

**LANA‘I PLANNING COMMISSION
REGULAR MEETING
SEPTEMBER 15, 2021**

A. CALL TO ORDER

The regular meeting of the Lanai Planning Commission (Commission) was called to order by Ms. Shelly Preza, Chair, at approximately 5:00 p.m., Wednesday, September 15, 2021, online via BlueJeans Meeting No. **718 496 962**

Ms. Shelly Preza: Thank you. Thanks all for being here. If you're a planning commission member feel free to unmute your video so we can see you. But if you're not part of the Planning Commission or if you're not Jordan, if you could just please keep yourself muted and that would be great. And if we call on you to testify, then we welcome you to turn on your video at that time.

So just some housekeeping rules. We'll take public testimony when each agenda item is discussed, and testimony will be limited to a maximum of three minutes. I'll call on testifiers by asking Leilani if anyone has signed up. So if you would like to testify on a specific agenda item, please directly message Leilani, who will take your name down and which agenda item you would like to testify on, and then we'll call you at that time. And if you're joining us via phone, then we'll call after any of the video testifiers have gone. And please do not contact Commissioners via the chat function because we won't be monitoring or responding to that. Okay, with that, I'm just going to take a real quick roll call. So when I call your name, please unmute and let me know if you're here. Sally Kaye?

Ms. Sally Kaye: Here.

Ms. Preza: Thank you. John de la Cruz? John are you here? I see a John D. Can unmute yourself and let us know if you're here? Okay, we can't hear you if that is John de la Cruz, so maybe it's not. So, so he's supposed to be here, so we'll see if he joins us. Zane de la Cruz? Zane, I can see you. I can't hear you. Okay, Zane may be having audio issues, but you're here. Do you want to try say something to test? Well, I can kind of hear you. Okay, well, at least you're here, we can come back to that. Lisa?

Ms. Elisabeth Grove: Here.

Ms. Preza: Thank you. Sherry Menze? Not here. Natalie Ropa? Not here yet. Shirley Samonte?

Ms. Shirley Samonte: Here.

Ms. Preza: Thank you. And Chelsea Trevino?

Ms. Chelsea Trevino: Here.

B. PUBLIC HEARING (Action to be taken after public hearing.)

1. **A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE RELATING TO CONDITIONAL PERMIT AMENDMENTS**

Ms. Michele Chouteau McLean, AICP, Planning Director, transmitting Resolution No. 21-92 referring to the Lanai Planning Commission a proposed bill to amend Maui County Code Chapter 19.40, Conditional Permits, to remove the planning director's authority to approve non-substantive amendments that do not result in significant impacts above what would result from the approved conditional permit. (J. Takakura)

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/127556/Resolution-21-92-Referring-to-the-Planning-Commissions-a-Proposed-Bill-Relating-to-Conditional-Permit-Amendments>

Ms. Preza: Thank you. I think a couple of other commission members might be joining us, but at least we have a quorum so we can get started. So the first item is public hearing, C.1., a bill for an ordinance amending the comprehensive zoning ordinance relating to conditional permit amendments. If Jordan are you speaking on that or Jacky?

Mr. Jordan Hart: Jacky Takakura is here, who's going introduce the item.

Ms. Preza: Thank you.

Ms. Jacky Takakura: Okay. Good afternoon Chair Preza, Vice-Chair Kaye, and Lanai Planning Commission. This public hearing is regarding a proposal from the County Council to undo a streamlining measure that was added to Chapter 19.40 about a decade ago. And I don't have a power point presentation. I just have a real short little summary of what's before you today.

Chapter 19.40 is the chapter on conditional permits and that's the permit you need to do a use that's not allowed in a zoning district. For example, there are two conditional permits on the island of Lanai. One is for special events on a golf course that is zoned project district. And then the other one is for a helistop, helistop pad in the Ag District. Conditional Permits are approved by ordinance.

In 2011, a number of improvements were made to various parts of the Maui County Code relating to the Planning Department. And one of them was this update to conditional permits. There were some others, like, parking and planned development, and so forth. But the purpose of the updates was to address complaints about the prolonged permitting process. And this was the decision to make these updates was made after discussions with the county administration, developers, professional planners, and design professionals. The update to the chapter on conditional permits was to allow for non-substantive amendments to be

reviewed by the Planning Director and notification provided to the Planning Commission, and the Commission can review the revisions and take action or waive review. This provision is very limited. It's only for amendments that are non-substantive and do not result in significant impacts above what would result from the approved conditional permit.

So now what's before you today is the Council is proposing to take this away. We don't know the reasoning for this proposed change. We have not heard from the community that there are problems with the current procedure. As you can see, I think I have it in the memo report, the current proposal, it's not consistent with the Long Range plans of the County. And the existing rules only apply to limited non-substantive amendments, not bigger things which would go to Council for their review. For those reasons, the Department is recommending that the Planning Commission recommend denial of the . . . (inaudible) . . . So that's it in a nutshell. I can answer questions or Jordan can answer questions. . . (inaudible) . . .

Ms. Preza: Thanks, Jacky. Sorry, you kind of cut off for a couple of seconds in between, but I think I understand the gist of what you were saying, so thank you. Before Commissioners, we discuss or ask questions, I wanted to open public testimony if anyone has signed up to testify, Leilani. Has anyone contacted you?

Ms. Ramoran-Quemado: No one has signed up to testify.

Ms. Preza: Thank you. So I'll just open it up now, if anyone would like to testify feel free. I don't see anyone unmuting. Is anyone joining us via phone that would like to testify? Okay, if not, then I'll close public testimony on item B.1. So, commissioners, do you have questions for Jacky or Jordan, or is there discussion on this?

Ms. Kaye: Yes, Shelly, this is Sally. I, I feel like we only have one half of the equation here. I think we're the first commission to see this. I don't think Maui or Molokai has heard it yet, and I would want more information on what problems the County Council has. It unanimously passed . . . (inaudible) . . . So I'd, I'd consider deferring this to next month until we can get a little more information from the Planning Department or County Council and on what this is supposed to be solving.

Ms. Preza: Thanks, Sally. Commissioners, other questions or what do you think about that?

Ms. Grove: I have the same reaction. This is Lisa. Same reaction as Sally. I didn't -- I wanted to understand why this came before, why there was unanimous vote, what, what problem is it attempting to solve?

Ms. Preza: Thank you, Lisa. Any further discussion or would like someone like to make a motion on those comments? Oh, Richelle, yes.

Ms. Richelle Thomson: I just wanted to ask either Jordan or Jacky, what is the deadline for the 120-day? It looks like that might be October unless I'm counting incorrectly.

Ms. Takakura: I'll research that right now.

Ms. Thomson: Just in case, you know, I don't know, I haven't heard anything on my end, you know, from Council about this bill. But just in case, I just wanted you to be aware of the, you know, the deadline to comment. I'm not suggesting they would take action quite that quickly, but I just wanted you to be aware, just to make sure that it's not before your next meeting.

Ms. Preza: Sorry, Richelle, could you repeat like the last sentence you said? I think you cut out.

Ms. Thomson: Was I cutting out? Okay. Yeah, I just wanted you guys to be aware of the deadline for returning your comments. And hopefully it's, you know, you'll have also the October meeting before that deadline to be able to, to provide your, your comments. But either way, I think Planning can send to Council, you know, communication on your behalf, requesting the purpose and the reasons behind this bill.

Ms. Preza: That sounds great. Thank you. So maybe if someone would like to make a motion that kind of says that we would like to defer, but also to request that the Planning Department reaches out to the County Council on our behalf to request more information about why they are proposing this change. Did someone want to move on that? Sally, are you talking? Okay, I see your mouth moving, but you're muted.

Ms. Kaye: I'm sorry, the bar disappeared. Yeah, I would vote to defer action in order to gather more specific additional information, which is as, as Richelle suggested, sending a communication, asking County Council what the reason was behind proposing this resolution -- I'm sorry -- the bill.

Ms. Preza: Thank you. Would anyone like to second?

Ms. Grove: I'll second.

Ms. Preza: Thank you, Lisa. So for the discussion, Jacky, were you able to find the deadline for comment?

Ms. Takakura: Well, the resolution was adopted June 4th and 120 days, which is approximately four months, would be early October. But I just wanted to check on what the 120-days started on. So I have my Charter out, but . . . (inaudible) . . .

Ms. Preza: It's okay. Well, I think regardless it doesn't sound like we have -- like we still want more information anyway. So, great. If there's no further discussion, then we can vote. So I'll call on you individually and if you let me know how you vote that will be helpful. So Sally Kaye?

Ms. Kaye: Aye.

Ms. Preza: Thank you. Shirley Samonte?

Ms. Samonte: Aye.

Ms. Preza: Thank you. Lisa Grove?

Ms. Grove: Aye.

Ms. Preza: Thank you. Natalie Ropa?

Ms. Ropa: Aye.

Ms. Preza: Thank you. John de la Cruz? John, sorry we can't hear you. You're muted.

Mr. John de la Cruz: I will say aye, but I won't be here next month.

Ms. Preza: Sorry. What did you say John?

Mr. J. de la Cruz: I won't be here next month. I'll just say aye. But if we voted on it this month, I would, I would go along with the Department and not support removal of this section.

Ms. Preza: Okay. But you're voting aye on this motion, correct?

Mr. J. de la Cruz: Yes.

Ms. Preza: Okay, thank you. Zane de la Cruz?

Mr. Z. de la Cruz: Aye.

Ms. Preza: And Chelsea Trevino?

Ms. Trevino: Aye.

Ms. Preza: Thank you. And I also vote aye. Am I missing anyone that may have joined us? I think it's just Sherry. Okay. If not, then that passes unanimously, so thank you all and thank you, Jacky, for giving us a little bit of background.

It was moved by Ms. Sally Kaye, seconded by Ms. Elisabeth Grove, then unanimously

VOTED: To defer action in order to gather additional information as discussed.

(Assenting: J. de la Cruz, Z. de la Cruz, E. Grove, S. Kaye, S. Preza, N. Ropa, S. Samonte,
C. Trevino)
(Excused: S. Menze)

Ms. Takakura: Thank you.

C. COMMUNICATIONS

1. **MR. BRYAN ESMERALDA of MUNEKIYO HIRAGA on behalf of LANAI RESORTS, LLC DBA PULAMA LANAI requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment, Change of Zoning, Project District Phase I Development Approval for Amendment, and District Boundary Amendment for the Koele Project District Amendment located at Koele, Lanai City, Lanai, Hawaii. TMK(s) (2) 4-9-001:021, (2) 4-9-001:024, (2) 4-9-001:025 (por), (2) 4-9-001:027, (2) 4-9-001:030, (2) 4-9-002:001 (por), (2) 4-9-002:061, (2) 4-9-018:001, (2) 4-9-018:002 (por), (2) 4-9-018:003 (por), (2) 4-9-018:004, (2) 4-9-018:005, (2) 4-9-020:020 (por), (2) 4-9-021:009 (CPA 2021/0001, CIZ 2021/0001, PH1 2021/0001, and EA 2021/0002) (K. Wollenhaupt)**

The EA trigger is the request for a Community Plan Amendment

Ms. Preza: Great. So with that we'll move on to, C.1., which is communications. This is on -
- Bryan Esmeralda transmitting communications of, on behalf of Munekiyo Hiraga, on behalf
of Lanai Resorts. So this is the Draft EA for the Koele Project District. If anyone here is
wanting to testify, then I believe there is a presentation that will be shown to us. So I'm going
to hold off public testimony until after that presentation, if that's okay. So, Bryan, do you
want to take it away?

Mr. Hart: Chair?

Ms. Preza: Yes, Jordan?

Mr. Hart: I believe our planner, Kurt Wollenhaupt, was going to do a quick introduction.

Ms. Preza: Okay. That sounds great.

Mr. Hart: Prior to the applicant's presentation. Thank you.

Ms. Preza: Thank you.

Ms. Grove: And then, Shelly, I need to do my disclosure at some point.

Ms. Preza: Yes, we'll do that after public testimony.

Ms. Grove: Thank you.

Ms. Preza: Thank you. Great. Sorry, Kurt?

Mr. Kurt Wollenhaupt: Oh, good evening members of the Lanai Planning Commission.

Ms. Kaye: Shelly, I'm sorry. Kurt, can I interrupt you for one second? I wanted -- yeah, you, you are going to give us an overview like you did the last time something like this came before us. And I wanted to add one or two things, if you could, to your presentation. Is that okay?

Ms. Preza: Sorry. I don't think Kurt is not the one presenting. He's, on behalf of the Planning Department, just introducing Bryan, who will be presenting to us. So is your question for Bryan or for Kurt?

Ms. Kaye: No, my, no, my question is for Kurt. Last time we did this Kurt made it very clear what the format was of an EA, and what we're doing here tonight, and that sort of thing. And I just wanted to add a question to that.

Mr. Wollenhaupt: Sure. That's fine.

Ms. Kaye: Okay. So I checked the OEQC website and it looks like the, our planning commission was only asked to act as an approving authority one other time. That was back in 2016 for the Lanai Avenue houses. So I wonder if you could just talk to us a little bit about how it was determined that we should act as the approving authority, and what is, what would happen just out of curiosity if we declined the invitation? That's one.

And then the second one is almost every question or comment we submitted back in January on the Hokuao EA was met with and I quote, although the comment is not within the scope of the Draft EA, and there was no explanation for that. So I wonder if you could also address, what, what in your opinion, is the scope?

Mr. Wollenhaupt: Well, I think on the second of those questions that Mr. Deputy Director Jordan Hart is probably the one to answer that regarding what is the scope? I indeed myself had the same quizzical look on my face when I got the responses that I would think that many of those were directly related to the environmental assessment. But I would defer further comment on the Lanai affordable housing program, and the response from the applicant with the first part of the conditional sentence to Deputy Director Hart. Perhaps he'd like to discuss that prior to us getting into this evening's event of the Koele Project District.

Mr. Hart: Thank you. Don't, don't forget about the designating the accepting authority. But, yeah, no, I didn't, I didn't agree with that pre-statement. Perhaps the applicant, it's the same company is the consultant, although I believe it was a different planner assigned and

prepared that document. I disagreed, and I relayed to the Council that I disagree that that was a relevant statement that was placed in front of each of the responses. But it never got to the point where there was a clear explanation from the applicant or the applicant's consultant for that project as far as why that statement was made in that specific context. But I did not agree that it was relevant or prevented our comments, or your comments, for that matter, from consideration, because they said the same thing about several of ours, I believe.

Mr. Wollenhaupt: So now we move on to the first question that the commissioner asked, and that is, how does the Lanai Planning Commission become the approving authority or how do they are requested to become such? I would -- my answer to that would be that if we're following this process, which is somewhat complex and indeed very lengthy, and that it is requiring County Council review and subsequent approval of a Community Plan Amendment, and a Change in Zoning, and a codification of a Project District ordinance modification, and in addition, a State Land Use Commission District Boundary Amendment. And I would say therein lies part of the reason that we're requesting the Lanai Planning Commission become the approving authority. The sequence of these events, if it's to be done probably according to the strict procedure would be that this environmental assessment document is going to form the framework of your debate and discussion throughout the next year or the next two years as you begin to see what are the effects of tonight's proposal for modifications of the project district, and how are those going to be reflected in the environmental impacts in the document you're beginning to look at tonight. That document is going to have to accompany each of these different discretionary permits.

And the first one to be looked at by the Council -- and Jordan can correct me here if I get off the, if I get off the wrong boat here -- but is the Community Planning Amendment. That sets the stage for what the community is wishing that this is in concurrence with that, and that the Council will make that decision. Therefore, that places the Lanai Planning Commission as the authority that's looking at this document to take it to the County Council. As contrasted, if this were to now be going first to the State Land Use Commission for the District Boundary Amendment in order to change the acreage as proposed from the Ag to the Urban, then we would ask the State Land Use Commission to be the authority for the EA. But in this case, we're moving through the County Council with the Community Planning Amendment first, and then we're going to go to the State Land Use Commission for the District Boundary Amendment. Then that allows us to come back to the Council for the Change in Zoning and the Project District ordinance modification.

Now, as to the question, if you do not wish to or refuse to become the accepting authority, I'm not entirely sure of what we would then do. So I might need to defer to Mr. Hart regarding the actions should you decide that you're not going to be the accepting authority because I've never encountered that before, or indeed, I guess I'm not sure if anyone has. So maybe the Director, Deputy Director Hart has an answer to that question.

Mr. Hart: Chair, if I can respond. So I agree with Kurt that the first action to be taken in the order of operations is the Community Plan Amendment that basically indicates to the State Land Use Commission that the County of Maui is open to the DBA taking place. So in that context, this is the agency that's, or the body that's appropriate because you're the first commenting or receiving body in that process of doing the Community Planning Amendment. In a situation where it's a close call between two agencies on which one is supposed to be the accepting authority. Generally, there's an internal discussion between the agencies and the applicant, and then there's agreement on which agency would be the accepting authority prior to any of this. But in this case, I don't think that it's a close call on who should be. If there was no Community Planning Amendment and there was only a District Boundary Amendment, then I believe it would be the State Land Use Commission. But in this case, there is the Community Planning Amendment that comes first, and so, so this body is the first acting in that process.

Mr. Wollenhaupt: And if I were to expand on that, I believe there was a debate that some time ago, with regards to the question the commissioner asked here, and that is what community is going to be most affected by these proposals? Now, if we would take it first to the State Land Use Commission, which indeed I believe was thought of and it has been in the past on somewhat similar applications, we would be placing this responsibility of looking at the potential environmental impacts upon commissioners that are drawn from all the islands, not just Lanai. In fact, a commissioner which is not from Lanai with the State Land Use Commission. So in this case, we're bringing this really to the people who are going to be most affected by it, and that would be the commissioners which represent the people on the island of Lanai. So if anything, I think this is a better process to really allow the people who live on Lanai to be the ones that are looking, going to make comments tonight on the Draft Environmental Assessment. And then after the statutory period is closed and the comments are in, we'll be coming back with a red line version of this document. And at that time, the commissioners are going to be able to see, well, we can accept this Final Environmental Assessment and issue a Finding of No Significant Impact (FONSI), or we may decide, you may decide that you wish to defer the Final Environmental Assessment for more information. Or you may decide at that point in time, that an Environmental Impact Statement is really the document, a more complete document, that's required.

So as we embark tonight, tonight, before you, is the Draft Environmental Assessment. And what we're here tonight and what I'm going to help you with is to try to come up and consolidate the comments that the commissioners, as the Lanai Planning Commission, believe are comments that are critical, that has to be answered in this Environmental Assessment. That right now they have questions, you have questions, and you need to get these answers. That's what the purpose of tonight's meeting is for you to develop the questions to ask Pulama Lanai to address them in the format of a Final Environmental Assessment.

So why are we here? Well, there has to be a trigger, right? HRS 343 is the Hawaii Environmental Act, and we have something called triggers. There's a reason, there's a

reason that we have to have this environmental assessment. And that's because we're having an amendment to the County's General Plan and that is the Community Plan Amendment that is part of this complex series of discretionary -- discretionary meaning that has to be approved by the Council -- applications. Those applications also include a Change in Zoning and also modifications for the Project District of Koele. Now, as many people, of course, they know this project district has been around for yay more than 20 years now, and it's the desire now of Pulama to update the project district boundaries and districts, and to more accurately reflect the current uses and the overall proposal of what they wish to be doing in the future in this area. Indeed, some of the residential and the multifamily areas are going, anchorages are going to decrease, and we have an increase in open space and park acreages, and a reduction in the golf course. So just to let you know, a project district for those of you who might not be as familiar is a special zoning district that is approved and reviewed by the Council that allows for more flexibility over time as the developer sees fit. So rather than saying this is residential and this is hotel, strict zoning areas, you have an entire project district that has sub-districts within it that would be the hotel, the residential, and the multifamily. So on Lanai you have the Koele Project District and the Manele Project District. So tonight is a request from Pulama to make modifications in this existing project district. So this would be considered to be an amendment to what already exists there.

So that brings us to the point where I'm sure that you've heard enough for me. So you really like to get to the heart of the matter, which is the presentation by the applicant, Lanai Resorts doing business as Pulama Lanai along with their consultant from Munekiyo Hiraga. And perhaps it will be Bryan -- I'm not sure who's giving it -- or it will be Karlynn Fukuda, along with all of their team members.

So again, the 30-day period is in review right now. Comments are due by October 8th. Our hope tonight is to get questions formulated that the members as a whole believe are important for this document to be answered. That, however, does not in any way hesitate individuals either from the commission or from the community in writing their own separate letters to the consultant so that they can also be answered. So I would encourage lots of community participation in what is an important project for the island of Lanai. So thank you for listening and we'll be back after a while. Thanks.

Mr. Preza: Thank you, Kurt and Jordan, for a clarification. So if there's no further questions on that, I would like to get to the presentation because we have quite a lot to do tonight. So I'm not sure who's presenting, but you can take it away.

Dr. Keiki-Pua Dancil: Hi, Shelly. Before we get started, I wanted Karlynn our planner, to address Commissioner Kaye's question that neither Jordan nor Kurt responded to.

Ms. Karlynn Fukuda: Good evening, chair and members of the Lanai Planning Commission. Can you hear me okay?

Ms. Preza: Yes, we can. Thank you.

Ms. Fukuda: Hi. Karlynn Fukuda of Munekiyo Hiraga. We are the consultants who prepared the Draft Environmental Assessment as well as the Project District Phase One Amendment, the Community Plan Amendment, and Change in Zoning applications for Pulama Lanai. And to the question that was asked earlier, I wanted to point the commission to two areas relative to the scope of what the EA covers.

The first one that I would like to mention is from Chapter 343-1, Hawaii Revised Statutes, Finding and Purpose. And it generally says that:

“The Legislature finds that the quality of humanity's environment is critical to humanity's well-being, that humanity's activities have broad and profound effects upon the interrelations of all components of the environment, and that an environmental review process will integrate the review of environmental concerns with existing planning processes of certain actions.”

So, again, the emphasis here is on impacts to the environment.

Secondly, in the Hawaii Administrative Rules, Chapter 11-200.1-1, Purpose, which are the Environmental Impact Statement rules, which essentially implement Chapter 343, the Hawaii Environmental Review Law, in the Purpose section, it talks about, you know, that Chapter 343, HRS, establishes a system of environmental review at the state and county levels that shall ensure that environmental concerns are given appropriate consideration and decision making, along with economic and technical considerations. Purpose of this chapter is to provide agencies and persons with procedures, specifications regarding the contents of exemption notices, EAs, EISs, etcetera.

So to the question about why there was some comment in the previous project, not the project we're discussing tonight, you know, about whether that was relative to the EA criteria, I think in reviewing some of those comments, you know, it didn't necessarily deal with environmental considerations. But I think nonetheless, you know, there were responses provided even if the, there was a feeling that it was not necessarily relative to the EA criteria itself. Hope that helps. Thank you.

Ms. Preza: Thanks Karlynn. And are you not the one doing the presentation as well?

Ms. Fukuda: I'm sorry. No, I'm not. So I'll turn it now over to Keiki-Pua who will be doing the presentation tonight.

Ms. Preza: Thank you.

Dr. Dancil: Aloha Chair Preza. I apologize. I did not address you properly the last time. So, Aloha Chair Preza, commissioners, my name is Keiki-Pua Dancil. I'm representing Pulama Lanai, and I'm here tonight to present. I'm going to shut down my video to save bandwidth

and I will share my screen now. Hopefully I have privileges. Thumbs up if you can see my screen please.

Ms. Preza: Yes, we can.

Dr. Dancil: Thank you. So as Mr. Wollenhaupt mentioned we are here tonight to present the Project District Amendment Draft Environmental Assessment. This is a new process in which the Planning Department started. We are the second application coming before you with this process. During this process, we won't be answering questions, but we will be listening and we will respond the same way that we responded last time. There will be a formal letter that the Planning Department will draft and send to us, and then we will respond via that process. There's rules in place and how we respond, and so I just want to make that clear. I don't want people to think that we're going to have this dialogue. So this is an opportunity for you to state questions, and they will be collected by Mr. Wollenhaupt, and then sent to us in an official letter, and then we respond.

As you know, this isn't something new. We've been meeting with the community for years now. It started back in January of 2017 and at that point we signal to the community that we would be closing the Experience at Koele golf course. We would be repurposing the Experience at Koele Clubhouse, and opening the Adventure Center, shifting the Lodge at Koele towards the wellness program and a destination spa, and then obviously with the new sculpture garden. So that's when we first started signaling changes in the Koele Project District. It's been going on for years.

About a year later, we came to you with an application for the Adventure Center, and part of the overall changes were within the project district. We applied for a Special Use Permit. That permit will expire and during that time the expiration date is 11-30-2023. And we had made a commitment that we would come back in for permanent zoning and that would be through a Project District Amendment, which is part of this, part of this application package. There's three applications that will be coming before you.

In Q3 and Q4 of 2018, there was focus group meetings with community members that were held. And then in 2019, there was a community meeting in which we provided an update. We provided that a map in which we're making some proposed changes, a significant reduction in density, and the size of the project district. And these, these are steps necessary to address what we initially single, signaled back in 2017. And then in November of 2019, the Wellness Resort opened. So some of the things that we signaled were starting to come to bear. And then the Adventure Park opened.

Most recently in April, we presented very -- almost the exact same presentation I'm going to be sharing with you tonight -- in which we informed the community at the application will be filed in May with the Planning Department and we're here today. So we submitted our application on May 21st, 2021, and we're now here before you.

So the purpose of these applications is to update the Koele Project District. The updates will reflect current land uses in a change environment. The overall acreage is reducing by eight percent. There's significantly less residential. There's an area called resort commercial. It's repurposing what the stables and tennis courts are. The stables and tennis courts were in the project district in the map. However, they weren't in my County Code. So if you go to Maui County Code, 19.70, I think is the Koele Project District, you will not find stables and tennis courts in there. So what we're doing is we're renaming it. As you know, the tennis courts, it's not in use right now. However, the stables are still in use for a resort amenity.

We're also aligning the project district map with the community plan map. Some areas that were in the community plan map are not currently right now in the project district, and so that's the trigger that Mr. Wollenhaupt spoke about earlier. And then, as you all know, there's significantly less golf course. Cavendish will still be available. However, we since abandoned the Experience at Koele and we're moving that to park and open space.

So Michele, Director Michele McLean gave an update in the last Planning Commission meeting. And, you know, I just want to quote her. She said, you know, this is more of a housekeeping exercise with no new development associated with these changes. We will come before you for any sort of development applications for project district phase two. Right now, we're doing some cleanup, aligning the maps, updating the Maui County Code, and reorganizing uses because we've since abandoned the original project use. Most developers wouldn't be doing what we're doing because we're actually taking out lots that are already entitled for residential. Most people would hold on to those. We are actually taking them out and moving them into park and open space.

I'm not going to spend time on this. You all know where the project site is located. Here's the parcels that are affected by the project district. The red outline here is the existing project district. The yellow here, six and seven are being added to the project district. And in gray are parcels that are not in the project district. So you have a spattering of residential units that are not in the project district.

This is the current project district with the uses. I believe Mr. Wollenhaupt talked about, you know, project districts are special because it provides this master planning permitting venue. However, there's sub designations within the project district. For example, in Koele, we have a hotel sub designation, we have a golf sub designation, et cetera, et cetera. You see these in this top right hand corner here. The current existing project district is 632.5 acres. So I just want -- look at the yellow. The yellow is residential single family, meaning that that has all been entitled to develop as single family homes. And the density for a single family home in the Koele Project District, I believe, is 2.5 units per acre. So it's quite significant of what the entitlements are. And as you'll see in the next slide, you'll see much less yellow. But we're actually giving up those rights if you, for a matter of speaking. So we're reducing a significant amount of allowable single family homes to be developed. The other thing I want to mention is you see a lot of purple here. A lot of that purple is going to go away and it's going to be changed to park or pink. So you see there's just a little bit of pink. There are

going to be a lot more pink in the next slide. The other thing I want to mention is this hash tag area here. This is not included in the project district, in the project district map. However, in the community plan, this part is included in the project district. So, again, just some of the clean-up and what we're doing.

So this is the proposed Koele Project District map. As I mentioned before, you see significant less yellow. You also see significant less purple, and you see significant more pink. More open space in green. So significantly less density than what is proposed. The proposed project district is 582 acres.

So what I've done here to help you just graphically is this is the existing project district. Down here are the sub designated uses. And I'm showing you the proposed project district looking at the acres so you can see that it is less. This is another representation looking at the number of acres. I use things like less pink, well or more pink and less purple. The less purple is 77 percent less purple, and more pink is the 1,942 percent more pink, so to speak.

This is a long process as Mr. Wollenhaupt mentioned. There's multiple opportunities for community input. We're right at the early stages. As I mentioned, on May 21st we submitted our draft application package to the Planning Department and they had several months to look at the application. And now we're here before you today in red. So this is where we are. We're at the process now of collecting. I want to point in your materials that you received tonight there is a document that's called Potential Impact Table, and that's really a summary. The Draft EA is quite lengthy with a lot of technical studies. What we did is we condensed it down to nine pages for you of all the different potential impacts. So it's kind of like the quote unquote cheat sheet or cliff notes of the Draft Environmental Assessment if you didn't have time to read it thoroughly today.

As you can see, you'll move through this very, very long process. This is an estimated timeline. It's subject to change because there's multiple meetings at each of these different steps. And so we expect about a two year process. It could go longer. We just don't know. The next step after this Draft Environmental Assessment is we would be responding to comments and then we would come back to you, and you would have a hearing on whether you accept the Final EA, a FONSI determination. So that would be the next step in this process. And then there would multiple public meetings on the actual applications. So, you know, the applications will come after the EA. And then after that it gets transmitted to Council. Maui County Council meetings will be held, probably in Planning and Sustainable Land Use Committee that will have several meetings there. And then it would be sent to the Full Council. The Full Council would take action on the Community Plan Amendment. The Project District Phase One and Change in Zoning would be held in abeyance until we finish the District Boundary Amendment. Kurt mentioned this is while we go to the State Land Use. They would do a petition for the District Boundary Amendment. In that case, we would just be taking some of the areas that are in Ag and putting it in Urban because the project district is Urban zoned, not Ag zoned. And then it would come back to Council and they would take action on Project District Phase One and Change in Zoning. The long story short, this is a

quite a lengthy process. You'll have multiple times to chime in on the public process, multiple meetings at each of these different steps.

This is what I mentioned earlier. There's again, this is merely, as we see it, as Michele -- I'm using Michele's words -- she called it a housekeeping exercise. There's no development associated with these changes. It's a lot of cleanup of what's been happening already. For example, there's no more golf course at the Experience at Koele; we need to make those adjustments. The impacts, as you can see, in your impact table is in the far right column. We believe the impacts are minimal, if at all. There certain areas in which there's no impact at all.

So we thank you tonight for your time, and to collect comments on our Draft Environmental Assessment.

Ms. Preza: Thank you, Keiki-Pua. Great, at this time, I would like to open public testimony if there's anyone who would like to testify on this agenda item, provide comments or questions. Leilani, has anyone signed up?

Ms. Ramoran-Quemado: No one signed up.

Ms. Preza: So I'll open it up now. Is there anyone who would like to testify on this agenda item? Is anyone calling in via phone who would like to testify? If not, then I will close public testimony at this time.

So this was quite a lot to sift through. And before we begin our discussion, I wanted to open up if any of commission members want to provide any disclosures. Lisa, I think you wanted to share?

Ms. Grove: Yes. I want the members of the commission to know that our house is one of the houses that was in the original Koele District plan, which was news to us because we always thought of ourselves as an in townhouse on Queen Street. Neither of our neighbors are, were in the district previously, and it was presented that to me also at the time, as a housekeeping matter. I sought opinion from folks on island and then about the relative benefits and disadvantages. People were stymied on whether or not there would be any financial loss or benefit. It doesn't look like it. Out of abundance of caution, I asked Richelle Thompson for an opinion on this. And because we are, our house is named as one of the houses that will be removed from the Koele District, we both thought that it made sense to go to the Ethics Commission and get a ruling. So that's -- I've made the request to the Commission. They've accepted that request and they're going to rule on it. Throughout this conversation I've not talked to one person who feels that we have any significant financial advantage or disadvantage from having our house removed from the district. So my participation is really up to, I think, the Ethics Commission and then you, as commissioners, or however the process works.

Ms. Preza: Thank you, Lisa. And sorry, Richelle, I saw that you had raised your hand if you had a comment.

Ms. Thomson: Thank you. I just wanted to -- I saw in the chat that Riki Hokama wanted to testify. So, you know, maybe after we handle the brief disclosure items you might want to consider reopening public testimony and just give one last call. I'm not sure when he signed up.

Ms. Preza: Okay, thank you, Richelle. And thanks for letting me know because we're not monitoring the chat, so, yes, we can do that after any other disclosures. Anyone else? I just wanted to disclose that I do work for Pulama Lanai in the Culture and Historic Preservation Department. So my department's involvement was just with the, the archaeological and the cultural appendices that were included in the long packet that we got. I wasn't directly involved in any of the surveying, but just wanted to say that, and also say that the offices where we are situated are part of that, like proposed hotel extension, two historic ranch homes. But yes, that's all I want to share at this time. So if anyone -- no else has any disclosures they like to make? This is a big project so I just want to kind of open it up. Okay, if not, then since Riki would like to testify, I'll reopen public testimony one more time. Riki, if you wanted to unmute yourself and share your testimony.

Mr. Riki Hokama: Thank you very much Chair Preza and members of the Lanai Planning Commission. My name is Riki Hokama. My residence is 43 Fifth Street on Lanai. Many of you of you know I am a Lanaian. My family has been there over a hundred years, and I've been following this development for 51-years. I can tell you that you've got a hard decisions coming up. But what I would ask of you is, for those of you that know the project well back to its inception in the 70s, I can tell you that I think one of the things you may want to ask prior to taking up the whole amendments and adjustments is to ask the department to provide you with a complete comprehensive status of all the conditions of approval that was placed on the ordinance to permit this development called Koele Project District. There was many things that was added from the community for community and island benefit. And I question whether or not it has been complied with. One of the biggest things that is still outstanding is the by-pass road around the city. It should have been already built. It could have prevented fatalities of our own. So I would ask that you ask for the report and see how the developer land owner has done and address their responsibilities regarding these conditions of approval so that you can face baseball or not as you proceed forward if you need to make additional conditions of approval. Because once you open up this can of Pandora everything goes back on the table, as I'm concerned regarding the ordinance. So this is another opportunity for you to protect the Lanai interests. Because what is good for Lanai is good for Puluma. It may not be necessarily so in reverse. Whatever is good for Lanai is good for Pulama in my estimation. And we'll ask you to review this project request in the same manner. Is it good for Lanai? If it is, it will be good for Puluma and those that work for them and those of us that are just Lanai's who live there for a long time.

And I would say, while the environment may not be the, a major impact, I think one of the things that you need to ask and deal with is that through the last 30 years, the amount of social impact and adjustment our community has to go and went through from an agrarian corporate agricultural environment to this total visitor industry, five star hotel program. I know there's been social impacts. It needs to be documented, and mitigated to as we move forward, especially in a world of Covid that is not going to go away. So I just share this points.

Ms. Ramoran-Quemado: Three minutes.

Mr. Hokama: I ask that if you feel I allow myself to be one of the resources. I think there's a few of us still left on Lanai. I worked for Castle and Cooke when they made the agreements for this approval. I was a part of the management team so I know what commitments was made to Lanais and to this island. And I would hope that whoever took our positions . . . (inaudible) . . . responsibility to comply and fulfill . . . (inaudible) . . . including water.

Ms. Preza: I'm sorry Natalie, you're unmuted if you didn't know.

Mr. Hokama: So thank you, Chair Preza. I appreciate this opportunity.

Ms. Preza: Thanks. And I had a quick question, actually. So you know the conditions you're talking about. Sorry, can you specify that that's back in the 70s.

Mr. Hokama: That was part of the zoning ordinance. And I'm sure Mr. Hart can dig up the original initiating ordinance that created the project because Lanai is the first in the County Code to have project districts. There's Project District One and Project District Two in the Code. And he can give you the date and the ordinance numbers and there should be attachments or exhibits that lists all our conditions of approval from the State Land Use Commission and all the conditions of approval from the Council of the County of Maui.

Ms. Preza: Thanks so that would have been that approval for Castle and Cooke, correct?

Mr. Hokama: Well, and all succeeding land owners of the property.

Ms. Preza: Okay. So I guess my question . . . (inaudible) . . .

Mr. Hokama: . . . (inaudible) . . . today. Pulama is the responsible party to fulfill those conditions of approval. It runs with the land.

Ms. Preza: Okay, thank you.

Ms. Kaye: So, Shelly, Shelly, if I can answer your question. This book that we all got, everybody has it, this Lanai ordinances. I looked it up today and it's ordinance number 2140. It was passed in 1992. And the conditions are, as Riki said, attached to the enabling ordinance. So it's, it's in the book that we all have.

Ms. Preza: Thank you Sally. So Jordan, I guess I'm wondering, is that something that we -- or so if that was approved in 1992 for the land owner, but Castle and Cooke at the time did not fulfill those, but that responsibility now fall to the current landowner?

Mr. Hart: Chair, yes, to that specific question. Land Use condition run with the land regardless of who the land owner is.

Ms. Preza: Okay, thank you. I'm sorry --

Mr. Hart: Before we go too far though, I do want to go backwards a little bit because there was a little bit of back and forth on, on kind of the nature of what is appropriate for comments on a, on an Environmental Assessment. And, you know, we got to hear the applicant and their consultant's opinion of how that works. And I'd just like to share some of my thoughts in response. The Hawaii Administrative Rules, Chapter 11-200.1 -- that's, that's what pertains to the EIS, EA preparation instructions -- and in the definition section, it's 11-200.1-2. And it's basically is talking about effects and impacts. It says:

Effects or impacts as used in this chapter are synonymous. Effects may include ecological effects such as the effects on natural resources and on the components, structures, and functions of the affected ecosystems, aesthetic effects, historic effects, cultural effects, economic effects, social effects, or health effects, whether primary, secondary or cumulative, whether immediate or delayed, effects may also include those effects resulting from actions which may have both beneficial or detrimental effects, even if, on balance, the agency believes that the effects will be beneficial."

And so basically, when you're reviewing Environmental Assessment, you're trying to make an interpretation or find what the effects or impacts may be, and also try to solicit from the applicant or potentially cause to come out appropriate mitigation measures that may result in a finding no significant impact. And if it turns out that there are effects that are beyond significant, then the conclusion is that an EIS is in order.

So I just wanted to provide that in context as far as, you know, when you're thinking about effects that this definition that was just provided is pretty broad. And I think that the things that the commission made comment on the last time around do fall within that range. And so I think that you should be welcome to continue to make broad comments as you would like to on this draft.

Ms. Preza: Thank you, Jordan. And thanks for reading that. That was helpful. Okay, great. Sorry, so is there anyone else? Oh, yes, Richelle. Go ahead.

Ms. Thomson: I think you were just about to say it. I just wanted to remind you to close public testimony again.

Ms. Preza: Yes, thank you. So is there anyone else who would like to testify at this time? Okay, if not, then I'll close public testimony again. Okay, great. So now it's time for our discussion, commissioners. So actually, maybe back to Jordan or Kurt, before we start our discussion, on the paper that we got that say action to be taken by the commission. Do we -- before we discuss the EA overall with our comments, do we need to decide if we are the approving agency? Kind of going back to what Sally was asking earlier, do we need to have concurrence that we are okay to proceed with providing comments and questions?

Mr. Hart: Yeah, I think would be fine to take care of that now.

Ms. Preza: Thank you. So does that need to be made by motion or, Richelle, or can we just discuss it and come to consensus?

Ms. Thomson: You can just discuss it. I, you know, I think that, you know, as you heard from both Jordan and from Kurt, it does, it does make the most sense both in terms of the impacts. It's, you know, strictly involving Lanai, and so you have, as a body, you have the most expertise . . . (inaudible) . . . to this. The way that the accepting authority process works is it's usually the agency that has the, the, the largest initial impact. So although it's going to go through multiple agencies such as the Land Use Commission, your review of it is, is the first. And so the Environmental Assessment is intended to inform all the decisions that are going to come later. So it's an informational document and that's also where your comment . . . (inaudible) . . . reviewing it what information you feel is either inadequately covered or if you have additional questions or other types of mitigation that you would like for them to explore in the EA. Those are all kind of, you know, . . . (inaudible) . . . for it.

But in terms of if you decide that you don't wish to be the accepting authority, basically we would go to, we would go to the State and they have kind of a process for --. It's usually ironing out when there's two agencies that are kind of concurrently reviewing a project or something that requires an environmental assessment, and they kind of mediate and help you get through that. Usually it's a dispute, you know, on who has, who has the accepting authority or not? I would encourage you to basically just keep it, you know. I do think you have the expertise and will know the impacts, the environmental and other impacts under Chapter 343, the best.

Ms. Preza: Thank you. So commissioners, does anyone have comments on this before we proceed with comments? Do you believe that we should be accepting agency given that we represent the community and this project is specifically referencing Lanai and it's not necessarily a State issue?

Ms. Kaye: Yes, Shelly, I would just say that I raised that because we have new members, and I wanted everyone to understand who hadn't been through this process that it never actually got discussed last time whether there was a choice. And I think it's absolutely correct

that we should be the approving authority based on what we've heard tonight. Absolutely. I don't have a problem with that. I just wanted to clarify why I raised it.

Ms. Preza: Thank you, Sally. Yeah, that was definitely -- I hope that was helpful for others too. Does anyone feel strongly that we should not be accepting agency or approving agency? Okay, if not, then we'll -- we can -- I think that's consensus and --. Oh, John, sorry, are you saying something? You're muted.

Mr. de la Cruz: Can you hear me now?

Ms. Preza: Yes.

Mr. de la Cruz: Okay. I got a question for Jordan based on what Sally said at the beginning of this discussion. Clarify for me -- and maybe some other people -- how is this different from the Hokuao project? Where we submitted, or Jordan on our behalf, submitted a whole bunch of questions to Pulama. And to my, to my memory, Pulama never came directly back to the Lanai Planning Commission. So how would this be different from that Hokuao situation?

Mr. Hart: I think that a significant difference is that you would be the accepting authority in this case to determine whether or not the Final EA was prepared satisfactorily. Wherein the other condition, I believe that the Department of Housing and Human Concerns as an agency was that accepting authority. And so they concluded the responses that had been provided to your comment letter were satisfactory. Now, with you as the accepting authority, it would be up to you to determine whether or not you felt that the responses to your questions were provided satisfactorily.

Mr. de la Cruz: Thank you.

Ms. Preza: Thanks for the clarification. Okay, so with that, I think it sounds like we agree that we're the approving agency to move forward with discussion. Great. So we were presented with a lot of information, but so thank you for Leilani for getting those documents to us and for the applicant who provided that. I'll open it up for commissioners if you have specific questions or comments on any part of the EA. Now is our time to kind of start compiling a list that --. Sorry, is Jordan or Kurt, are one of you compiling as we are discussing? Thank you. Sorry, I know --

Mr. Hart: We both will be taking notes. Yeah.

Ms. Preza: Okay, thank you. I appreciate it. Great. So I'll open it up if you folks have -- hopefully you've had time to kind of read through and if you have any comments or questions now is the time to discuss. Yes, go ahead, Lisa. I'm sorry. Could I also ask from commissioners when you are referencing a specific area if you could let us know which document it comes from and preferably like the page number? Yeah, especially for those of

us who have the digital copy just so we can make sure we're referencing the correct spot so we all have the same information. Thank you. Go ahead Lisa.

Ms. Grove: My question is related to page-2. I'm sorry, page-3, of the summary of potential impacts table relating to the Hawaiian petrel, talking about light, light pollution and the impact on -- the dizzying effect it has on, on young birds. Given that we are going to pink with a lot of park, generally I think of parks as being well lit areas. I'd like to understand, and hopefully in this case not, but what, what are the plans for additional park lighting and the mitigating plans for making sure. I mean I know that if the light shines down it's going to have less impact, but what's the cumulative effect on light pollution?

Ms. Preza: Thank you, Lisa. Do you have other comments? Sorry, and just a reminder from the applicant that they're not going to be directly answering our questions tonight. But once we compile a list, then they'll get back to us with answers. Do you have other comments, Lisa, or anyone else?

Mr. J. de la Cruz: I have comments.

Ms. Preza: Sure. Go ahead, John.

Mr. J. de la Cruz: A combination of comments and questions. If you look at the executive summary on page-II, which would be two, and you go down to the landowner.

Ms. Preza: Sorry, which, which document? The --

Mr. J. de la Cruz: . . . (inaudible) . . .

Ms. Preza: Volume one or volume two?

Mr. J. de la Cruz: The draft environmental assessment.

Ms. Preza: Which one? There's --. Sorry, I don't know if you got --

Mr. J. de la Cruz: The big one. The big one.

Ms. Preza: You probably got the physical copy, but some of us got the digital copy, so we don't have the volume as a whole.

Mr. J. de la Cruz: Okay.

Ms. Preza: So the volume one. You're talking about the first, like, in the first few pages?

Mr. J. de la Cruz: I guess. But if you look at maybe the fifth sheet of paper under executive summary, and you go down three-fourths, halfway down, it identifies the landowner. It seems

like there are two landowners; Lanai Resorts which is Pulama, and under that is Stephen Decker and Elizabeth Grove Trust. They -- whoever print this up intend to show two landowners, Jordan?

Ms. Preza: So, sorry if I could step in, and maybe this is from Lisa's disclosure earlier. I'm guessing that they were added because their home happens to be right on the edge of the project district. But they're proposing removing their resident, their residents from the area. So I think that's why it may have been showing up. And that's why Lisa made a disclosure earlier that her property is technically right now part of it, but they're proposing removal. So does answer your question, John?

Mr. J. de la Cruz: I guess.

Mr. Wollenhaupt: This is Kurt. There's only two landowners. One is the Grove Trust, which is going to be taken out if this thing all goes through. Then it will be 100 percent on the new amended one of Koele Pulama Lanai. So that's because The Grove, Elisabeth -- Stephen Decker and Elisabeth Grove Trust, that's because they're the only other private landowner in this existing project district.

Mr. J. de la Cruz: So will they move out of the house?

Mr. Wollenhaupt: I don't know. You're going to have to ask Ms. Grove what their, what their plans are.

Mr. J. de la Cruz: Okay.

Mr. Wollenhaupt: They want be taken out of this proposal. That's my understanding.

Ms. Preza: Yeah. So my understanding, John, is that it's just because their home falls within the current project district. But with the, the proposed amendments their home will now no longer be within the project district. Does that make sense?

Mr. J. de la Cruz: Okay, thank you. And on page-five or V, on the list of acronyms --. Did Lisa raise your hand? Did you want to have a comment?

Ms. Grove: Yes John. I just wanted to say that we, we are not -- we got asked to have our house taken out by Pulama Lanai as a housekeeping matter because it was, it was in because our house was previously owned with, you know, a couple of owners prior by Castle and Cooke, and was left there sort of what appears to be an accident. And so that -- so we, we are not sort of actively pursuing some big change. It was just seemed like, again, to us like a housekeeping thing. None of our, none of our neighbors on either side on Queen Street are in it, and so it just seemed like it made sense to us to go ahead and come out.

Mr. J. de la Cruz: Okay. And on page-five, which is housekeeping, they list of acronyms, under LPC it's explained as being Lanai Community Plan. Which did you intend to have there in there? Lanai Community Plan or Lanai Planning Commission under LPC?

Ms. Preza: Sorry, John, I have a digital copy so can you -- do you know, does anyone know looking at the digital copy where he's looking at right now?

Mr. Hart: Yeah, Chair, it's a PDF page-14.

Ms. Preza: Fourteen. Okay, sorry, I was hovering in the tens and eleven because I wasn't sure.

Mr. Hart: But, Commissioner, I'll note that . . . (inaudible) clarify it.

Ms. Preza: Thank you.

Mr. J. de la Cruz: Thank you. Jordan. I'm done for now. Thank you.

Ms. Preza: Thanks John. Other commission members?

Ms. Kaye: I have a bunch, Shelly, but I see Zane raised his hand. I'd like to go last.

Ms. Preza: So, Zane, you can go ahead. I can't hear you. Can you try-? Yeah, I don't know if something's going on with your audio. I can't hear you. Now we can hear you.

Mr. Z. de la Cruz: You have me now?

Ms. Preza: Yes.

Mr. Z. de la Cruz: Alright. Well, I guess one of my, one of my comments is that there's a lot of emphasis on reduction of density. Like that's something that this, that the EA hits on a lot. And I was just curious, is the density of the housing, the development density of Koele is that considered the problem at the moment? Like because they, they make a lot of suggestion that, you know, they're giving up a lot of residential area. It's not something that would typically be done, and they want to reduce the density of the area which they're proposing is a good thing. But I don't see Koele as being an overly dense area and they're giving up a lot of, you know, single family residential area, which is something that the community wants. So it just kind of seems like they're proposing the reduction of residential area is a good thing where I'm not certain that it is. And so I want to understand why they think the density of the project area is a problem.

Ms. Preza: Thanks Zane. John, you had a --?

Mr. J. de la Cruz: I want to comment on what Zane just said. Having more residential area would be a good thing if you're selling single family residential homes to working residents. What I see happening here is they are greatly reducing the number of residential buildings for sale and they're changing direction from the old build a lot of houses around the country clubs to make back the money or the money Murdock's spent on Lanai. Okay. The new land owner doesn't need that money. What's happening here is they're greatly reducing the number of homes they're going to build. But who's going to live there are the elite.

Ms. Preza: Sorry, before we get too off course . . . (inaudible) . . .

Mr. J. de la Cruz: . . . (inaudible) . . .

Ms. Preza: Thanks, John. I don't know if I agree with what is being discussed just because I'm looking at the map and the yellow residential area -- correct me if I'm wrong -- it stays the same. Correct?

Mr. J. de la Cruz: No.

Ms. Preza: Okay, oh wait, sorry, I'm looking at two different ones. Oh, I'm looking at the one without the, without the markings at the end. My bad. I wonder, I mean, someone can correct me if I'm wrong though, a lot of what is designated resident or zoned residential right now we're talking as if there are buildings covering that entire area. But really, it's just, I mean, open, a lot of it is still open, right. So I know, I think we might be getting ahead of ourselves by saying that, like, we're taking away potential homes and there are only going to be like elite people living there because the fact is that there aren't currently buildings in on all of those spaces right now. Is that correct?

Mr. J. de la Cruz: I think there is construction going on close to the Sensei Resort.

Ms. Preza: Right. But you know how like the, the bigger yellow area. I mean, I know some of that covers like the upper regions and they're proposing to take away like the, the area that has quite a few homes below. But I mean, the upper yellow area, there aren't currently homes all in, in those districts, right, or else they would have been indicated by lines. Yes, Zane?

Mr. Z. de la Cruz: So the -- my concern isn't so much that there aren't, that there are homes currently there that would be removed. It's that this area, these lands were designated for the development of single family residences, and by removing them from the map, that's removing an area that is already zoned for single family residences. So we're reducing the land inventory for single family residences by that reduction. And I, I can understand if they don't have plans to develop it, but their argument of reducing the density of an area that is already considered to be incredibly low density just doesn't hold water to me.

Ms. Preza: Thanks Zane. So maybe the, the question or comment that could be added to the list is maybe just providing a little bit more rationale behind those comments, if that's okay.

Mr. Z. de la Cruz: Yes.

Mr. Hart: I did write that down. Another one that I did write down just based on the conversations perhaps that there could be aerial photograph figures that have the transparent overlay of the existing and proposed land use designations so you can see what exists underneath of those existing and proposed change areas.

Ms. Preza: Thank you. If that's okay with commissioners, I would like to see that. I think I was getting confused about I was looking at like three different maps and so that's why I apologies I didn't initially scroll back up to see the bigger yellow area. But I think that might be helpful because I think right now there is a lot --. I mean, some of this is like around the golf course area, and it might be easier for residents and others to kind of situate themselves with having that. So thank you, Jordan, for that suggestion. Great. Other comments or questions?

Mr. Z. de la Cruz: I mean --

Ms. Preza: Yes, Zane, go ahead.

Mr. Z. de la Cruz: -- I didn't want to, like, hog the time or anything, but there are -- it was a big document, so there's a lot of questions associated with it.

Ms. Preza: Sure, go ahead.

Mr. Z. de la Cruz: I might be jumping around a bit for page numbers, but for the EA, volume one on page-23, I believe it's a map. But there's several comments throughout the document talking about the removal of public space that's approximately one acre in size. And I just kind of want to know what that is. What is that one acre public area? Like what is it currently? What could it be used for? Why is it being removed?

Ms. Preza: Thank you. Other comments? Sorry, you can keep going down your list if you would like because this is what we have allotted the time for, so don't worry about hogging it.

Mr. Z. de la Cruz: And, yeah, and also just for the mixed resort commercial area, I would just like, I guess, want more clarification on what exactly that is, because it is a large area that they're designating. Because they're taking that 14 acres that these stables and tennis court are currently on and they're expanding that for that entire land mass, like, that goes beyond the tennis courts going north and goes all the way, actually goes across the Keaamoku Highway into like the Cavendish area a little bit. So it's a large area that's being rezoned.

And so just kind of, yeah, getting some clarification on what exactly that means, what is it they're looking for?

Ms. Preza: Thank you.

Ms. Grove: Could I ask a follow up to that?

Ms. Preza: Yes.

Ms. Grove: Which is I just want to understand that the area past the tennis courts is a common meeting place for people to look at the sunset or walk their dogs or whatever. I want to understand what's going -- how that space is going to be used and whether or not the public will still be able to access it as they can now.

Ms. Preza: Thank you. That's a good follow up. Okay, other comments?

Ms. Chelsea Trevino: I --

Mr. Z. de la Cruz: Just --.

Ms. Preza: Chelsea, do you want to go ahead and then we can come back to Zane?

Ms. Trevino: Okay just a couple of things. So we have areas designated park and areas designated as open space. I just would like clarification on that. I'm assuming park means they're going to be a facilitating care of the land versus open space is just natural, natural foliage and whatnot. I want to know because I noticed, you know, I guess they're just mowing the lawn now for the golf course at this point. But we have this huge toad issue that we never had before. I'm just a little bit concerned with all of this extra open land what that means in the context of those, those toads, toads and even those new lizards that we have now. Just because I see that the golf course gets mowed, but the toads just come out and they're having a field day out there with the left over, with the land and those things. So, so that was one of my concerns as far as the park in the open space is like what's the mitigation as far as keeping down the levels of those, those things because they're not, you know, natural to our environment. They're here maybe 15, 20 years -- 15 years now, maybe ten.

And then -- so resort commercial is additional land and then the hotel land or the hotel designation, excuse me, is significantly larger. And it looks like it's going over, looks like towards where the houses are. I'm not sure how far that is, where the two Koele houses are located. I don't -- I guess I'm just wondering what the impact is if they make those areas hotel, what that means as far as building things and what, what they can facilitate there. And then I was just a little bit -- I don't know if concerned as the word -- but the resort commercial land, and I mean, that being commercial. I'm not sure what that means in the context of having limits or how -- what the use of that lands would be and how it would affect residents, especially those living at Iwiole. And I just want to make sure that we, we're -- it's clear, like

what kinds of things can be done because I think that definitely impacts community members. And so those off the top of my head were the few that that I just I have concerns about. Thank you.

Ms. Preza: Thank you Chelsea. Sorry Zane I haven't forgotten about you, but I saw Lisa raise your hand.

Ms. Grove: Mine -- just one quick follow up because that seems --. I appreciate Chelsea's comments. It said that there will be traffic reduction or no real change coming down from Koele. I don't think I saw maybe missed what kind of traffic impacts there would be around the stables in that commercial district. And if we could get more details on just how -- what the traffic impacts would be, I think that'd be helpful.

Ms. Preza: Thank you. Do other commissioners have comments? And if not, we can go back to Zane. Okay. Zane, do you want to go ahead?

Mr. Z. de la Cruz: Okay, just -- so EA, volume one, page-45, figure two the density graph. I just, I just don't understand it. Like if there could be some sort of literature or something to walk me through that because like I, yeah, I just don't understand the figure for the density graph.

Mr. Hart: Can I ask for clarification quickly?

Mr. Z. de la Cruz: Sure.

Mr. Hart: You're looking at the paper copy?

Mr. Z. de la Cruz: Digital copy.

Mr. Hart: Okay. Okay. So could you tell me the PDF page?

Mr. Z. de la Cruz: Sorry. The PDF page would be forty-five.

Mr. Hart: Okay, and then could you, could you kind of restate? My apologies.

Mr. Z. de la Cruz: I don't understand figure two, the density graph. Like I just, looking at it I don't understand the information it's trying to convey.

Ms. Preza: Thank you. Okay, other commissioners, any comments? I had a couple and Sally I know you -- do you want to go now Sally or can I share a couple of my comments>

Ms. Kaye: No, go ahead.

Ms. Preza: Okay. Kind of to -- oh sorry. Now I'm on a different document -- I think kind of to the comment about, you know, how like -- sorry I am looking at volume two on the PDF page, pages, or page-12. But then on the paper copy, I think it's like seven and eight of thirteen. At the beginning it's --. Sorry, Jordan?

Mr. Hart: I apologize to just butt in like that. So I think that there was a little miscommunication between commissioner last time and me because I was trying to check the page he was looking at. Let's just start saying the page number that's printed at the bottom of the page rather than the PDF page.

Ms. Preza: Oh, I guess my question about that, though, is because there's like chunks don't the page numbers like change?

Mr. Hart: Okay. So . . . (inaudible) . . .

Ms. Preza: Okay, well, what about this? I'm . . . (inaudible) . . .

Mr. Hart: . . . (inaudible) . . .

Ms. Preza: I'm sorry. What?

Mr. Hart: Because I'm using the PDF and you can just jump from page to page, I go by PDF when I'm talking about that. But because it seems like different commissioners are using different format, the clearest thing for the applicant would just be to describe the page that's printed at the bottom of that sheet or if there's a figure number, for example. Because if I start to blend PDF page numbers and, and the printed page numbers, that will just confuse everybody.

Ms. Preza: Okay. And perhaps I can reference, like, the, the area that I'm talking about in the document. So on in volume two, this is the Chapter 19.71, Lanai Project District Two, page seven and eight. So this is the document where there's like a lot of the red and the strike through. So I was just wondering why the entire item-C irrigation was removed. I know there was another section on irrigation, another spot, but I just kind of wanted some clarification on why those entire two pages are strike through.

And then I also wanted to suggest because I see like in some of the -- sorry, I'm trying to find the exact page -- so like in the -- sorry -- for example, in the remote or resort commercial district and like in golf course there are like historic buildings, structures, and sites included in the permitted use. So I wanted to suggest that historic structures and sites are also added to the hotels district given that the Lokahi Church is a historic building and because the ranch homes are in that area, if that could just be added to a permitted use in that section.

And then my other comment, actually, I might have to go back and dig through this document. So those are my comments right now. But Sally, do you want to go ahead?

Ms. Kaye: Yeah. Okay, so I -- what I did was I only have the, you know, the UBS little thing we got, right. So that's the only document that I worked with. I found what was sent to us so confusing that I had to like just put all of that aside and just go through that document. So what I'm going to do is reference sections and page numbers. And, you know, I don't know any other way to do it because I don't have anything to look at. I'm looking at my screen. I don't have the document itself to look at. So if that's okay, I'm just going to plow through my comments.

Ms. Preza: Sorry. Sorry. When you said you don't have the document itself, you mean don't have the hard copy, you have the digital version?

Ms. Kaye: Yeah, but I don't, I don't have it to look at. So I looked at it and made my comments, made a list. And so like for example, the first comment I was going to make for the applicant's sake is section two, page-17 has a typo. It's got a reference to error, reference source not found, which either means that should have been taken out or there's data missing. And I would think they'd want to look at that and deal with it.

Ms. Preza: Thank you. Sorry, Sally, to interrupt. But so do you have this typed out on a document?

Ms. Kaye: I do.

Ms. Preza: Okay, so I'm thinking -- I do want to hear your comments orally like in person now. But Jordan and Kurt, would it be helpful if Sally emailed you her list, her typed out list so you don't have to write down exactly the item she's saying? Jordan, I don't know if that would be helpful.

Mr. Wollenhaupt: That would be helpful for me because I'm looking at a hard copy, so --

Ms. Preza: Okay.

Mr. Wollenhaupt: -- when you say section two, does that mean if you go to the table of contents --

Ms. Kaye: Yes.

Mr. Wollenhaupt: -- and then you have, you have the big sections, section two being project district development, change of zoning application forms. And then section two, page 17 -- well this doesn't, it doesn't have page numbers at the bottom, so I don't think I'm in the same area that you're in.

Ms. Preza: So Sally would be --? It sounds like you have quite a number of things on the list. Would you be willing to send that document to Kurt and Jordan so that they can make sure that it matches like what you're saying and what you have written down?

Ms. Kaye: Right. I'd be happy to.

Ms. Preza: Thank you, but sorry, go on.

Ms. Kaye: Yeah. So then my second comment would be the same section, page-45 there's a table that shows existing project district daily demand and proposed project district daily demand. And one of the entries in there has park at 19,550 gallons per day, reduced to 1,500 gallons. Now if I'm to understand that this is the golf course being closed and turned into park, I will assume that is drink drinking water. But what is missing from this entire document is the affluent, the R-1 one water, how much of it was used on the golf course over the period of time before it closed, and what is projected to be used going forward. And that, that actually goes to the point you made, Shelly, about the, the section-C where all the irrigation language was crossed out. It's very confusing to say we want to be able to use potable water if we need to because it's not available, and they don't indicate who's going to say whether it's not available. And every other document that I could see in this EA uses affluent for the golf course. So, so I think that needs to be clarified.

Okay, so again, section two, page-46, the language says, and I quote, overall the proposed Koele Project District will cause a reduction -- this goes to Zane's point -- in waste water flows compared to the existing Koele Project District, as a result, the reduction in developable land. That doesn't, that doesn't make sense. It seems to me this should say there would be a reduction in the proposed waste water flow because they're not taking out waste water, they're just not adding to it as much. So I think that that is something to look at. And I would like to question whether the waste water calculation discussions in the EA include projections from the current building that's going on up in Koele, which I'm assuming are the 20 multifamily buildings they're, they're adding in and the planned Hokuao because that's all going to add to waste water, too. So that's a question.

Now, to, I think, Lisa's point, section three, page-75, there was a comment, the former designated golf course lands are being repurposed for a sculpture garden. So my question is, is that the entire golf course going to be turned into that? And again, what kind of irrigation and is it going to be affluent?

Okay, then section eight, page-125, and this is for the applicant. There is a comment from Peter Young to DLNR saying thank you for your comments on the Draft EA on the Miki Basin industrial park. I would think that's a mistake, and you would like to --

Mr. Hart: Sally, I apologize. Can I slow you down? I need to capture the, the intent of your comment regarding the sculpture garden; the golf course becoming a sculpture garden, and I lost you. I lost you.

Ms. Kaye: No, I just wanted to know if that's the entire golf course going to be turned into, you know, how much of it. It was kind of buried, and this reference to a sculpture garden only showed up once. And it didn't say whether the entire golf course was going to be repurposed for that. Does it exclude where the adventure thingy is now or, you know, just how much acreage would be dedicated to that.

Mr. Hart: Okay. And then I just want to make a clarification with, with everyone just to make sure that we're all doing the same thing. Because I, in my prep for this, this meeting, I downloaded the Draft EA directly from OEQC. When we're -- and when everybody's providing their comments, are they providing comments that come from the document that's identified as the Draft EA or are there other supplemental documents that people are, are reviewing and commenting on? Because if, if there maybe we're supposed to be commenting on the Draft EA. So I just wanted to clarify that before we go on.

Ms. Preza: Thank you. I'm commenting on the Draft EA. I think others have been, and if you haven't been, maybe you can comment. But the documents that I'm going off are the ones that Leilani sent, so it's like the -- there's volume one and two, and then she also sent, like, the summary of potential impacts table. So I think actually Lisa referenced that table in one of her comments, but I think the majority of them have come from those two PDFs that Leilani sent us.

Mr. Hart: Okay, that's fine. I didn't, I didn't -- I don't think that I --. I'm not sure if I was included in that, but I didn't. I just went straight to OEQC and pulled the Draft EA document. Okay, I apologize to, to interrupt on --. I just wanted to clarify that. Sally, you had a different item after the sculpture garden . . . (inaudible) . . .

Ms. Kaye: Yes.

Ms. Preza: I'm sorry, I wanted to address real quick just so we're all on the same page. Leilani, could you forward, Jordan, that email that you sent to us if he wasn't on it, just so he knows which documents we're referencing.

Ms. Ramoran-Quemado: . . . (inaudible) . . .

Ms. Preza: Okay, thank you.

Mr. Hart: Okay, so let me, let me interrupt again. I'll review that email from Leilani when it comes in. But I do want to point out as far as like OEQC publication time frame, what we're commenting on is, is the Draft EA. Like, we can have discussion about all kinds of other stuff. But formally the action that is being done right now is to provide comments to the Draft EA. So, you know, anyway, I just want to, just want to clarify that . . . (inaudible) . . .

Ms. Kaye: Okay, so Jordan, just for the for the sake of continuing on with my comments, I am with you. I'm working off of, except for the original introductory part that goes to OEQC, I'm working from that document. I'm not using the stuff that Leilani sent. It was -- they didn't jive, so I went with the OEQC version.

Okay, section eight, page-124, there's a communication in the parties consulted part from the Department of Water Supply that said that the Draft EA should discuss the consistency of the project district amendment with the Water Use and Development Plan, and I see absolutely no reference at all to the Water Use and Development Plan in the EA. Similarly in Appendix J, page-624, RM Towill for some reason there has been a resurrection of 2006 Castle and Cooke water projections which are completely irrelevant. I don't understand why they're in there. It has -- they were bogus numbers back then and they're bogus numbers now.

Okay, and I wanted to clarify in Appendix-A1, and this is, this is the rewrite, the attempted rewrite of the ordinance at page-six, there's a reference to non-potable water should be used for irrigation to the extent available. Again, who gets to decide that? And they reference Chapter 2030, which requires commercial property to use reclaimed for landscaping and yet they seem to want to reserve a water bank the ability to use potable water. So I have a negative response to that.

Mr. Hart: Excuse me, could you, could you kind of back up and clarify? Let's see, I have Appendix A1, chapter six rewrite of the ordinance discussing non-potable water --

Ms. Kaye: Page-six.

Mr. Hart: Sixteen?

Ms. Kaye: Page-six.

Mr. Hart: Right.

Ms. Kaye: Yeah, C.

Mr. Hart: Oh, page-6C. The use of potable water, or non-potable water to the extent available, you would like to know who decides.

Ms. Kaye: Yes.

Mr. Hart: And then there's a just -- then you moved on to the issue of requiring commercial property to use reclaimed water?

Ms. Kaye: No, the County requires that, and this EA seems to indicate that they just think it doesn't apply to them. So I, I would challenge that.

Mr. Hart: Okay. So, so, so in the context of --

Ms. Kaye: Well, okay, let me put it to you --

Mr. Hart: -- or that you would like them to further explain how it's justified?

Ms. Kaye: Well, I, I had a question to they say, you know, that there are areas that have continually used potable water for irrigation while the rest of the document says that the park and the golf, what used to be the golf course, all used affluent. So I would want to know what they're talking about, which park districts and, and define continually by identifying the time frame that they're referencing.

Mr. Hart: And I lost the, I lost the train of thought. So --

Ms. Kaye: Okay. I, I --

Mr. Hart: There's -- okay, on the one hand, there's the, there's the assertion that they don't need to use reclaimed water in the commercial areas. Did you want, did you want more analysis explaining that or did you --

Ms. Kaye: Okay, so --

Mr. Hart: To capture where you want to go with that issue.

Ms. Kaye: They're claiming that areas within the park districts that have continually and . . . (inaudible) . . . used high level aquifer ground water for maintenance and irrigation, I would like them to identify which park areas they're talking about and how continuously they've been using it since everything in the document indicates they've been using affluent on those areas, R-1 water, as required by the County Code, Chapter 20. Does that help? No?

Mr. Hart: Kurt, are you on? Did you get this? Okay, I apologize. Yes, could you --?

Ms. Kaye: Okay.

Mr. Hart: I'm sorry. I'm trying to keep up with you. On the one hand, on the one hand, are we moving on from the issue of, of the commercial properties using affluent reclaimed water or not?

Ms. Kaye: I am.

Mr. Hart: That's, okay, that's, that's -- let's set that aside. Now there is the comment on the park areas using ground water. You said --

Ms. Kaye: That's also in the same --. Yes, it's all from the same section.

Mr. Hart: Right. I know.

Ms. Kaye: That's their justification. And so I would like a little more clarification of which areas they're discussing, and what's the volume that they've been using, and over what period of time.

Mr. Wollenhaupt: So perhaps the communication from Commissioner Kaye will have this, also with our notes, and with her communication, we'll be able to word it correctly.

Mr. Hart: I think I did get it now, but on the communication from Commissioner Kaye, not independently, how does that enter the record? Do you -- Richelle, would it be appropriate for commissioner to paste her comments into the chat right now?

Ms. Kaye: I can't do that.

Mr. Hart: Oh, Okay. I'm just trying to figure out a way to get, capture --

Ms. Kaye: Sorry. I, I'm sorry, I just can't do that right now. I don't know how to do it. I'm working for a paper copy.

Ms. Thomson: I agree. I think if we could share screen or, you know, get them since there, since there are a lot of comments and some of them are fairly detailed. Tonight, all of you are providing your collective comments. So Commissioner Kaye, individually, you could provide the same comments, you know, on your own as an individual, just to make sure that your comments are adequately reflected. So that might be a good safeguard, you know, just in case something doesn't come through completely in translation.

I don't know if this helps or maybe makes it more confusing, but it sounds to me like in that section of the EA that discusses the use of reclaimed water or potable water, that you want to understand the current usage both in volume and, in historical volume and usage, and also the anticipated usage of both reclaimed water or other water sources proposed under these changes. Is that kind of what you're getting at?

Ms. Kaye: Yes. Thank you. If you'd rather I will absolutely do that. I can just submit this to OEQC, that's fine. I, I would just add two more things just because they might have rung a bell with other people if that's okay?

Mr. Hart: Yeah. I didn't mean to cut you off. I was just basically saying if you had it all typed out and I'm scrambling to keep up with you that would be an easy fix. But no, no, let's, let's -- this is commission time let's take your comments this way.

Ms. Kaye: Okay. In Appendix B, pages 10 to 11, there's a section on the Agricultural Park, and I'm quoting here, however, there's not been any progress on developing the park due to a, quote, lack of interest. I want to understand the source of this comment that there is no interest because for the last 20 years that I've been aware of, there's been a great deal of interest in it. It's just nobody could get it to happen.

And to Lisa's point, Appendix B, page-11, they, the consultant references two historic buildings, which Shelly, I'm understanding is probably going to be the Richardson houses moved, and a 30,000 square foot commercial space. And several years ago, the Planning Commission voted to restrict commercial space back when big box store issue came up. This is probably around 2010, 2009, and I don't think it was ever codified. But we expressed an interest in restricting that kind of space. So I'd like a little more clarification on what --. That's, that's almost three quarters of my block on Ilima Avenue, 30,000 square feet. So I'd like to know what they had in mind for that.

Okay, Appendix B -- just two more and I'm done -- Appendix B, page-13 references operations, full development. And there's a bullet point that says -- you don't have to write all this down -- tax revenues -- this is the socio-economic, I think it's, slash study -- derived from County property taxes, State taxes, excise, personal income, cooperate income -- I think they meant corporate -- and transient accommodations tax. I'm wondering what, what's the source in this project district of transient accommodation revenue. Because we are about to insert a cap, and I noticed that one of the permitted uses is short-term rentals, which if we institute that cap, I think it's on its way, then what would those 20 houses that they're in the process of building up in Koele be used for if they can't be short-term residential housing?

And then last but not least, I would really like to know -- get some clarification on the inconsistent numbers that I saw between single family and multifamily projections. In Appendix H, at page triple-I, five, it said the new development will include 39 single family homes. Page-118 and 119, of section-eight said single family will be reduced from 535 to 20 and only two more can be added. That was, I think, a Peter Young comment also.

And then Appendix H, Executive Summary, page-two says the revised plan will be 57 resort single family homes, an increase of 39. So I just, I think it should be clarified. I know that there -- they -- this has been proposed is housekeeping only, but I'm quoting them in this statement: Nonetheless, the analysis contained in this EA is based on full buildout of the proposed amended Koele Project District. That's what they said at the very beginning of their presentation, so you can't have it both ways. Either it's housekeeping or this is the whole . . . (inaudible) . . . and these details should be clarified. So thank you.

Ms. Preza: Thank you, Sally, for your comments. Other commissioners, other comments on this Draft EA? Yes, Zane, go ahead.

Mr. Z. de la Cruz: Yeah, I'm not sure how to reference this stuff anymore because I have it all by PDF numbers, and it's, so it might be a little bit confusing.

Ms. Preza: Sorry, Jordan.

Mr. Hart: There should be at the bottom of the PDF page there should be a page number or sometimes at the upper part. Not, not . . . (inaudible . . .

Mr. Z. de la Cruz: Yeah, it's just that I --

Mr. Hart: Go ahead. Okay.

Mr. Z. de la Cruz: It's just the PDF I have, I guess, is more than one document. Like I believe I'm now referring to Chapter 19.71, Lanai Project District Two Koele, and that would be pages nine of thirteen, and ten of thirteen, looking at the open space zoning and the special commercial use zone or the hotel resort commercial use. And it's just like I guess I would need clarification because that hotel resort or the resort commercial use area that they're proposing is currently agricultural and there's a lot of livestock on the ground. And speaking specifically to it, the only place that looks like it allows for grazing of animals is in the open spaces zoning. So like those pastures are where they graze a significant portion of their equestrian herd. And so if that changing of zoning would no longer allow them to graze their animals there. It's just something for consideration.

Ms. Preza: So maybe, Zane, the question is what, what is the plan to, to move forward?

Mr. Z. de la Cruz: Yeah, like, are they, are they planning to keep, are they planning to keep grazing, grazing animals there? If they are, then it's not currently accommodated for the zoning change from agricultural to resort commercial.

Ms. Preza: Thank you. Go on.

Mr. Z. de la Cruz: And then -- sorry, I got to do the, look up the numbers.

Ms. Preza: It's okay. Zane, while you're looking that up, I just had a -- this is just a brief comment -- and yeah, so sorry for all the confusion with the different document types. Maybe this is something we should keep in mind for future meetings. Like we can all kind of standardize, like, what we should be looking at. But so I have two PDFs; volume one and volume two. This one is in volume one, so this would be like the very first part of the Draft EA. This doesn't have a page number on it, but it's in the section about the five hundred -- the lessees within 500 foot of the project area or subject property, stuff like that. So there's a long list of people within, like, I guess everyone within 500 feet. But this PDF page is 211. This is when the mapping starts of the boundaries with the 500 foot boundary. And I guess I just wanted clarification on the map that includes -- it's like a Lanai map and it, it has some of the, it has the Koele Project District zone, but there's also like a 500 foot boundary that's pointing towards like the . . . (inaudible) . . . Lanai. And so I don't know if they're referencing the SMA or --. It comes from the taxation map . . . (inaudible) . . . So I just wanted like some

clarification on, I guess, like maybe some guidance on how to look at this map or what part we should be looking at. I just found this a little confusing. Sorry, Jordan, do you need clarification? I'm sorry. That wasn't very helpful.

Mr. Hart: Yeah. I'm wondering if this is, I'm wondering if this is actually not part of the Draft EA. Let me, let me take this moment to locate it.

Ms. Preza: It is in the Draft EA. It's in the --

Mr. Hart: It's in -- okay, it's inside of the . . . (inaudible) . . .

Ms. Preza: I wonder, I wonder if I can share my screen just to show you the map. Oh gosh . . . (inaudible) . . . Sorry. It's asking me to make changes to allow this. I can send you a screenshot, Jordan, of what I'm talking about, if that's okay.

Mr. Hart: Yeah.

Mr. Wollenhaupt: I have a question because the Draft EA is section-14 and we're talking now about section-three, or section four or five. So there's sections one through thirteen, which are all maps, ownership, detailed parcel history, but then actual Draft Environmental Assessment starts on section 14, and then that and volume two would be what we consider the Draft EA.

Ms. Preza: Okay. Thank you.

Mr. Wollenhaupt: So this question on boundary classifications may be a separate discussion for the, for the consultant outside of comments on the Draft EA.

Ms. Preza: Okay. Thank you for clarifying. I think that's what was confusing was I know it's not coming directly from the consultant, but it was part of the packet, so I just wasn't sure. I just was having trouble kind of parsing through everything and making sure I understood why it was supplied. But that makes sense to me that it's we're not commenting on volume one, right, because it's just like additional documents.

Mr. Hart: Yeah. Let me get the . . . (inaudible) . . .

Mr. Wollenhaupt: Well, no, actually volume is --. See the, see what happens here is there's volume one and two. One contains the applications for the Change in Zoning and Community Plan Amendment. But then at section-14, that's when the Draft Environmental Assessment document, the actual EA, along with volume two, that's what's being considered tonight. So everything prior to 14 has to do with consolidated applications for the District Boundary or for the Community Plan Amendment, the notification boundaries within 500 feet, the maps that accompany that, the ownership details, the proposed amendments to the code. So we probably need to limit ourselves to anything after section-14.

Ms. Preza: Okay, thank you for the clarification. You can disregard my earlier comment. Zane, did you find the section you were looking for?

Mr. Z. de la Cruz: I believe so, if my referencing numbers are correct. So this is still in the project district two, 19.71.100, Required Agreement. It's just a complete strikethrough of an agreement for developing affordable housing. But I would just like to know the reason for that. I'd like some clarification on that.

Ms. Preza: Thank you. Do you have other comments, Zane?

Mr. Z. de la Cruz: Nope, that's it for me. Thank you.

Ms. Preza: Thank you. Other commissioners, comments at this time?

Ms. Kaye: Shelly, I had one final one, and that is to support Riki's suggestion that we ask the Planning Department to give us, as part of this record, a status report on the conditions that were attached to the original project district.

Ms. Preza: Okay. So that will be a request for the Planning Department, for us to, to provide us more information?

Ms. Kaye: Yes.

Mr. Z. de la Cruz: . . . (inaudible) . . .

Ms. Preza: Is that okay Jordan?

Mr. Hart: It is, it is okay, but in the context of what we're doing right now, and the ultimate responsible will involve the Planning Department. But I think it would be most effective for the purposes of this discussion to ask the applicant to analyze compliance with any potential changes to existing zoning code, zoning conditions and state land use conditions.

Ms. Preza: Okay.

Mr. Hart: But that would involve an interaction with the Planning Department before that. I would assume that summary can be concluded.

Ms. Preza: Okay, thank you, Jordan. Sorry, Zane, did you have something to add?

Mr. Z. de la Cruz: Yes. For 19.71.050, Park PD-L/2, they just removed non-commercial from the parks and playground. And so that could just be, you know, them cleaning up the language. But I just want to know, like, if they're planning on use of commercial use of the parks and playground in that kind of open space park designation area.

Ms. Preza: Thank you, Zane. Okay, so we're coming up on almost 7:00 p.m., so I do want to, not to rush anyone, but I do want to kind of start to wrap up our comments and especially say that if there are other comments that you might have or that you would think of later after this, that you can always submit them as an individual. So this is just the time for, like, our collective comments as a commission. So are we all okay with kind of starting to move forward and wrap up? Because we do have a water workshop planned tonight, and I think there are people who are waiting to present to us. Okay, so if there are no further comments at this time, would someone like to make a motion to --? I'm sorry, I know Jordan and Kurt, I think in previous meetings like you've gone through the list and re-read out exactly what we're transmitting, but in the interest of time, would it be possible, I don't know if there's a way, like we've all been here for this discussion, so kind of just collectively agree that what has been discussed and that Jordan has been writing up in his notes can be submitted as our collective comments? And then I don't know if, Jordan, you wanted to submit, once you have everything kind of typed up, submit to me and I can just, like, do a quick review and email you back with if I can confirm that I think you got everything. Would that be okay with everyone?

Ms. Kaye: I think, Shelly, I would just add that, that once you get it, it should come to all of us so we can review it for completeness.

Ms. Preza: So yeah, I'll ask Jordan on that. I think in previous instances that this has happened like in the interest of time, they just sent it to me. But do you think October 8th, prior to that, will that be enough time for you to send this to the entire commission, and we respond via email within 24-hours?

Mr. Hart: I think we'd have to hear from Richelle. Generally, it's not --. I know that there was a time crunch on one of the last ones we did, but I think it's the interactive communication is the issue.

Ms. Preza: Right. Right. Richelle, would you mind advising please?

Ms. Thomson: So unfortunately, you know, you are limited by the sunshine law to taking action at a public meeting. So if you're taking action as a group, you know, that would have to happen at a meeting. You could have a special meeting or, you know, this is all been captured on video, too, and audio. So if there is a question, you know, Jordan or those guys, they can always go back and review the video. But I think working with a chair to make sure that your collective comments have been accurately noted down, I think that's a good idea. And I, you know, as just as your chair said, if any comments or things, you know, come up and you want to make sure that those comments are, you know, heard the way that you intend them or you have new comments, you can always submit those as individual comments.

Ms. Preza: Thank you, Richelle. Lisa?

Ms. Grove: And I was just going to say and I don't know if this is possible, but is it, can we allow Jordan to ask clarifying questions to the individual if there's any confusion just to make sure that he has captured the thoughts presented?

Ms. Preza: Thanks. Richelle, can you advise on that to you, please?

Ms. Thomson: You know, usually because this is a collective group effort, I think it's completely proper to just, you know, if anybody wanted to either make a motion or, you know, just by consensus of, you know, request that Jordan provide your comments to the, on the EA, in a timely fashion and then work with the chair on any clarifying questions. That's probably the best way to do it. You know I know that Commissioner Kaye has, you know, many comments and perhaps she can get those to Jordan, you know, separately, because I think, you know, some of them are quite detailed so that may be helpful to, you know, include that in your in your deliberation.

Ms. Preza: Thanks Richelle. So, you're suggesting that he would be able to reach out to us individually about our own comments as part of this collective? Sorry, was that what you were saying?

Ms. Thomson: Yes, if necessary. I think the only caution is that it shouldn't go beyond what the comments were.

Ms. Preza: Right. Is that okay with everyone that Jordan can reach out? And sorry, Jordan, I don't mean to add more work to your plate, but if you have clarifying questions or if you just want to make sure that the comments were captured, would you mind being able to send to us individually? And then I can take a look at the full before you send it off.

Mr. Hart: I can do that.

Ms. Preza: Okay, thank you. I really appreciate it. Sorry, I, I just -- I think that if we go through every single one now that we just talked about, we would be here until ten o'clock, so thank you very much for your willingness to, to accommodate that. And Commissioners, thank you for your work on this. But we still do need to have a motion to submit our collective comments as discussed tonight if someone would like to do that.

Ms. Kaye: I would move that we agree to act as the approving authority and pending Jordan's expertise in capturing everything we've submitted, submit it to the OEQC in during the comment period.

Ms. Preza: Thank you. Would anyone like to second that motion?

Mr. Z. de la Cruz: I'll second.

Ms. Preza: Thank you, Zane. Is there any further discussion on this agenda item?

Mr. Wollenhaupt: Hi, this is Kurt again. I know that on the Hawaiian Cement trans-shipment facility, the commissioners at the Maui Planning Commission, they very much appreciated what we call a red line version. So it would show in the environmental assessment document places that have been added, corrected, deleted in a red line form so that you can flip through and see, okay, this, this issue is now been clarified this way. So it seemingly was very much appreciated by these members rather than just having sometimes you do black and white Ramseyered and it's very confusing I find. But a colored version helps to . . . (inaudible) . . . so I don't know if you'd want to consider that part of the request for the Final EA.

Ms. Preza: Thank you, Kurt. Commissioners, what do you think?

Ms. Kaye: That would be great.

Ms. Preza: Okay. So now that we're in discussion, I think someone needs to -- and Richelle correct me if I'm wrong -- but I think we need to move to include that in our original motion, or is consensus okay?

Ms. Thomson: Either way is fine.

Ms. Preza: Okay, so is that okay with everyone to request that be added to the original motion? I saw nodding heads and I don't think anyone is opposed to that, so that sounds great. Is there any further discussion? If not, then I'll take your vote. So when I call your name, please let me know how you vote. Sally Kaye?

Ms. Kaye: Aye.

Ms. Preza: Lisa Grove?

Ms. Grove: Aye.

Ms. Preza: Chelsea Trevino?

Ms. Trevino: Aye.

Ms. Preza: Thank you. Natalie Ropa?

Ms. Ropa: Aye.

Ms. Preza: Thank you. Shirley Samonte?

Ms. Samonte: Aye.

Ms. Preza: Zane de la Cruz?

Mr. Z. de la Cruz: Aye.

Ms. Preza: Thank you. John de la Cruz?

Mr. J. de la Cruz: Aye.

It was moved by Ms. Sally Kaye, seconded by Mr. Zane de la Cruz, then unanimously

VOTED: To act as the approving authority and to submit the comments and recommendations as discussed.

(Assenting: J. de la Cruz, Z. de la Cruz, E. Grove, S. Kaye, S. Preza, N. Ropa, S. Samonte, C. Trevino)

(Excused: S. Menze)

Ms. Preza: Thank you. And I also vote yes, so that was unanimous. Thank you so much for all your hard work tonight, Commissioners, and all the members of the Planning Department, we really appreciate your, your work in working with us and taking all of our comments, so great.

So with that, I think we're long overdue for a quick break. When we come back, we'll have the water workshop provided by the Lanai Water Company and CWRM. So this is like an annual workshop that we're really lucky to participate in. But if it's okay with everyone --. Sorry, if I could just ask the Lanai Water Company and CWRM, do you have an estimate for how long your, your presentation might be collectively? I'm deciding whether I should give us a five minute break or ten minute break.

Mr. Kaleo Manuel: The Commission will be really quick. We'll just do high level overview; five to ten minutes, I'm hoping.

Ms. Preza: Thank you. And I'm guessing Joy Gannon is the one who will present on behalf of the water company.

Ms. Joy Gannon: I will talk really, really quickly for about ten minutes.

Ms. Preza: Oh, excellent. Okay, well, if it's okay with everyone can we come back at 7:15 p.m., and then we'll finish out our workshop and then the final agenda items? Is that okay? Thank you very much. I'll see you all in ten minutes.

(The Lanai Planning Commission recessed at 7:05 p.m., and reconvened at 7:15 p.m.)

D. WORKSHOP

1. Water workshop provided by the Lanai Water Company and the Commission of Water Resources Management.

This is for information purposes.

Ms. Preza: So we're moving on to Item D.1. which is a water workshop provided by the Lanai Water Company and Commission of Water Resources Management. This is just for informational purposes, so we don't need to do any voting. But thank you so much. I see Kaleo is here on behalf of CWRM, so thank you for being here and waiting throughout our initial comments on our other agenda items. We really appreciate it. And with that, I'll -- I don't know if the County has anything to add or if you guys are just going to take it away.

Mr. Kaleo Manuel: Let's just take it away. And then if there's anything . . . (inaudible) . . . Aloha everyone. Aloha . . . (inaudible) . . . It wasn't boring. I'm a planner so I kind of enjoyed planning jargon. It's really interesting what you guys are discussing. Thanks for having us. Kaleo Manuel. I'm the Deputy with the Commission on Water Resource Management. With me tonight are some commission staff. It includes Ryan Imada who runs or is heading our groundwater branch, and Neal Fujii who is heading our planning branch. And then we have two other staff here, I hope they're still on, and Patrick Casey and Robert or Bob Chenet. And they are our geologists that do a lot of survey work and groundwater monitoring throughout the State, and have been doing work on Lanai. So I'm going to ask Neil if he can share screen. We have just a real quick presentation, very high level, and really the purpose is just to kind of re-engage with this Commission and just be a resource to you folks. And if there's any specific follow up or questions, please let us know and we can provide that information to this body whenever you need it. Next slide, Neal.

So just real quickly, five main things we're going to talk about real quick. I'll go over the brief history of the commission's actions on Lanai. Again, a lot of you are experts at this, so I'm just speaking to the choir. But it's always good to revisit context. Neal will talk quickly about the Lanai Water Company's drought watch that I'm pretty sure you're all aware of and how that fits into the context of the commission. He'll also share where we're at with a US geological study on some groundwater recharge work that we're looking at related to climate impacts for Lanai and the State, actually. And then we'll end up with Ryan and his team to talk about some of the permits we issued since we last talked for wells on Lanai, and some of the groundwater monitoring that we're doing.

So real quick, brief history. Next slide. We -- there's been tons of work on Lanai related to water and our work goes back to 1989. The commission, the Code was passed in 1987 so right after that this community took advantage of the Code, and it's, it's -- the Code and the law. I know there's a petition to designate Lanai as a groundwater management area. And there's been twice, two times that, that those petitions come up and it's highlighted here. But what I just wanted to talk to in the history here is you have an engaged community that cares about its water resources, and then the commission and the County have tried to support by providing research, funding research in work and support with the Lanai, Lanaians for

Sensible Growth, as well as the Lanai Water Committee. And so the various reports and studies have been done throughout the years as highlighted here on this first slide, and – next slide.

And as a result of that work and petition, petitions, there's various conditions that were established by the Commission, or what we could call triggers -- how we're going to -- how we recommend to manage water on the island of Lanai. And since then, in 1997, we've been working and there was an update and formal adoption of the Lanai Water Use and Development (LWUD) Plan. That happened 2012. And then there was kind of a gap between there and 2019. And so we, we revived the circle backs, touch bases with community, although those were formally, I think, held and organized by the County. When I became deputy, I kind of pushed it to re-engage and make sure that we have a presence on all of our islands throughout the state. And so coming back to Lanai and sharing information with the community is really important and having this open relationship and door. And so we've been coming yearly to share information, get information, and then coordinate if there's anything that's needed at our level, at the State level. So that's it for . . . (inaudible) . . . again, real brief, you guys know most of it or you folks know most of that.

Next slide. I think that's it. I'm going to hand off to Neal. Neal, do you want to jump in?

Mr. Neal Fujii: Yes.

Mr. Manuel: Neal, we can't hear you. Well, while he's trying to figure out his connection, I'll just jump in. So we've been working. We were notified throughout the State. We coordinate with various water utilities as well as the Counties on drought management and drought watch. And so we were notified by the Lanai Water Company that they were going to declare a drought watch in August. And there's a protocol established in a drought plan that's in place that we follow and coordinate with the Lanai Water Company to make sure that we are notifying community, that we are, we're aware of kind of monitoring and managing kind of what water we're -- the data we're seeing in our wells, in our reporting. And it's really just for us to be proactive. And so we have other job committees throughout the State that we work with and other utilities like the Board of Water Supply on Oahu or the Hawaii County Department of Water Supply, and Maui Water Supply when there's drought notifications. And it's just -- we wanted to highlight that we are coordinating with the Lanai Water Company, and there is communication between our, our, our organizations. That was the intent of this. We know that drought is a serious thing. It's happening all throughout the State and we're hopefully going to come out of it soon and some rainier months. But until then, again, just be mindful of how we use our water. Hopefully he's here. Next slide. Neal?

Mr. Fujii: Can you guys hear?

Mr. Manuel: Yeah, you're good.

Mr. Fujii: Okay. Okay, okay. Okay, sorry. Thanks. I hope you still can hear me. My connection, I had to get off and get on.

Good evening Chair Preza and committee members. I just wanted to talk quickly about the USGS groundwater recharge study. And this study was initiated back in like 2020. And you know, prior to that the Commission had contracted the US Geological Survey to do future recharge estimates for all the other islands except for Lanai. So, you know, in 2020, there was some funding available that the Commission could spend towards Lanai. And Pulama Lanai actually contributed some funding to this project . . . (inaudible) . . . that also made this project possible.

So the project period began in 2020. It's scheduled to end December of 2022. What the study actually does is looking at different climate scenarios for middle to the end of the century. Basically rainfall, what the rainfall is going to look like, and based on current global, global climate models, right. So looking at future recharge on all islands, including Lanai, and, and, you know, the Commission is going to come up with some estimates based on all of these studies and using that information. We are going to take a look at that and maybe even relook at our sustainable yields in certain parts of the State to make sure we have climate sensitive, and climate change sensitive sustainable yields. Next slide, please.

Oh, thank you, Ryan. So as a status condition right now, I guess an update real quick. This is from US Geological Survey letting us know that they've created their water budgets already. So they got their data inputting into the recharge model. They've started some preliminary runs to, to look at the recharge and probably doing some calibration. And then they're also going begin assembling the report based on some of the preliminary data. And then the USGS is going to or schedule to present to the Water Commission during October 20, 21st, or October 2021. So, next, next month's scheduled monthly Water Commission meeting. And then if you want to, you guys might want to tune in to that to get some more information on what the status of that project is. Our next slide, please.

Mr. Ryan Imata: Okay, so that's, that's me. Am I muted? Yeah, that's me. Okay. Good evening Chair Preza, Commissioners, Ryan Imata, Ground Water Regulation Branch. So I'm just going to give you a little, a really super brief update on well seven.

Well seven, Lanai seven was originally drilled I think in 1986 for agricultural purposes. We actually subsequently issued a permit on August 3rd, 2020 for a pump capacity of 350 GPM, which is a not typical for us to have to issue a permit when the pump size is being reduced. But in this case, we did, and presumably because the pump was really old. It was, you know, the change in use from agricultural to municipal uses. To date, I don't think the pump has been installed. But the pump test is going to be submitted, along with the well completion report, and we need to accept that before Pulama Lanai puts that into use.

So I'm going to go to the next slide, and I think I'm going to -- let's see we're going to talk a little bit about well ten, the hydro geochemical investigation. So this was done by Dr. Don

Thomas at UH Hilo. He was exploring the dynamics of groundwater systems and with specific geological regimes within the Palawai Basin using his core drilling technology. So well ten is not in the optimal location for a geothermal exploration, but I think that was the only well that was available for him to deepen. He went down to minus 3,466 feet below ground elevation before he encountered some geologic difficulties that precluded him from going deeper. And he was kind of limited by that. So he was, he did find some, I think, a slightly warmer activity as he went down. But he couldn't really explore beyond that. And I think beyond 3,466 was where he would have found better thermal activity if there, if there was any.

So I'm going to go on to the next slide. I'm going to turn this over to our survey branch guys and they can talk a little bit about some of the reported pumpage and water levels, chlorides and conductivity. And, and we do have data available online. So here is an overview of all of the wells, and generally in the central region, and at least Lanai ten where the geothermal or hydro geochemical activities were explored. Let's see --. So I'm going to turn it over to Patrick or Bob to talk a little bit about the data that we collected and, and how we see this data.

Mr. Patrick Casey: Okay. Aloha Commissioners. Patrick Casey, geologist with the survey branch. In years past, Roy Hardy, our former groundwater branch manager, gave you presentations basically an overview of the total pumpage and some other groundwater information. And in keeping with that, we updated one of the slides. This slide shows total Lanai pumpage for the last 30 years. There's, there's a few things to notice here that the dashed lines are monthly reported pumpage. And the blue line is the 13 month moving average. It kind of smooth things out so you can get a better feeling for what the trend is. And you'll notice that the, with a little bit of a rise in 2005 to 2010 area, pumpages has slowly declining. In fact, you know, now the, the last few years it's below one-third of the sustainable yield. It's below two MGD. So next slide.

Now this is a similar slide showing the pumpage along the bottom and then these are the reported water levels for a number of wells, you know, in in the central part of, of Lanai. And you can see the trends over the years. They're fairly stable. There's some going down a little bit and some going up a little bit. But overall, again, the pumpage is, is being reduced over the years.

Now the next slide shows precipitation to give you a little bit different perspective on what can be influencing the water levels in these, in these wells. You see some, some pretty big spikes where there was some pretty big rainfall events. And then there are some gaps. There's not many rain gauges on Lanai. This is actually from Lanai City, which has the, the, the greatest density of, of precipitation, precipitation data over this period. And I think that's all I had. If you had any questions.

Mr. Manuel: Yeah, mahalo team. This was just to give an update since our last presentation and provide space for questions or thoughts if there's any additional questions you have,

and any data you need from us, let us know. And we're here to answer any questions. Thanks, Chair and Commissioners.

Ms. Preza: Thank you all so much for being here and for that presentation. Before we go to the Lanai Water Company, I wanted to check with Rochelle. Do we need to open public testimony for this agenda item?

Ms. Thomson: Thanks. You could do that quickly just to kind of get it out of the way.

Ms. Preza: Okay. So I'm going to do it twice just in case anyone has specific questions for CWRM because I don't want to keep them any longer. It's getting a little late. So I will open up public testimony. If anyone would like to testify or ask any questions of CWRM while they're here. Leilani, has anyone contacted you?

Ms. Ramoran-Quemado: Chair, no one signed up to testify.

Ms. Thomson: I see in the chat that Butch Gima is -- has just chatted that he would like to sign up.

Ms. Preza: Okay, okay, sound good. Butch, do you want to go ahead?

Mr. Reynold "Butch" Gima: Yeah, thank you. CWRM staff, I was wondering if you could comment on the fact that Pulama Lanai and the Lanai Water Company has not participated in the Lanai Water Advisory Committee meetings for going over three plus years, and what impact that has on your agency's assessment of them taking care of water and water distribution on the Lanai?

Mr. Manuel: I'll take a stab and then I don't know if other staff want to jump in. Within my tenure, I'm here -- I've been here since 2019. We, we have a good working relationship with Lanai Water Company. And, you know, the information --. They're -- I will say that they are probably one of our star students throughout the State actually with providing reports on well use and water use, and chlorides and water levels. We don't get near the amount of reporting from other utilities throughout the State. So they, they have been good partners, I guess you could say, in working with us as the Commission. And that information is, is, is confirmed with our work in our data monitoring team with the survey branch. And so if we do see issues or concerns of increasing chlorides, et cetera, we would coordinate that with the Lanai Water Company as well as our CWRM staff. To date, you know, at least since I've been on, the working relationship is good. I mean, I don't know who holds and manages those conversations anymore, the advisory group. But at least between us and the Lanai Water Company, the information and the communication and is, is, is good. And then that's part of our desire to come back to this community and circle back with you folks and share the information that we do have. You know, whether that is presented to you folks directly from them or not, we're presenting it to you folks. And if you have and want information just let us know.

Mr. Gima: Thank you. That's the position you provided to the community several years ago, that they provide the data on a monthly basis. That goes without saying. And I know that, I know Lanai Water Company has been your star student, but in proceedings like this, the absence of vetting water issues on an application becomes very apparent in these type of proceedings because most of the commissioners, both now and in the past, don't have the water knowledge and experience. And the whole idea behind Lanai Advisory Committee was to have people who have the knowledge, including the applicant, discuss the merits, pros and cons, you know, an informal basis and ideally them making a presentation to a body like the planning commission with an informed decision based on a good informed discussion prior to the Planning Commission meeting.

So I would strongly urge CWRM to suggest that the Lanai Water Company and Pulama reconsider their position, and again, participate in the Lanai Water Advisory Committee. I think it benefits our community. I think it benefits the Planning Commission. And I truly believe it benefits Pulama Lanai and the Lanai Water Company.

Ms. Preza: Thank you, Butch. Any questions for him? If not, then Leilani, has anyone else contacted you to testify?

Ms. Ramoran-Quemado: I don't see anyone else signing up.

Ms. Preza: Okay, thank you. I'll open it up if anyone would like to testify or if there is anyone calling in via phone who would like to. If not, then I'll close public testimony and then I'll reopen it after Joy Gannon's presentation from the Lanai Water Company. But for everyone who presented today on behalf of – from CWRM and on behalf of the Lanai Planning Commission, we really appreciate your time and for waiting and for coming to join us, and thank you very much.

Mr. Manuel: Thank you.

Ms. Preza: Think we're receiving a screen share from Joy?

Ms. Gannon: Sorry, I'm trying. I apologize, Chair Preza.

Ms. Preza: I'm sorry. I forgot say --. Sorry, Joy, while you're getting situated, Commissioners, do you have other questions for CWRM? I'm sorry. Anyone unmuting themselves? Great, we appreciate your presentation. And Joy when you're ready. I think I'm seeing a blue screen.

Ms. Gannon: Yeah, it's not doing what it's supposed to. Let me try one more way. I apologize.

Ms. Preza: It's okay. . . . (inaudible) . . . virtual meetings, there's always going to be . . . (inaudible) . . . And it's getting late, so I totally don't blame you.

Ms. Gannon: Well, my computer have the blue screen of death the other day.

Ms. Preza: Oh, shucks. Is it a PDF that you were going to share?

Ms. Gannon: Give me one second and I will open it that way.

Ms. Preza: Okay. Because if anything, if you want you to drop it into the chat, maybe we could just follow along.

Ms. Gannon: Okay, I will try that. But let me try this one more time.

Ms. Grove: Commissioners also got an email --

Ms. Gannon: I'm going to drop it into the -- I'm going to drop it in.

Ms. Preza: Thank you. Lisa said we got an email from Lanai Water Company, sorry, with their slide.

Ms. Gannon: Unless Keiki-Pua, can you drop, can you share your screen and we have it work on yours if you're available if you can open it?

Dr. Dancil: Chair Preza, may I share my screen?

Ms. Preza: Yes, please. Thank you.

Ms. Gannon: I apologize. Sorry about that.

Ms. Preza: No worries. Oh great. Yes, we can see Keiki-Pua's.

Ms. Gannon: Thank you. Go ahead to the next slide, Keiki-Pua. Thank you. So I'll talk real briefly about the water systems that we have on island. We have two public water systems. One that serves mostly the city that's called public water system number 237. It has three wells; wells three, six and eight. And as CWRM mentioned we're in the process of developing well seven. We're waiting on two permits. And you'll actually see a bunch of materials that's stored over by the stables. So we're ready to rock and roll on that one as soon as we get the last of our permits.

We've got about 36.5 miles of water mains, about 1,400 customers, and that system provides about 0.6 MGD, or million gallons per day.

Public water system number 238, that serves Manele area, and then what used to be able to call the irrigation grid or out the Palawai Miki area. That has two wells; wells two and four. About two million gallons of storage, 31 miles main, and only 135 customers compared to

the city. But one of those customers is the Manele Hotel, so that is one of our larger customers on island. So it uses about 0.42 MGD. Go ahead, Keiki-Pua.

We have a brackish or irrigation water system. When you're driving down in the Palawai, you'll see a couple wells that are on the side of the road, and you also see towards the base of the mountain, to the base of the mountains there is another well over there. We have wells one, nine, 14 and 15. Nine has been out of service for a little while. We have three reservoirs totaling a little over 15 million gallons, 11 miles of water main, 48 customers. But one of those customers is the golf course, so that averages about 0.57 million gallons a day including roadside irrigation and the customers landscaping as well. Go ahead, Keiki-Pua.

We have two recycled water facilities. One here in town, which services the old golf course, the Koele golf course experience. And then the Manele wastewater treatment plant provides 100 percent of that water is reused at the golf course. We have the capacity of recycling 100 percent of the wastewater on island. Right now, 100 percent of it is recycled in Manele and then we only recycle what is needed to water the approved areas in town. Go ahead Keiki-Pua.

If you want to learn more about the recycled water, we're actually part of an award winning documentary on recycled water. If you Google Voices of the Sea and Recycled Water Reuse, you can find us about ten minutes and it will do a tour of both treatment facilities. And so it's kind of cool. Go ahead Keiki-Pua.

Regulatory environment pretty simplified. We have, we're regulated by the Department of Health on water quality. Same as any other public water system, whether that's City and County of Honolulu or County of Maui. We're regulated by the Public Utilities Commission for water rates and consumer rules and regulations, as well as the Division of Consumer Advocacy. We're regulated for water quantity. CWRM was just here talking about some of those regulations. And then the Maui County, various ordinances, the Lanai Water Use and Development Plan, and project conditions. As a point of clarification -- the Lanai Water Advisory Committee is actually an advisory committee to the Water Department, and that, the Water Department has not called a meeting since 2012, I believe. It might have in 2011. At such a time when the Water Department does call for a meeting, we will participate. Go ahead Keiki-Pua.

All of our drinking water quality information is available on our website. Every year we publish what's called a Consumer Confidence Report. You can look at that as kind of our grade, our report card to the community. If we have a violation, if we have a significant deficiency that we haven't fixed, if we have a water quality concern, it is required by law to go into the Consumer Confidence Report. And that's reviewed by this Safe Drinking Water Branch annually and posted on our website. DOH inspects the system every three to five years. They were just here a few months ago. They'll be here again next year inspecting the Manele system. The Department of Health requires a responsible charge who the Department of Health hold responsible for maintaining, making sure we're in compliance. That's me. Any

substantial modifications to the system have to be submitted to the Department of Health. Go ahead Keiki-Pua.

We test for chlorine residual on a weekly basis. Those little red dots are our sampling points scattered throughout the island. Go ahead Keiki-Pua.

That's just one of the many parameters that we test for. We test for well over 100 parameters in a seven year cycle. Our -- we have extremely good quality water and our drinking water is actually up on the hills for the most part of. There's three wells here in town. One's behind Koele, the Sensei Resort. One is kind of behind the Villas. And one is if you go up K-pau Highway and head up towards a hill that's where well three is at. Wells two and four, when you're looking going down in the Palawai, when you look up and you see the gray tank, that's the Hi'i tank up on the bench. And well two is about a half a mile away from that. And then well four is another roughly a mile past that. The picture that's shown is actually well two. If you look around, you can see that there's real no development there. You see it's surrounded by trees and cloud banks coming over the, the hill there. Really not a lot of pollution that could enter into the watershed. Go ahead, Keiki-Pua.

Watershed protection is key to our water quality. Go ahead Keiki-Pua. And if you go up to the, the Hale, what you'll see, it will look a lot like this. We have a substantial part, a substantial portion of our water recharge is actually fog drift, and occurs in the watershed protection area. Go ahead Keiki-Pua.

Throughout the island we actually have extensive SCADA radio coverage. So this is actually a drawing of the way communication happens between various assets on island. Go ahead, Keiki-Pua.

We have what's called Supervisory Control and Data Acquisition (SCADA) that's occurring pretty much continuously. So we -- this particular screenshot on the left is showing Hi'i tank and well four in operation, and pumping into and also the water level in the aquifer at well four. We have remote ability to operate the system. So the other screenshot there is actually my phone. And so if there is an alarm that goes off, I can address the alarm pretty much from anywhere. Go ahead Keiki-Pua.

We do monitor the drought conditions on a weekly basis. We do have an approved drought monitoring plan, a drought response plan that involves essentially --. We're guided by the Hawaii Drought Monitor as well as conditions at well number five, which is a well that is quite a bit a ways away from any of our pumping allocations. Go ahead Keiki-Pua.

Pumping trends. CWRM talked about this already. But we do monitor that on every 28 -- we monitor -- our meters register how much water has gone through it every hour. So we check it usually on a daily basis. But then every 28-days we report it to CWRM on what's called the PWR. Go ahead Keiki-Pua.

So we'll actually be doing the PWR tomorrow, so that will be period ten. So, but this is the latest PWR from, going from periods one through nine. So the year is divided up into 13, 28-days periods. We're averaging about 1.57 million gallons per day of pumping. Overall our pumping rates about 0.5 percent less than when Mr. Ellison purchased the utility in 2012. And there's a few reasons for that. Go ahead.

One of the larger reasons, there are improvements to the golf course. There was a major irrigation improvement project a few years back so that is a significant water conservation. Another push was the smart meters. All permanent meters on islands are smart meters or have the ability to track flow every 15 minutes or every hour, depending on which model was installed. So out of that, this was actually taken today, this afternoon -- this afternoon, we had 180 continuous flows or leaks past the meter. As of this afternoon, some of them were large. So 16 of those were actually large, large leaks or greater than 60 gallons per hour. So the vast majority of them were smaller leaks or under ten gallons per hour.

Only 17 percent of our accounts have actually signed up for Eye On Water so that is a --. Eye on Water is a tool that allows people to sign up for leak alerts. It's a really, really useful tool. You get a text or an email saying, hey, you have a leak at your house. In the last 30 days, we've had ten people that have gone on to the website. And in the last 24-hours, two people that have gone on the website. Most of the people that are using Eye On Water are just relying on the texts or the emails and aren't necessarily going on the website itself. Go ahead, Keiki-Pua.

We've typically -- every month we send out leak letters. We -- every January we send out a leak letter to everybody that is on that 180-some odd leaks. And then every month, if there was a new one that popped up, we send out about twenty new leak letters per month. Roughly around 250 letters a year. DLNR, actually CWRM, provided a grant for partial funding of phase two of the smart meters. Go ahead Keiki-Pua.

This is what a leak looks like. This is --. I'm not sharing any secret data. This is me and this is actually my house. So if you're looking at this is a monthly water use by months. So January, February, March, April, until you get to July, where you see a pretty, you see a little bump and then August where you see a huge, huge jump up. And so you go, what the heck happened? And so leaks usually build up over time. Go ahead Keiki-Pua. And so you can see, hey, this is by day, at the beginning of August, I actually had a leaking toilet that we caught, I believe, on the second or third day of August, and a leak was triggered. And so go ahead, Keiki-Pua.

And this is what a leak looks like. So on the left is a normal day for me. I get up in the morning, make breakfast, maybe, or doing whatever. But in the middle of the night, I'm not up flushing a toilet. I'm not up turning on the sink. So at nighttime, there's generally no, no use whatsoever. And on the right hand side, you'll see what a leak actually looks like. There's water use that's happening 24-hours a day, every hour of the day. Go ahead Keiki-Pua.

Smart meter implementation. We estimate that we've saved about 12 million gallons a year of brackish water, about ten million gallons a year for drinking water. It's been a huge, huge, huge benefit for us. That's on the conservative side. They're still fairly new technologies so we don't a huge time to look at it. Go ahead.

We do submit an annual third party validated water audit to CWRM on a -- by, I think, it's June 30th of every year or maybe it's July 1st. So we did go through that water audit with CWRM staff earlier this year and it was validated. And we are continuously working on improving our validations and our numbers overall with CWRM. Go ahead.

So more changes that are happening on the island. We've added a number of tracking meters, and so we're trying to be more aggressive on leaks. And so this, this picture I'm showing here is actually a tracking meter that's over by the cat sanctuary that measures all the water that's heading down the hill past the cat sanctuary. So if I have a continuous flow there, I know to go looking for a leak on that line somewhere. Go ahead.

We also implemented a GI -- we also created a GIS system in 2020, 2021. Go ahead. And this is what it looks like brought in a little bit closer. You can see all the waterlines, meters, backflow devices, valves, whether they're open or closed, fire hydrants, where the fire hydrant valves and et cetera. And on the left hand side, on the little blow up there, what that actually shows is if you click on one of those water lines, it will show you what kind of material that is, what size the water line is, what year it was installed, will also do whether a back flow passed. And so basically information on all the assets. And that's part of an asset management plan that's being developed. Go ahead.

Along with those changes of being -- having that in our GIS system, we can actually load that map into a drone and look for leaks. So this picture is actually of a leak over in the ADA area. So if you look about dead smack dab, smack dab in the picture, you'll see a kind of a change in color. That, that's actually water that was leaking out of a pipe. And so are using that technology to help us find those leaks. Go ahead.

The next thing that we're partway through, this is probably going to take most of the rest of the year is we're building a hydraulic water model for the Lanai City system. If you'd like to learn more about that, I'll make sure that this presentation is available. But you can Google Water Cad and see what that will look like. It's a little bit challenging because in the early 1990's there was a water system improvement that was kind of a little bit oddly done. So this is going to take quite a bit of investigation throughout the year to make it a good model. Go ahead.

Some other changes that you've seen. We've been mailing out encouragement to sign up for auto payment. Right now we have about 695 customers that have signed up for automatic payment. You'll see us actually rolling out another request to sign up for that. It makes our lives much easier. And we'll be basically saying, offering a donation to charity, whether that's

the pets or the Meals on Wheels or some other type of activity. So that program is being put together right now. Go ahead.

And with that, I tried to keep it under ten minutes. Thank you.

Ms. Preza: Thank you, Joy. That was great. So, Commissioners if you have any questions, I'm going to open public testimony first and then we can ask. So Leilani, has anyone signed up to testify?

Ms. Ramoran-Quemado: Thank you, Chair, no one --. Oh wait, hold on. I see Butch has signed up.

Ms. Preza: Okay. Butch, you can go ahead.

Mr. Gima: Thank you. Joy is absolutely right in terms of overall decrease in water use as a result of SCADA and improvements done at irrigation at the Challenge of Manele, and her predecessor fixing up all the leaks in the Palawai system, and an emphasis on conservation. It's for those very positive things that befuddles me in that they don't want to participate in the Lanai Water Advisory Committee and be more transparent. She mentioned that we come under the auspices of the Lanai -- I mean the Maui Water Supply Department, and that the director has to call the meeting. Well for decades when the Lanai Water Company participated in LWAC, they had no problems participating when the Director of the Water Supply didn't call the meeting. I was the one that called the meeting and they participated. And it's right after Joy's tenure started that they started -- they stopped participating.

Now I suggest to the planning commissioners that if you guys want to take on water by yourself, you know, that's, that's your kuleana. But I have attended many of your meetings and you guys have spent an . . . (inaudible) . . . of time trying to understand water. My suggestion again is let Lanai Water Advisory Committee vet a lot of these water issues and then bring a balanced decision and discussion to you. Without the LWAC's participation, you do not have a balanced set of information. You're getting only information from the applicant slash the Lanai Water Committee. Thank you.

Ms. Preza: Thank you. Any questions for Butch? If not, Leilani has anyone --? Zane, go ahead.

Mr. Z. de la Cruz: I was just curious what would -- what kind of authority do we have to get these two parties together, like, if we wanted to pre-vet that information?

Ms. Gannon: I think that Richelle has actually spoken about that for the last two years and maybe you might want to have her discuss that. But that has been something that you've had Corp Counsel discuss in the past.

Ms. Preza: Thank you. Richelle, I see that your internet is not as good, but if you're there or if Jordan's there and want to speak to this, it's probably good that we discuss it during this workshop for informational purposes for new members. Sorry, Richelle, I don't know --

Ms. Thomson: Thank you. And I have to apologize for my cat because he's being really loud right now. So there's, you know, there was --. I won't go into the whole history of it, but there, there was a change in the way the -- that LWAC was involved, you know, in with the County. So Mr. Gima is right, you know, that currently it would be the water, the Director of the Department of Water Supply who would call those elect meetings, and you know, that has not happened in some amount of time.

In terms of this commission, though, I think that it, it is, you know, usually a part of, of many applications that you review, you know, water use and the impacts on, you know, if any or, you know, just in a cumulative sense, the impacts on the aquifer and the water sources that you have. So this is not to, not directly answer the question, but just encourage you to realize that you do have the resources available to you, to educate yourselves and to also analyze the impacts of water use. Whether or not our LWAC officially, you know, either exists or is dormant, it doesn't play the same role that it did many years ago.

Ms. Preza: Thanks Richelle.

Mr. Gima: Zane, the Lanai Planning Commission cannot compel Pulama to participate in the Lanai Water Advisory Committee. But as I said, for decades, they, they participated. And we've had some good discussions. We've had some contentious discussions. But the point being was that there was discussions about water in general and what's in the best interest for, you know, for our island. Keep in mind that because the Lanai Water Company is a private water system, the Department of Water Supply has no jurisdiction over the Lanai Water Company. That being said, several of the directors do not want to really get involved because Lanai Water provides no revenue to the Department of Water Supply, slash, the County. So, you know, they don't want to call meetings and then have to spend money sending staff to the meetings and so on. So I understand that point.

Ms. Preza: Lisa, did you have a question?

Ms. Grove: Yes. This is for Butch. But what are the things that you think we, we need to know or should know the, the knowledge that you could impart so that we have a sense of what it is that we're missing?

Mr. Gima: That's a good question because as part of several of the my responses to the EA was both the applicant, the County and the entity that was putting the EA together did not give either the County or the planning commission a big picture of the water use. So, for example, this application before you shows that they're going to be decreasing water use. However, in Hokuao, there was going to be X-amount of water use. And it's important for the planning commission to know how that increase in water use for the whole island fits

into how much water we're using, how much water is reserved for projects that have not been built yet. And then when you add up the actual use and the projected use and the reserved water use, at some point it may exceed our sustainable yield. And as a planning commission, you need to know that because you cannot look at a project only in a vacuum, you have to see it in the big picture. It's the responsibility of the applicant, and the County, and the preparer of the EA to show you this information. And I told Keiki-Pua and Kurt about this, and that still hasn't come before this planning commission. So that's one example of what the LWAC can provide the Lanai Planning Commission.

Ms. Grove: Thank you.

Ms. Preza: Okay, Commissioners, any other questions? Oh, never mind, I see Butch left, so sorry, I don't know if you can ask any questions of Butch. But if you have any --? Zane, did you have a question for Butch?

Mr. Z. de la Cruz: Oh, it's a question about the waste water stuff.

Ms. Preza: Sure. Go ahead. Oh wait. Actually --. Sorry, Zane. Sorry, I didn't mean to say go ahead and then stop it but I realized we're in the middle of public testimony, so we'll get to commissioner questions in a second. Sorry, Leilani, did anyone else sign up to testify?

Ms. Ramoran-Quemado: No one has signed up to testify?

Ms. Preza: Okay, thank you. I'll open it up if anyone would like to or if anyone's calling in via phone who would like to testify? If not, then I'll close public testimony. I'm sorry. Go ahead, Zane.

Mr. Z. de la Cruz: Just a little three part question on the wastewater you mentioned because you said that you kind of produce what's needed for Koele, but you we have the capacity, or the company has the capacity to basically process all of the water. So I'm just curious as to how much R1, or how much affluent gets up to Koele. And, like, what is the max yield that the plant can provide?

Ms. Gannon: So the max yield, what I tell our, what I've told development is plan on no more than 300,000 gallons per day based on our plant capacity. It's possible that that could be bumped up to take what the County produces. But I, you know, equipment fails, so I say on the safe side, when you're planning, use the 300,000. But that, you know, we could make more improvements on that. What we're sending right now, that's on our, our periodic water, our periodic water report that's on our website. I believe last month it was around two million gallons or two to three -- somewhere between two and three million gallons. So significantly less than that 300,000 gallons per day. And so what -- we only take what we need to send up. And because when you are treating that R1 water, it is energy intensive. We have UV lights that use up a lot of electricity, and we also add chemicals to the water. So we're not going to treat what we don't need. Basically it infiltrates into the ground right there at the

County wastewater treatment plant if we don't take it from them and treat it further. So it's still going back into the aquifer one way or the other. It's just whether it's treated to that R1 standard and then reused for irrigation up where the old golf course was or where the Adventure Center area is now, and then those ponds that are over by the Adventure Center. Does that answer your question?

Mr. Z. de la Cruz: Yes. Thank you. But just a quick follow up. Do you have any idea what the cost per gallon of the R1 is?

Ms. Gannon: I calculated that out at one point in time. I can do that again. I think it was between seven and ten gallon, at seven and ten dollars per thousand gallons, so it's pretty expensive.

Mr. Z. de la Cruz: Okay.

Ms. Gannon: It's actually one of our most -- it is our most expensive water source.

Mr. Z. de la Cruz: And just for clarification, that was seven to ten, estimated, seven to ten dollars per thousand gallons is what you said?

Ms. Gannon: Correct.

Mr. Z. de la Cruz: Okay. Thank you.

Ms. Preza: Joy, I had a question about -- so I'm, I'm on the Lanai Water Company website. So I see like the periodic water report under the water reports tab. So I see there's one for 2021, which I feel like gives a really comprehensive overview of, like, all of the water usage or being, like, or being pumped from all the wells in case other commissioners are interested in like an overview. I was wondering if you folks are or, or have, or will post like the historic. Like I only see 2021 periodic water report. If there might be --. Like it's just --. I think like all the water reports that we've received for different projects have been very thorough. But I just wonder like for this longer kind of a more comprehensive one across all the wells, if you folks are planning to post the historical, like 2020, 2019?

Ms. Gannon: Yeah, we could do that for 2019 and 2020.

Ms. Preza: Thanks. I was just wondering because, you know, how Butch was talking about, like, you know, we have to have a better view of like overall as an island. But it seems like a lot of that data is here and I'm sure you folks have collected all the data. So maybe having that on the website to help with, you know, just providing that to the public.

Ms. Gannon: Yes, we can add, we can add that.

Ms. Preza: Cool. Great. Commissioners, other questions for Joy?

Ms. Kaye: I would suggest that two years is not enough. Perhaps they could do five years? Ten years?

Ms. Preza: Joy, would that be possible?

Ms. Gannon: I am comfortable with the years that I produced the PWR. I know where those are located at and I have access to those. So I'd be happy to publish from 2017 because I know where, where those are located at.

Ms. Preza: Great.

Ms. Kaye: That'll be all right. That's, that's great.

Ms. Preza: Thank you. Okay, great. Any other questions? If not --

Ms. Gannon: And we do notice that CWRM does have that data on their website on the wells going back, I think, to 1926, I think it is as well. But yeah, we can, we can publish the PWRs.

Ms. Preza: Thank you. That's great. And thank you so much for your presentation and for staying on so late. I apologize that it's been a bit. Oh yes, Keiki-Pua, did you have something to add?

Dr. Dancil: Another data source and Director Manuel also stated that so I put in the chat the CWRM link, and it goes back to 1926 through January 2020. So you have, oh, close to a hundred years-worth of data there.

Ms. Preza: Thank you. And sorry, Joy, I just have one more question, just to confirm because I feel like they should, they should open some of our reports before. But remind me the sustainable yield for the island is estimated at 600,000 gallons per day.

Ms. Gannon: Between six million. It's legally set at six million, which is the low end of the estimate. They estimate it currently be between six and thirty six. But out the, I can't remember what the terminology is, but they take the most conservative and it's at six million. And we're pumping one point five seven.

Ms. Preza: Sounds good. Sorry, I didn't to say 600,000. I knew it was more than that, but the six in my head. I was like, okay, six million. That sounds good. And you said average per day right now is one point five?

Ms. Gannon: One point five seven.

Ms. Preza: Okay. Thank you. That, that makes me feel like good that we're way under that, so thank you for providing just as a refresher. Okay, great. Commissioners, any other questions? Yes, Lisa.

Ms. Grove: I was just going to say quickly, you guys probably already know this, but when she said that there are 48 users down below and then mentioned Manele, I was curious to know who the other 47 were. And I wasn't aware of the fact that, I mean, I guess I knew it but then didn't know it, that the all the residences down there are required to use brackish water in there, in all of their homes and residential irrigation. And that gave me a little bit of peace of mind, so I just wanted to share that.

Ms. Gannon: Yeah, so that roadside irrigation, so when you're driving down there and you see all the nice green vegetation along the roadside and then the residents are required to use brackish water for their irrigation as well.

Ms. Preza: Thanks, Joy. Great. With that, thank you so much, Joy, for being here and staying on late to present to us. That was -- I'm glad that we have a water meeting every year just to kind of refresh some of this information. And I think both CWRM and Joy said, you know, we're able to reach out individually, if we have questions on anything, is that right?

Ms. Gannon: Correct.

E. DIRECTOR'S REPORT

1. Open Lanai Applications Report as distributed by the Planning Department with the September 15, 2021 agenda.

Ms. Preza: Okay, thank you. We appreciate it. Okay, so we'll move on since it's getting quite late to E, Item E, Director's Report. So open Lanai applications. Do commissioners have any questions about that? We receive it every month. Okay, if not, we'll move on to status update on STRH/B&B proposed changes. I feel like it finally went before the County Council or the appropriate committee. Right Jordan?

2. Status update on the STRH/B&B proposed changes.

Mr. Hart: Yeah, the item passed out of committee. It had its first reading on, I believe, September 9th or September 3rd. And the second and final reading is this Friday.

Ms. Preza: This Friday? And that's when they will approve or --?

Mr. Hart: It's going to pass. It's passed, it's passed out of committee and passed the first reading, so it's --. I mean, there's no chance it will not pass the second final reading. But anyway, then after that, it gets sent to the Mayor for signature and it becomes an ordinance.

Ms. Preza: Do you know if they, you know, like the document that we kind of pulled together, did they pretty much stick to that or do they make any big changes?

Mr. Hart: No, I think, they generally it was, it was, it stayed the same.

Ms. Preza: Okay. Did -- I had heard that -- I wasn't able to participate in those meetings and I didn't have time to watch the recording, did they low -- did they make the STRH/B&B 15 each?

Mr. Hart: I have to double check that. I don't remember that change but I have to look at that.

Ms. Preza: Okay. Sorry. Would be possible to forward us you know, when that information gets passed, or is there a way that we can seek it out ourselves? What committee is it again?

Mr. Hart: What's --? Okay, they come out of the Planning and Sustainable Land Use Committee, and they go to the, they go to the Full Council. The item that I was giving you an update on was the, the density amendments. I don't believe that that was the same as the cap legislation, so I'd have to dig up the cap legislation. Unfortunately, Jacky is the person who monitors all legislation for the department. She was on earlier and she's off now. So I can't tell you off the top of my head.

Ms. Preza: No worries. Do you think for the next meeting, could we just add -- I'm sorry because I feel like we've had the status update on our agenda for many months now -- but maybe just some details about, I guess, like if it was similar to what we, what we had proposed or if there were, you know, the cap numbers and the density . . . (inaudible) . . . ?

Mr. Hart: Sure. Let me --. I'll paste the committee report into the, the chat so you can review the Council. It's the Council item and you can review all the materials that's associated with it.

3. Agenda Items for the October 20, 2021.

Ms. Preza: Okay, thank you. I appreciate it. Okay, Commissioners, any questions on that? If not, Leilani, is there anything on the agenda for next month?

Ms. Ramoran-Quemado: In addition to that item that you folks deferred you will get a couple more bill for ordinance amending various sections of Chapter 19, Maui County Code. And

then there's also AT&T, they're requesting a time extension and upgrade on their existing facility. So kind of busy again.

Ms. Preza: Okay, thank you. And Commissioners, any questions on that?

Ms. Grove: Yeah, I didn't hear her. Upgrade, the AT&T thing is upgrade on existing what?

Ms. Ramoran-Quemado: Upgrading their existing facility. And it's also a time-extension so it's currently existing.

Ms. Preza: So the permit is currently existing, and they want to just extend the time that they have to work on it?

Ms. Ramoran-Quemado: I don't have the details.

F. NEXT REGULAR MEETING DATE: October 20, 2021

G. ADJOURNMENT

Ms. Preza: That's okay. We'll see it on the agenda. Okay, great. Thank you all for sticking around for such a long meeting. I appreciate all of your time and contribution to volunteer on this commission for our community. And with that, we'll adjourn at 8:17 p.m., and see you folks in October. Good night everyone.

There being no further discussion brought forward to the Commission, the meeting was adjourned at 8:17 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

John de la Cruz
Zane de la Cruz
Elisabeth Grove
Sally Kaye, Vice-Chair
Shelly Preza, Chair
Natalie Ropa

Shirley Samonte
Chelsea Trevino

EXCUSED:

Sherry Menze

OTHERS:

Jordan Hart, Planning Deputy Director
Jacky Takakura, Administrative Planning Officer, ZAED
Kurt Wollenhaupt, Staff Planner
Richelle Thomson, First Deputy, Corporation Counsel