Water Authority. As you may know, Nā Moku played a key role in the restoration of East Maui waters, and our stewardship activities continue. We continue to farm taro, and are working hard to restore our approximately 300 acres of lo'i kalo in Ke'anae and Wailua Nui. In 2020, we received CARES Act funding and were able to put 12 adult community members to work on a two-month pilot East Maui watershed monitoring project. We recently received an EPA grant to continue this work. Our community members continue to work to become skilled in stewarding our water resources, learning how to utilize measuring devices, gauges, a mobile app dashboard, and ongoing stream monitoring protocols. Our goal is to provide our community with the information needed to remediate water quality issues and safeguard healthy stream and estuary habitats. We are in support of Charter amendment to establish a East Maui Water Community...East Maui Community Water Authority as set out in Resolution 22-119. As a final note, a substantial portion of East Maui waters originate in our moku. And if established, we would want our communities' representation on a water authority to fairly reflect that. Mahalo for this chance to testify.

CHAIR MOLINA: Okay. Mahalo for your testimony, Mr. Kekiwi. Aloha...Members, do you have any questions or need to clarify Mr. Kekiwi's testimony? We have a question for you, Mr. Kekiwi, from Member Paltin. Go ahead.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Kekiwi, for your testimony. I just was wondering if you wanted it passed as is, or if you had any issue with how the Administrator is chosen, to be appointed by the Mayor and approved by the Council.

MR. KEKIWI: We just going support this resolution.

COUNCILMEMBER PALTIN: Thank you.

CHAIR MOLINA: Mahalo, Member Paltin. Any other need to clarify Mr. Kekiwi's testimony? Seeing nothing. Mahalo for your testimony, Mr. Kekiwi.

MR. KEKIWI: Thank you.

CHAIR MOLINA: Okay, Ms. Sunderland. Please continue with announcing our next testifiers.

MS. SUNDERLAND: Chair, I am still showing that the caller listed as Student is still on the call if you'd like to circle back there.

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CHAIR MOLINA: Sure. Okay. Student, if you're there, please make your intentions known as to whether you want to testify or not, and state your full name for the record. Give you one last chance. Student. Calling once, twice, three times. Okay. Let's go on to...I believe it was Ms. Flores, Cara Flores. Please proceed with your testimony.

MS. FLORES: Aloha. Can you guys hear me?

CHAIR MOLINA: We can hear you and see you, Ms. Flores.

MS. FLORES: Awesome. So I'm testifying in support of GREAT 10-2 [sic]. I think there's been a lot of amazing testifiers, and I don't think I can outdo any of their testimony, but I do think it is important that we make sure our water is not controlled by a for-profit corporation, and that there's a lot of public accountability. So I do support the proposal for the East Maui Community Water Authority. Thank you.

CHAIR MOLINA: All right. Thank you very much for your testimony, Ms. Flores. Members, any need to clarify Ms. Flores' testimony? Seeing none. Mahalo for your testimony, Cara. All right. Ms. Sunderland, please go ahead and announce our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is Johann Lall, to be followed by a caller listed as Guest.

CHAIR MOLINA: Okay. Aloha, Mr. Johann Lall. Please go ahead and proceed with your testimony.

MR. LALL: Good morning. I am testifying on my own behalf. I took an hour off of work, so I'm not on the clock. I'm testifying on Bill 92 and Resolution 22-144. And I support Bill 92. It seems like common sense. You want residents to be members of boards, commissions, and committees, but I think there's a lot more that goes along with that. They're...they need to be representative of the community, and they need to serve public interest. They need to be well-informed and knowledgeable. And I'm not sure how you would make all of that happen, but one thing is I think it would help to pay them a stipend because right now, I think the people who are members of boards are people who have jobs that allow them the flexibility that they can serve. And so if you pay a stipend--maybe it's a few hundred dollars, you know, for a day that they meet, or whatever it is--it might allow people to work part time to take a day off of work. And so you know, that's an important concept that goes back to the Ancient Greeks. They were the first to pay their politicians, which is why politicians are yearly paid. So another thing is conflicts of interest needs to be addressed. And I think part of it is financial interest, and a part of it is kind of more general. I think if you are in a field where you can benefit from...you know, for example, on the Planning Commission, if you benefit from more luxury developments rather than more affordable because house prices affect your personal income, I think...I would say you should recuse yourself, but in that case, that's the most of what they decide. So maybe they shouldn't be members of that commission. I watched one Planning Commission meeting where one of the members

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took offense at testimony. I think it was on either short-term rentals or something related, maybe one of the luxury condos. I can't remember exactly, but she was offended because one of her clients was a resident or an owner in one of those condo developments. So I mean, she didn't see an issue with that. So that alone is a problem, where if you don't see an issue with your own bias and your own interests. So...oh, and then in general, I think informing these boards and commissions is important. So I guess that's a responsibility of Departments. And I don't know much about most of the commissions, and boards, and committees, but it seems like they're often operating with . . . (timer sounds). . . you know, the bare minimum submitted by applicants or whoever it is, you know. So better information, whether it's GIS, or CAD data, or whatever. So...22-144, I support establishing Planning Commissions for the Community Plan Areas, and...so I've only really been paying attention for the two years I've been working for the Planning Department, but I've also gone back and read transcripts from Planning Commission meetings earlier in the decade and the early 2000s, and it seems like a lot of the time, they were not knowledgeable about the areas that they were making decisions on. And so I think having them be from those areas would help. I think it would also, you know, put them closer to the interests of the communities and things like that. And I think having a personal interest in these places that they're looking at would help too, because it seems like often they would just want to kind of get through. They would see their job as getting through the commission meeting and ruling, and then that would be what they see as a success. So if you're thinking in those terms, and you're not being inquisitive, and you're not, you know, acting kind of like an investigator and trying to get to the bottom of issues, which we've seen from the Council, you know, in the past couple years...I think if your mindset is not like that, you're not necessarily making the best decisions. And I've...you know, I've seen...I've seen projects get approved that I don't think meet State Code as far as, you know, protecting cultural resources and things like that. But you know, if they're going by a colored pencil map from a developer that's been scanned, and faxed, and printed, and they can barely see anything, that also goes with what I was saying. They need better information, and they need to be knowledgeable, and things like that. Maybe they need more and better staffing. They need lawyers to...people who can help them investigate and look at things critically. There are downsides. I know staffing is an issue and hiring is a problem for the Planning Department because of the low pay, and the high cost of living, and stuff like that, but overall, I think it's a good thing. And there needs to be some way to make them aware of what their responsibilities are to the community, rather than just acting on their own biases and interests. And that's my testimony. Thank you. And thank you for taking up these, you know, important issues.

CHAIR MOLINA: Okay. Thank you very much, Mr. Lall. Before I open up the floor for questions, can you state your full name for the record?

MR. LALL: Johann Lall.



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CHAIR MOLINA: Johann Lall. All right. I got your first...pronounce the...your first name correctly. All right. Members, any need to clarify Mr. Lall's testimony? Okay. We have a question for you from Councilmember Johnson. Go ahead.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon, Mr. Lall. I just want to clarify your testimony when you were talking about boards and commissions. What district do you live in? Do you feel like your district's being represented on the boards and commissions?

MR. LALL: I live in South Maui, and I think...well, the only one I really pay attention to is Planning Commission, and I would say no. And this is based on looking back over, you know, not just recent things, but over a long...a long period of time. And I mean, I might...I might get in trouble for bringing this up because it's a contested case, but the Honua'ula...so the lawyer for the interveners wanted the Planning Commission to go and do a field visit, and they declined because, you know, it's tough to go out in the heat. And I understand some of them have mobility issues and things like that, but it seems like they should be more eager to investigate these kind of things, and see for themselves, and be involved, rather than just trying to get through and finish for the day.

COUNCILMEMBER JOHNSON: Okay. Thank you for your response. Thank you, Chair. No further questions.

MR. LALL: Thank you.

CHAIR MOLINA: Okay. Thank you, Member Johnson. Members, any other need to clarify Mr. Lall's testimony? Seeing none. Thank you for testifying, Mr. Lall. Okay. Ms. Sunderland, please continue with announcing our next testifiers.

MS. SUNDERLAND: Chair, the next testifier we have listed is the caller listed as Guest, to be followed by Lori Buchanan.

CHAIR MOLINA: Okay. Caller listed as Guest, this is your time to testify. Please state your full name for the record. Guest, if you're listening in, you're up to bat. State your full name for the record. Okay. Let's move on to our next testifier, and then we can always come back to Guest after the completion of testimony for our next testifier. Oh, I see her. Well, I'll tell you what, I'll do the honors of announcing her. Aloha, Ms. Lori Buchanan. Please go ahead with your testimony.

MS. BUCHANAN: Mahalo, the best Council in the world. I thought you guys was pau work already. I thought everybody was going to be on summer break, and then I got one call from a community member saying, hey, they talking about the Planning Commission. I was like, what about it, and so they said...so if I talking out of left field, you know why, because I just went jump on because of one community member said they was talking about the Planning Commission. But as they told me, if I'm correct, that an amendment

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is being proposed. Thank you...Member King, I think was making the proposal and...for the Charter amendment to the Planning Commissions, and it was to have a Countywide commission for Countywide matters. I was...I was concerned if that would kind of X the Moloka'i Planning Commission out on giving...because I know that we're sent things from the Planning Department on Countywide matters, that the Planning Commission on Moloka'i has to provide thoughts, feedback. And I know that that might be maybe time consuming, so I don't know if that's the issue, but I would like to retain the opportunity on behalf of Moloka'i, through the Moloka'i Planning Commission, to make that feedback to Countywide matters. I don't know how that would work if a new commission is formed for Countywide matters in order to try and expedite those big, heavy lifts and stuff, but if it in any way diminishes the Moloka'i Planning Commission's authority to provide feedback, then I would not be supportive of it. But if there's a mechanism that would query us in order to still provide that testimony on Countywide matters, then I...and I could be amenable. I just don't know that at this point in time. So that's my testimony. It's basically to please retain the Moloka'i Planning Commission's ability to provide testimony on Countywide matters in any capacity, because we already buss up over here and it's hard time for us to even get commission members. And in order to convey to the County Council sometimes it's really hard for us over here. But I wanted to thank you guys for always being so thoughtful and loving to the people of Moloka'i in all of your deliberations and considerations. So mahalo plenty. Love you guys. Thank you.

CHAIR MOLINA: Okay. Mahalo for your testimony, Ms. Buchanan. We have a question for you from Member King. Go ahead.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Lori. Thanks for hopping on...

MS. BUCHANAN: . . . *(inaudible)*. . .

COUNCILMEMBER KING: And we love you too. You're great. But I just wanted to get your feedback and clarify. The proposal would be to add Planning Commissions for the districts that don't have them right now. And then, because we got a lot of feedback on how cumbersome that would be for each Planning Commission to meet on Countywide issues, then one of the...the person who wrote this had the idea of having the Chair of each Planning Commission be the Countywide Planning Commission. So they would...they would deliberate on Countywide issues. I'm happy to do it either way. It's going to cost...you know, it just takes a lot more time to try to get all eight Planning Commissions to meet, but in my mind, they are...there's a deadline. So if a Planning Commission felt like it wasn't something that affected that...their area and didn't want to meet on it, let the deadline pass, I mean, that could happen too. But that was the...that was the reason behind it was to have, you know, Planning Commissions in every district, and then take one Chair from each Planning Commission to make the Countywide. So that...I mean, if you have any thoughts on that, I'm happy to hear them, if you want to clarify.

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MS. BUCHANAN: Thank you, Honorable Member King, for that clarification. I would have some feedback. The feedback is...okay. So I'm currently the Chair of the Planning Commission on Moloka'i. So would that be asking me to do double duty?

COUNCILMEMBER KING: Yeah.

MS. BUCHANAN: Because I am a volunteer. And because, you know, we only have five people that...really to volunteer to do some stuff on Moloka'i. If you're asking to further extend that volunteerism and public service to serve additional time on a different board, that would be cumbersome. It would mean that I would have to lessen my capacity in other advocacy on the island. And so I don't know if that would be a paid position. And then if it is a paid position, or you know, you're asking people to do that, I think it only narrows the opportunity of people who would make that type of commitment.

COUNCILMEMBER KING: Okay.

MS. BUCHANAN: So that would be my feedback, but thank you so very much.

COUNCILMEMBER KING: No, great feedback. You know, we're still...we still have a conversation to have about this. So that's why we have testimony. Thank you for being here.

CHAIR MOLINA: Okay. Thank you very much, Member King. Members, any other need to clarify Ms. Buchanan's testimony? Seeing none. Mahalo for your testimony, Ms. Buchanan. Always a pleasure to hear from you. Aloha. I'm sorry. Member Paltin, you have a question? Oh sorry, don't go yet, Ms. Buchanan. We have a question for you from Member Paltin. Go ahead.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Buchanan, for your testimony. You mentioned that you are the Chair of the Moloka'i Planning Commission, and I just wanted to clarify if that is working out the way that your colleagues elect you as Chair. I think another part of the proposal is for the Council to select the Chair, and I just was wondering your input on that.

MS. BUCHANAN: Oh, boy. Like you guys no more enough work for do to further micromanage community involvement. That would be...it would be hard because I mean, you guys get so much for do already, like big, heavy, heavy stuff that you guys got to do. You know, at the commission level for fellow members to make that choice, I think I would...I would like to keep it that way. The only troubles that we having on the commission now is finding quorum and members because of circumstances that's left us kind of really short right now. But other than that, I think we really have a good working system right now. So I wouldn't...not want to bother the...burden the Council with further jobs that not warranted maybe. Mahalo for...thank you for the question, Councilwoman.

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COUNCILMEMBER PALTIN: Thank you. Thank you for your clarification, and so sorry for your loss.

CHAIR MOLINA: Mahalo, Member Paltin, for the question. Members, any other need to clarify Ms. Buchanan's testimony? If not, mahalo, Lori. Okay. Ms. Sunderland, please continue announcing our next testifiers.

MS. SUNDERLAND: Chair, Ms. Buchanan was our last listed testifier. We could circle back to the caller listed as Guest.

CHAIR MOLINA: Okay. Caller listed as Guest, this is your one last opportunity to testify, and please state your full name for the record. Guest, if you're out there, I'm going to do the countdown. One, twice, three times. Guest, last chance to testify. Okay, we are done. With that being said, Members, any objections to closing public testimony?

COUNCILMEMBERS: No objections.

CHAIR MOLINA: Okay. So ordered.

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

CHAIR MOLINA: All right, Members. Wow, we took almost a full three hours with regards to public testimony, but very, very good comments from the public as it relates to our matter on the agenda. Members, a little bit of change in plans, as I mentioned to you earlier that I was going to be leaving at 12:00, and would turn the helm over to my very reliable Vice-Chair Rawlins-Fernandez to take you up until maybe the 1:00 hour. But looking at how things have turned out timewise, the Chair is in the process of right now polling your availability for a recessed meeting for tomorrow after the Council meeting. So let's do this. I'm going...let's take a five-minute recess to have Staff consult with you and give you an opportunity to look at your calendars and look at your availability, as well as hearing from our Council Chair. I mean, you know, we typically have Council meetings...now as the norm, we go into the afternoon, possibly into the evening. So I'd like you to consider that option as a recessed meeting. And I've consulted with Member Paltin for the last item on our agenda, and she's graciously agreed to defer that matter. I can place that on one of my Committee agendas for later this month. So I would like to take action, if possible, on the three Charter proposals. And just for information, the Clerk needs to receive all Charter proposals that have gone through both Council readings by July 15th. So that will be our deadline to get all Charter proposals to the Clerk via...through the Council's two readings. So just FYI. So let's go ahead and take a short recess, five-minute recess. Let's come back at 11:43 a.m. Meeting in recess. . . .(gavel). . .

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**RECESS: 11:38 a.m.**

**RECONVENE: 11:49 a.m.**

CHAIR MOLINA: . . .*(gavel)*. . . The Great Committee meeting for Tuesday, June 7th, 2022 is now reconvened. Time is 11:49 a.m. Members, thank you for the break, which I wanted to give you to look at your calendars for a recessed date and time for this meeting. I've consulted with the...my Committee Vice-Chair, and she will be here on Maui Island tomorrow for the Council meeting. And if we were to recess this meeting, it might present some challenges for her. So I'd initially thought about doing this after Council meeting. I have an alternative for you to consider. Let's do this next week, June 14th, after Mr. Sinenci's APT meeting, if that would work for you. I know we recently had our last GREAT meeting recessed after Mr. Sinenci's meeting as well. So Members, would that work for you better? I know we may have a long Council meeting on the 8th, so this way it might give you guys a little time to recharge and come in fresh on the 14th. Member King.

COUNCILMEMBER KING: Thank you, Chair. I was just looking at the 14th and...I don't know if...it says there is a GREAT Committee meeting at 9:00. My...is my calendar wrong?

CHAIR MOLINA: No, no, you're correct. I do have some other agenda items to consider. So you know...as you know, my Committee's stacked with stuff. So I wanted to address those items that I'm considering in the...in the regularly scheduled meeting, and then have this as a recessed meeting at, say 5:00 p.m., after Mr. Sinenci's meeting.

COUNCILMEMBER KING: Oh, oh. Oh, I see. Okay. Yeah, I can do that.

CHAIR MOLINA: Okay. Members, any problems with considering the 14th? Anybody have any pressing priorities after Mr. Sinenci's meeting that day? That...14th is good with everybody? Okay.

COUNCILMEMBER SUGIMURA: What time, Chair?

CHAIR MOLINA: Yeah, I'm looking at 5:00 p.m. Does 5:00 p.m. work for everybody? Mr. Sinenci, do you anticipate a very long Committee meeting on the 14th?

COUNCILMEMBER SINENCI: Well, this is important, Chair. So I could...and we just had some 7(B) presentations for next week. So we could possibly cancel our meeting to accommodate this meeting.

CHAIR MOLINA: Wow. You're willing to do that so we could meet in your scheduled time slot at 1:30?

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COUNCILMEMBER SINENCI: And it was only to support the water authority board, if Members had any other questions . . . *(inaudible)*. . . So it's...yeah, it is important.

CHAIR MOLINA: Okay. Well, that is a gracious offer, Mr. Sinenci. So...all right, Members. You've heard the offer from Mr. Sinenci. Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, I have a...I have a conflict. I can't...I can't meet during 1:30 time period.

CHAIR MOLINA: What time could you meet?

COUNCILMEMBER SUGIMURA: So my meeting that I need to be at is at 2:00, starts at 2:00 until 4:00. It's a Solid Waste Advisory meeting...advisory...yeah.

CHAIR MOLINA: Okay. . . . *(inaudible)*. . .

COUNCILMEMBER SUGIMURA: So I can meet at 5:00, but I cannot meet at 1:30.

CHAIR MOLINA: Okay. Can we do 4:00, then? I mean, we can...you know, we won't have testimony, but would 4:00 work for you if it's okay for you possibly leaving your scheduled meeting just a tad early?

COUNCILMEMBER SUGIMURA: Well, it goes until 4:00. So I can leave.

CHAIR MOLINA: Oh, okay.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR MOLINA: Okay.

COUNCILMEMBER KING: Chair, I have an alternate.

CHAIR MOLINA: Okay. Member King, what's your proposal?

COUNCILMEMBER KING: So not to be outdone by Mr. Sinenci's very gracious proposal, I could give up the CARE Committee meeting on Wednesday morning because I also have 7(B) presentations. So we don't have like real dire decision making. So you could take that morning 9:00 a.m. session. And...

CHAIR MOLINA: Okay. Well, that's a nice offer as well. Well, Members, what do you think? We could consider a 4:00 p.m. meeting on the 14th, or we could consider a 9:00 a.m. meeting on the 15th. Comments. Members' comments. Member Kama, followed by Member Paltin.

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COUNCILMEMBER KAMA: Thank you, Chair. I think the...Member King's offering is something I could take under consideration for a positive meeting.

CHAIR MOLINA: Okay.

COUNCILMEMBER KAMA: On the 15th at 9:00 a.m.

CHAIR MOLINA: Okay. I see a thumbs up from Member Paltin for Wednesday, June 15th, 9:00 a.m. All right, good. And Member Sinenci, you're good with that too?

COUNCILMEMBER SINENCI: Yeah, thank you, Chair. And we can...we can do that. And we just was having our item be heard again in case Members had last-minute changes that we heard from the testifiers. So we can hear those changes in...on Tuesday afternoon. Thank you.

CHAIR MOLINA: Okay. All right. Very good. Well, it sounds like everybody's good for Wednesday as a recess, June 15th, 9:00 a.m. Member Johnson?

COUNCILMEMBER JOHNSON: Yeah, I...I'm going to be out of country at that time. So I'll try to make it because I know the time zone might be really wonky for me, but just letting you know. I don't want the body to, you know, work around my schedule because my schedule's kind of really off of...off of what we're doing. So just an FYI. Thank you, Chair.

CHAIR MOLINA: Okay. Well, thank you for making us aware of that, Mr. Johnson. And certainly, we know on your travels you're doing research as it relates to your Council work. So...okay. Well, with that being said, then, Members, we'll go ahead and...Staff, document June 15th, 9:00 a.m. as the recess date for this meeting agenda here today for GREAT, all right? Any other questions before we recess? Yes, Member Sugimura. Member Sugimura, could you unmute?

COUNCILMEMBER SUGIMURA: So based upon what Gabe said, are you then going to be okay...we did a time switch on the 13th...sorry. You still want to meet at 9:00 in the morning and I'm going to take 1:30? Because I'm posting my agenda today. So...

COUNCILMEMBER JOHNSON: Yes.

COUNCILMEMBER SUGIMURA: So that time is still good for you? Okay.

COUNCILMEMBER JOHNSON: We'll, go ahead and probably...my Vice-Chair, Councilmember Molina, lead that one. So...

CHAIR MOLINA: Oh, okay. That's the Housing meeting on June 13th, Monday, yeah?

COUNCILMEMBER SUGIMURA: Waipu'ilani, yeah.

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CHAIR MOLINA: And that's going to be at 9:00 a.m. now instead of 1:30 p.m.?

COUNCILMEMBER SUGIMURA: That's what he wanted.

COUNCILMEMBER JOHNSON: Right.

CHAIR MOLINA: Okay. So 9:00 a.m. Okay, yeah. I better make sure I get that documented the...to the 9:00 a.m. time. I'm accustomed to 1:30 on Monday. So...all right.

COUNCILMEMBER SUGIMURA: Well, I guess if Mr. Johnson's not going to be available and...we can go back to the original time. I didn't realize that. So...

CHAIR MOLINA: Okay. Well, you know what? We can work on this off camera, and then we'll get the word out as to the official start time for Mr. Johnson's meeting. Okay. Staff, is there anything the Chair needs to be made aware of before we recess? Staff?

COUNCILMEMBER KING: Chair, just a quick question.

CHAIR MOLINA: Okay. Hang on. Let me hear from Staff first. Anything we need to be made aware of before I go to Member King?

MS. APO TAKAYAMA: No, Chair, there's nothing further. Thank you.

CHAIR MOLINA: Okay. Thank you, Ms. Apo Takayama. Member King.

COUNCILMEMBER KING: Yeah, I just wanted to...I want to make sure that Vice-Chair Rawlins-Fernandez can make it on Wednesday morning if we move it, because she and Tasha are the only two that aren't on my Committee that would regularly be meeting at 9:00. So thought I'd make sure that Keani can make it at that date, that time.

CHAIR MOLINA: Vice-Chair, you okay with Wednesday morning, the 15th, 9:00 a.m.? Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: I can make it. Mahalo, Member King.

CHAIR MOLINA: All right, very good. Chair Lee. Oh, sorry. Go ahead, Vice-Chair, before I recognize Chair Lee.

VICE-CHAIR RAWLINS-FERNANDEZ: Really quick. So you said that the deadline for the Charter proposals...the resolutions must be adopted before July 15th?

CHAIR MOLINA: 15th, that's...

VICE-CHAIR RAWLINS-FERNANDEZ: That's the deadline? Okay.



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CHAIR MOLINA: That's according to the Clerk, yeah.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. And so posting deadline...so our Council meeting is on June 21st, and which Council meetings...it needs two hearings because it's a Charter proposal, right?

CHAIR MOLINA: Um-hum. Yes, correct.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So June 21st is a Council meeting. What is it? July 15th would be the second one? So...

CHAIR MOLINA: Staff, could you look at the calendar? I think...or Chair Lee. I think we have scheduled meetings for...

COUNCILMEMBER LEE: I'm trying to look for my July calendar.

MS. APO TAKAYAMA: Chair, this is Staff.

CHAIR MOLINA: . . .*(inaudible)*. . . Oh, go ahead, Ms. Apo Takayama.

MS. APO TAKAYAMA: We have a July 1st and a July 15th Council meeting. So we'd be okay with posting.

COUNCILMEMBER LEE: Yeah.

MS. APO TAKAYAMA: Thank you.

CHAIR MOLINA: Okay. All right, we're all good.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Staff.

CHAIR MOLINA: Okay. Good issue to bring up. And let's go to Chair Lee, you had some thoughts to share before we recess?

COUNCILMEMBER LEE: Yes. For the next meeting, I am...would like to request Corporation Counsel and the Director of Water to be...I don't know if you would consider them as resource people, but if necessary, resource people.

COUNCILMEMBER SUGIMURA: Good idea.

CHAIR MOLINA: Okay. The Chair will certainly consider that, and bring them along in the event Members have some questions. Okay.

COUNCILMEMBER LEE: Yeah.

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CHAIR MOLINA: Anything else, Members, before we recess? Seeing none...oh, sorry. Member Paltin, go ahead.

COUNCILMEMBER PALTIN: Sorry, just a question about...for looking ahead for tomorrow. Is that the in-person one where we're in the Council Chambers, Chair Lee?

CHAIR MOLINA: Chair Lee.

COUNCILMEMBER LEE: I'll be there, but you don't have to be there necessarily.

COUNCILMEMBER PALTIN: Got it, thanks.

COUNCILMEMBER LEE: Okay.

CHAIR MOLINA: Yeah. Good question, Member Paltin. I guess this is the beginning of the process where we're starting to do a hybrid where we can...you know, some of us can rotate with District Offices and also making that appearance back in the Council Chambers. Kind of nice to be back in the Chambers, very warm feeling. And speaking of warm feelings, Mr. Sinenci, anything to share with us?

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah, just a request for the Managing Director too, at that meeting.

CHAIR MOLINA: Okay, Staff will make note of that. We'll have the Managing Director, Water Department representative, as well as Corporation Counsel. Member King.

COUNCILMEMBER KING: Oh, I just wanted to let everybody know that it may be a warm feeling, but it's cold in those Chambers. So bring your jacket if you come.

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CHAIR MOLINA: Okay. Okay, good advice. All right. Dare I ask, anything else before we recess? Okay, seeing none. All right, Members, the GREAT Committee meeting for June 7th, 2022 now stands in recess until Wednesday, June 15th, 9:00 a.m. Meeting in recess. . . .*(gavel)*. . .

**RECESS: 11:59 a.m.**

APPROVED BY:

A handwritten signature in black ink, reading "Michael J. Molina", written over a horizontal line.

MICHAEL J. MOLINA, Chair  
Government Relations, Ethics, and  
Transparency Committee

great:min:220607:bc

Transcribed by: Brenda Clark

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CERTIFICATION

I, Brenda Clark, hereby certify that pages 1 through 51 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 21st day of July 2022, in Wailuku, Hawai'i



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Brenda Clark