

**HANA ADVISORY COMMITTEE
TO THE MAUI PLANNING COMMISSION
REGULAR MEETING
AUGUST 11, 2022**

A. CALL TO ORDER

The meeting of the Hana Advisory Committee to the Maui Planning Commission was called to order by Chair Ward Mardfin, at approximately 4:54 p.m., Thursday, August 11, 2022, in the Planning Department Conference Room, 250 South High Street, Wailuku, Maui, Hawaii 96793 and via BlueJeans Meeting ID: 636644309.

Chair Mardfin conducted a roll call of the Committee Members and a quorum was present. (See Record of Attendance).

Chair Mardfin: Becky Lind, no. Clayton Carvalho, Jr.

Mr. Carvalho: Yes, do we have to announce our location as well?

Mr. Kunkel: That's right and if anyone is in the room with you, just state who it is, it's fine.

Mr. Carvalho: Okay, I'm at home 4245 Hana Highway and I'm by myself.

Chair Mardfin: Um, Scott Crawford.

Mr. Crawford: I'm present, I'm here and Heidi Lea is in the house somewhere but not with me right now, but she might at some point wonder through during the meeting.

Chair Mardfin: Okay, Mary Ann Kahana. Not here yet. Lipoa Kahaleuahi, not here. Dean Wariner.

Mr. Wariner: I'm here at my house and my wife is here but she's doing other things.

Chair Mardfin: Okay and Ward Mardfin is in his house in Wakiu without anybody else in the house. I hereby call the meeting to order. This is a meeting on August 11th, 2022. It was supposed to be at 4:30 but it is now 4:53. And it says public testimony will be taken when each agenda item is discussed and limited to a maximum of three minutes. I do not have a clock to measure that so if somebody else does, that's great and Item A was called to order in roll call, we've done that.

B. PUBLIC HEARING

Chair Mardfin: Item B is Public Hearing. Would anybody like ...and we have public hearing on basically two bills. But would anybody like to give public testimony on either one of those?

Ms. Young: I'm here. I can provide my testimony now if you're ready.

Chair Mardfin: Okay, Gina, would you please.

Ms. Young: Okay, sure. Good afternoon Chair Mardfin and Committee Members.

I'm Gina Young. I'm here today representing Councilmember Shane Sinenci who introduced the bill that was referred to you folks. Our office has been working with the Planning Department and Dr. Six for the past year on the bill. The purpose of the bill was to fill in gaps of the current cultural resource protections and provide more local review as well as more information for property review in looking to develop their properties. We first started our discussions with SHPD, the State Historic Preservation Division, and it was Dr. Lebo who is the Chair of that. That suggested that we use a mapping approach with a military approach that they use with high sensitivity medium and low and have them be color coordinated. SHPD has been very supportive of our efforts, and they see that this as a supplement to their work. We also want to thank the Planning Department staff. We're really grateful for all the help and guidance they provided us and all their time they spent educating us on the current process and their ideas to make it better. We like the bill the Department submitted as a Discussion Draft. That bill is the bill that we had been working on for a year. And just to provide some background, that's the bill that went to our agriculture and ... (inaudible) ... at that time our Corp Counsel had told us that we didn't have the resources to do the map and ... (inaudible)... Commission ... (inaudible). We went ahead with her approach to the bill but then after that happened and it was sent to you, the administration put in new budget positions to create the cultural map which we were very grateful for. So right now there is a GIS position and a Hawaiian language translator and researcher who are dedicated. The researcher will be doing other work but she's dedicated also to work on our cultural map. The GIS person was put right in the archaeological program. That map will be county-wide so it should eliminate the need to designate districts and it should provide information. It could take a few years but that would be county-wide. Now the two differences between the bills are, is the first bill recommends that things go to the Cultural Resource Commission and have some provisions there because of that. The Planning Department recommends the bill that's coming through there recommends that certain conditions be put on based on the sensitivity. We're open to having both approaches, and we think that the CRC review could do maybe projects and high sensitivity areas and then we like the idea that coming down to the local advisory committees like yourself. There's also been Haiku established and South Maui. But this is all up for discussion so this is all that we want to hear from you today. Do you want more responsibility, do you want to take a look at those bills, those specific projects when they come to you. And then the last thing I just want to basically talk about is that the Hana bill that was submitted to you is really just an example. We want you to see what a district would look like. But the entire county-wide map ... (inaudible) Two entire separate processes for the Hana bill. So I don't want to get you more confused, but it's just a brief summary ... (inaudible)... I'm also available for questions if you'd like to talk about that. I know Dr. Six isn't available right now. She's on a trip and she's on a plane right now. So I can try to answer those questions if you have anything about the cultural map when you get into your discussions. Thank you. So I could go ahead and take some questions now for my testimony or you can just wait until you start your discussion. It's up to you. I'm concluded with my testimony.

Mr. Carvalho: Ward is muted, Chairman.

Chair Mardfin: Thank you Clayton I had muted myself so that I wouldn't be causing feedback. I was just asking, do any Committee Members have any questions of Ms. Young? Just for some of you that may or may not remember, Ms. Young has come to Hana many times when she was

working for the Planning Department, and we were looking at B&B's and that sort of thing, if she looks familiar to you. Okay.

Mr. Crawford: I may have some questions for her later, but I'd like I think to hear the Department sort of presentation and then be able to ask Gina to stay on as a resource person so we can ask her questions once we kind of get to that phase.

Chair Mardfin: Okay, okay, Scott. I'll remember to keep you in line for that. Would anybody else from the public would like to give testimony on this matter?

Ms. Medeiros: Oh Ward, I've signed up in the chat, Mavis.

Chair Mardfin: I do not check the chat during these meetings, so if you want to...

Ms. Medeiros: Well it says to sign up in the chat. Anyway.

Mr. Carvalho: Also, Chair, so Chair we have another Board Member joining.

Chair Mardfin: Who came in.

Mr. Crawford: Mary is present there with Mavis in the Council office.

Chair Mardfin: Okay, Mary, would you please identify yourself and say who is in there with you and where you are.

Ms. Kahana: I'm Mary Ann Kahana, I'm at the Hana Cultural Center with Mavis.

Chair Mardfin: Okay, thank you very much. If nobody else from the public wants to give testimony, I hereby declare testimony...

Mr. Crawford: Oh, I think Mavis was saying she does want to give testimony.

Chair Mardfin: Oh, I'm sorry, I didn't understand that. Mavis, go ahead. You have the chair.

Ms. Oliveira: Sorry about that. Okay. Aloha Chair Mardfin and members of the Hana Advisory Committee. I think you guys all know me but my name is for the record Mavis Oliveira Medeiros and I'm in support of doing this cultural overlay in Hana of course, but I just highlighted some reasons and one of them is that Hana is the home to the largest heiau in Hawaii. Hale O Pi`ilani Heiau and Kahanu Gardens in Honomaele is Hawaii's largest ancient stone structure holding deep culture and spiritual importance. Hale o Lono is another heiau in Hana. There is so many heiau in Hana I could name but those are two of the ... (inaudible)... Also Ku`ula the Hawaiian fish god from Haleamai, and he built the first fishpond ever anywhere in the world at Leheula and um then Hokuula and Kumaka fishponds came a little bit after that. This was almost 2,000 years ago when those were built for Christ, I believe. This one is even before the more recent Alii of a couple hundred years ago of Kamehamehas. And more recently, we have Queen Ka`ahumanu

born right here, we can see the hill from the office. Kau`iki Hill who was Kaahumanu's favorite wife and there was lot of ...(inaudible)... or what you call Kau`iki was the scout where they looked out for canoes coming in from all the wars past. And almost everyone I talked to who knows their geneology, they almost always led back to Hana. So Hana is of the oldest places where ah from a long long time ago and one more thing is the Pi`ilani of old. That was before the Kamehamehas all lived here, but more importantly those families still live in Hana. I don't know how many other places in Hawaii can say that the families from that area from hundreds of years ago still live there. Hana is one of those places. We need to protect sites ...(inaudible)... Something I noticed that's not in the paperwork which I don't know how you guys might be able to help that happen is that we all thought and Gina knows, we all thought that they were coming and they were going do our survey so that we could see places that we not only that we already know of but that we don't know of. To me, it was really important to find those areas with you know sites, sacred sites that we don't know of. If there's a way that you guys could add that in there cause it's not in there anymore that would be really awesome for us to be able to at least locate the sites for places that are for sale right now, the Ranch Lands and Site properties that would be awesome. Thank you guys very much. Aloha.

Chair Mardfin: Thank you, Mavis. Does do any Committee Members have any questions of Mavis? Seeing none and not hearing from Dean. You know I know one thing you kind of left out, the King's Road, runs right through Hana, and now I would think that would be one of the things that we'd want to make sure was acknowledged.

Ms. Oliveira: Hopefully, that is one of the things.

Chair Mardfin: Are there any other questions for Mavis? Thank you for your testimony, and I think we decided that at the end of this, we'll also give people the chance to testify. Is there anybody else from the public that would like to testify. Not hearing or seeing anybody, I will declare public testimony on this matter closed for now.

(Deferred from the July 14, 2022 agenda)

B. PUBLIC HEARING

1. **BILLS FOR ORDINANCE AMENDING CHAPTERS 2.28, 2.88, 19.48, 19.52, AND 20.08, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION AND MAUI COUNTY CULTURAL OVERLAY DISTRICTS; AND CHAPTER 19.50, MAUI COUNTY CODE, ESTABLISHING A HANA CULTURAL OVERLAY DISTRICT**

Ms. Michele Chouteau McLean, AICP, Planning Director, transmitting Resolution No. 22-79, FD1, referring to the Maui, Molokai and Lanai Planning Commissions two proposed bills to amend Maui County Code:

- a. **To combine the provisions of the historic districts with new cultural overlay districts and change how such districts are established;**

expand the advisory capacities of the Hana, South Maui and Paia-Haiku Advisory Committees to include the Maui County Cultural Resources Commission (CRC); change how CRC members are appointed; require the planning director to appoint the principal archaeologist to serve as a resource to the CRC; and establish criteria for grading or grubbing permits in the cultural overlay district.

- b. **To establish a Hana Cultural Overlay District for all land situated within the Hana Moku. (J. Takakura)**

The entire text of the proposed bill for ordinance is available: https://hi-maui-county2.civicplus.com/DocumentCenter/View/134349/071422_Agenda-Item-B1_Council-Resolution-22-79-Proposed-Bill

(Ms. Takakura provided the Department's Report and Recommendations to B.1.a. and b.)

Chair Mardfin: And to do a presentation. As I understand it, there are two things. Let me make sure I understand what's going on. There's a generalized ordinance that the Planning Department would like us to weigh in on for using overlay districts in general. The second thing is to establish a Hana Cultural Overlay District and those are separate and apart from each other although somewhat related. And Jacky, are you going to be making the presentation on behalf of the Planning Department? I give you the floor.

Ms. Takakura: Yes, Chair. Thank you very much. Hello Hana Committee and let me just say for Commissioner Wariner, do you have the powerpoint, or I'm not sure if you're able to see the screen?

Mr. Wariner: No I can't see the screen.

Ms. Takakura: Because and I don't know if you got the pdf of the powerpoint presentation, but I can.

Mr. Wariner: Yes, I did get that. I have that. Oh that's right, I have the powerpoint as it was sent out.

Ms. Takakura: Okay, I can say what page I'm on and you can follow along with your pdf.

Mr. Wariner: Okay.

Ms. Takakura: As you can see it's real short. Yes that's the one. Thank you Chair. You already know everything I'm going to say.

Chair Mardfin: It was included in the material we got in the mail.

Ms. Takakura: What's that?

Chair Mardfin: It was included in the material we got in the mail.

Ms. Takakura: Perfect, okay.

Chair Mardfin: By the way using mail for anybody in Hana is a really smart thing to do because as you can tell, sometimes our technology fails us a little.

Ms. Takakura: Yep yep I understand. And you know it's still something to look forward to when the mail carrier comes. So I do want to make a quick reference to the packet because um...

Chair Mardfin: We don't have any mail carriers in Hana. They don't do home delivery of mail here; you have to go to the post office.

Ms. Takakura: Oh I see. So in the packet that you have, there's three parts: one is our memorandum dated July 7th and that kind of gives an overview of the department's overview and positions, concerns and recommendations. The second part is what Gina had talked about and that was the two proposed bills from the County Council and as you mentioned Chair, one of them is kind of this overview about creation of this cultural overlay and then the second one is creation of the overlay for specific to Hana which is Gina had mentioned is just an example and the actual plan is to have the overlay for the entire islands so creating one specifically for Hana wouldn't be necessary and then the last part of the packet is the one where across each page, it says Discussion Draft and that's the one that the Department had worked on with Council Member Sinenci and Dr. Six to create. That's the preferred one is the one that we originally had prepared. So just to give you an over...because it's kind of a thick packet. But what I'm going to do now is share a screen.

Chair Mardfin: Jacky, when you say is preferred you mean preferred by the Planning Department.

Ms. Takakura: That is correct.

Chair Mardfin: Not necessarily preferred by the Council or...

Ms. Takakura: Well, as far as I know. But you know in conversation with Gina, you know it does sound like at least for Councilmember Sinenci's office, he does support the bill that we are recommending, you know the one that says Discussion Draft. And hopefully you know with all the Commissions and Councilmember Sinenci and us, we can encourage the County Council to encourage to adopt the Discussion Draft, which is the one we want.

Chair Mardfin: Thank you.

Ms. Takakura: Okay, so can everyone see this, page 1 of the powerpoint. So Commissioner Wariner, I'm just on page 1 of the powerpoint and it's just a summary of what the bills are relating

to the Cultural Resources Commission and creation of the district designation processes and establishing the Hana cultural overlay district. So just for some background information, I'm on page 2 now about the Background is that there are already federal and state laws for burial and archeological sites but the County does not have its own regulations, and we all know in some places there are cultural and archeological remains that could be disturbed by development as the testifier said there's quite a few in Hana, so they're pretty important. We want to take care of those. Development of a cultural overlay, it would alert developers, property owners and neighbors that special consideration might be needed to protect those cultural assets. And this bill would help fill in the gaps by including the local review. Federally, there is the NAGPRA law, the native, well that's the law that protects the human remains, funeral objects and sacred objects and so forth. And then on the State level there's HRS Chapter 6E that covers historic preservation and then the State also had Admin rules relating to burial sites and human remains. So what the proposed bill here would do is supplement the efforts of SHPD and the federal laws, not replace them. Next page Mr. Wariner. So the original intent of the bill and what we have in the one we have that's labeled Discussion Draft is that the intent is to preserve the buried aspects of the cultural landscape inclusive of culturally significant land forms, few sheds and historic cultural resources, and we believe these existing regulations have proven to be inadequate so a county level protection is needed. Like I mentioned, I keep referring to the Discussion Draft, that's the one that has the original intent of the bill which was to create an overlay that is in addition to zoning but it does not change the zoning. So what that means is if a parcel is zoned say ag or residential, it's still zoned ag or residential. This would just be an overlay on top of that Title 19 zoning, not going to replace the zoning, just an overlay. So that's kind of what we have in the Discussion Draft. There's a nomination process and the designation by the County Council the GIS maps and levels of sensitivity as Gina had mentioned the low, medium and high and then procedures for updates and appeals and also some criteria for grading permits. This next slide, Proposed Bills is just a summary of the bill that was given to us by the County Council. If you compare the Discussion Draft with the bills from the County Councils, you can see that the two are very different. The one that came to us from the County Council combines the provisions of the historic districts, and historic districts are Chapter 19.52 which is Lahaina Historic Districts 1 and 2 you know along Front Street and there's also a Historic District in Wailuku. So it combines this with those that are already in existence. It expands the advisory capacities of the 3 advisory committees: this one, the South Maui and the Paia-Haiku Advisory Committee to make them advisory to the Maui County CRC, the Cultural Resources Commission, in addition to the Maui Planning Commission. It changes how they're appointed and it requires a Planning Director to appoint the Archaeologist, establishes criteria for grading or grubbing, and as mentioned it creates that overlay district just for Hana area. So that's what's proposed to us. We do have a whole list of concerns in the memorandum. It's a little long, 7 or 8 pages--6 pages but um our concerns mainly are listed on pages 3 to 5 of the memorandum. But just in a nutshell, our concerns first and foremost is that you know before we change anything about the Cultural Resources Commission, we should talk to them first and get their thoughts on that. There's some concerns about the assignment of staff, for example the archaeologist doesn't work for the Department of Planning so it's kind of awkward for the Planning Director to appoint them to anything. Some of the terminology is a little bit new for us. We do land use planning, so some of the terms like eco-indicator, that's a word we don't normally use in land use planning so it's something we have... (inaudible)... to incorporate. One of the things that I've mentioned this whole concept of zoning

districts versus overlay, we want to make sure that those are really clear because zoning is already confusing enough but to have two zonings, the idea of two zonings, that might make it more confusing for people and so we'd really like to keep one thing being a zoning district versus an overlay to keep them separate so it's a little clearer. We also had some concerns with the processes and procedures. You know I think we have a little bit more clarity in our processes and procedures in our Discussion Draft. And also for same thing for discussions and guidelines, we have those also. Grading and grubbing, that's Department of Public Works permit process and so that would make more sense to be in Title 20, and not so much in Title 19 which is the land use in zoning. And finally the Hana overlay, it might be better to review the process and procedure first and then create it before we're going to create overlays by districts. Might be a little bit premature to create one at this point. So what the Hana Advisory Committee can do now is review the bill, can recommend certain things back to the Commission, and we'll take all of the comments that we've received and convey all of that information to the County Council. So that's it for the presentation. I'm going to stop sharing but I can go back to any screen and then I'd like to just mention that Gina is also available. She's kind of a subject matter expert on this because she's been involved since the beginning of when they first started talking about creating this bill. So that's all I have for you to share. I'm here to answer questions or whatever would help for you to make a good decision.

Chair Mardfin: Thank you very much, Jacky. Do any Committee Members have any ...

Mr. Wariner: Chair?

Chair Mardfin: Yes, Dean.

Mr. Crawford: Just a quick--this is Scott. A quick clarifying point on the final slide, it says commissions options. Do you mean committees options--are you referring to us?

Ms. Takakura: Thank you Commissioner Crawford, you're right, this is the same presentation that I did for Lanai, Molokai and Maui Planning Commissions. Yes you're correct, so Advisory Committees are a little unique, so sorry about that. Correct.

Mr. Crawford: Okay.

Chair Mardfin: I'm sorry so what did you say now?

Ms. Takakura: Oh second to the last page where I have Commissions options.

Chair Mardfin: So are we making recommendations to the Maui County Council not to the Planning Department?

Ms. Takakura: Normally you actually do make recommendations to the Maui Planning Commission, but this actually was already heard by the Maui Planning Commission because I don't know if you remember we had to defer the last time but the public hearing was already scheduled for the Maui Planning Commission.

Chair Mardfin: Yes

Ms. Takakura: So what I had planned is to take your comments and include them in what we transmit to the County Council. So I still want to hear what you have to say. I don't know if Michele wants to chime in on procedure on the inclusion of the Maui Planning Commission. But for me my priority is get your comments and because we have to transmit to County Council and we want to make sure the Maui County Council gets to hear what you folks have to say.

Chair Mardfin: Thank you. Any other Committee members? Mary Ann? Mary Ann?

Mr. Carvalho: Unmute.

Ms. Kahana: Yes, Jacky, I have a couple questions you mentioned the overlay for district. I'm not sure when you said district that is meant as ahupua`a. That was one question and you also mentioned regarding the cultural overlay and you guys are--this bill would be a supplement to 15. I guess my concern is that with the already known historic site will that be a priority to do the cultural layer study in comparison to the non-known historic site. Cause like for example I'm new in ...(inaudible)...iwi kupuna, Hamoa was already known as a burial site by the locals, by history, by oral testimony and when we discovered iwi kupuna at Hamoa, the results was inadvertent. I'm not sure if I'm in line with what you're sharing regarding if we were to rack and stack and what area would we do the study.

Ms. Young: Jacky, I can answer that question if you'd like.

Ms. Takakura: Chair, is that okay Chair Mardfin for Gina to help out with that?

Chair Mardfin: Please Gina.

Ms. Young: Okay, thank you and man that's a great question. That's a question that someone else had recently asked me. So how the cultural overlay map will work, is first at least, is the county would take all known information. They will take all the SHPD information that's in the HICRIS system, that's the result of all the archeological studies submitted to them over the years. The individual archaeologist have agreed to turn over their information, and it will take new information as it comes up in the projects. Now I wasn't able to talk to Dr. Six about this before she left but we did put in money for a drone for the Department of Management, and I can envision down the road once that GIS person is done or has time using that drone to go take a look at newer areas. I can't promise it from them but I could envision that being a very useful exercise because by having the map with just known things and the map will also be updated regularly because there's a lot of things that haven't been discovered and many of the TMKs that are going to show up as green sensitivity on the map. The only reason they'll be green is because no activity has occurred on there so nothing has been discovered. So I can envision a system where we identify certain areas where we might think there is something and use the County drone to go out and do some mapping. That's that's--I can't guarantee it, but I can definitely request it and continue when they build out the map.

Chair Mardfin: Thank you. Does anybody have any questions of Gina?

Mr. Wariner: Yes, Dean here.

Chair Mardfin: Yes, Dean.

Mr. Wariner: I'd like to say that near my residence, there are platforms which I'm told were used to spot fish and direct boats to certain areas and I don't know if, yeah I think there's three along the coast here at mile post 47.

Ms. Young: That's the kind of thing that would come on the map over time. Now how the system currently would work is that in an area where there's proposed for development, they're supposed to hire an archaeology consultant who is supposed to go in and take a look and can see if there's anything is there and report it and then it would end up on the map once it's reported. Um through that way. If we have the County map and it's reported, everything works. In the current system, you don't always have the consultant notice everything that's on a property. And then it would be important for neighbors too that know about it to alert us too during the development process. Plus Dr. Six has been very proactive about as projects go through the process making sure that everything is known to the people that's making those decisions.

Chair Mardfin: Dean, did that satisfy your question?

Mr. Carvalho: Um Dean left the call. I just noticed the call dropped.

Chair Mardfin: Oh.

Ms. Young: If I can make one other comment that I didn't get to talk to in testimony. Our plan is to get back with the Planning Department and Dr. Six and rewrite the bill, do a revised bill to take all their concerns, or I wouldn't even call concerns, their comments and address them. They are the experts. We do agree that a lot of their comments were not meant to having them in Title 19 and these are discussions that we'll have with them so that the bill does turn out to be something we all agree to and that it works for everybody. So once we get through this process, we'll probably merge the two bills and take the best parts out of them. But I just want to make sure you guys are discussing all aspects of the bills but we definitely do have plans to address their comments.

Chair Mardfin: I have a question if the Committee Members don't mind. I was rather bothered by the fact they were talking about a Hana Moku overlay. This omits a large part of Hana district, it omits the Koolau moku which runs from roughly Keanae to Nahiku, it omits the Kipahulu moku that runs from roughly Ohe`o Stream out to somewhere in between Kaupo and Kipahulu, it omits Kaupo moku which goes from there out to Kahikinui and depending on who want to pick it up, that's the 4 mokus that make up the Hana district. Although for census purposes Kahikinui is often included in the census tract 301 for Hana district. And so Kahikinui might be picked up or they might be picked up by Ulupalakua. But I find it troublesome that we're not talking about those

at least three other mokus within the Hana district and I know there are things at every place. There are landing sites for canoes that occurred in Kipahulu, there's a big abandoned sugar factory, there was pineapple grown out in Kipahulu, there's all kinds of things that I don't want to see get lost and if Hana is kind of constricted to just the Hana Moku, I think we're being unfair to the whole rest of the district.

Mr. Young: I can answer that.

Chair Mardfin: Sure.

Ms. Young: When we first came up with the idea to do the cultural overlay, we were told there's no staff to do this that perhaps we could borrow somebody from the IT Division. So we kept our request very small but then we lobbied the administration for resources and lo and behold the Mayor put in, it was actually Erin Wade who used to work for Planning. Who got us these positions to do this county-wide. And they did that because they understood the importance of doing everything just like you said. Just picking out these little pockets and only focusing on them isn't really going to achieve the full protection. So the plan now is just to make it county-wide, and we have the resources to do that so it's just such a huge improvement from when we first recommended. And you just explained it exactly why it's better now that we make it county-wide.

Chair Mardfin: A second thing that I'd like to add is I'm old enough and been around enough who remember back when we were doing the Maui Island Plan and at that time I was on the Maui Planning Commission and there was a GPAC that at least four people in Hana were engaged in and at that time there was somebody, Gina you might remember his name. It was somebody in the Long Range Planning working with Jeff Hunt who at that point was the head of the Maui Planning Department and I forget his name but he came out with huge maps, like 4 feet by 8 feet. maps. And they brought them to Hana and they showed all the areas and we got along down at Helene Hall and was this here and was that there. Does that sort of stuff still exist? Cause that would be a wonderful resource to get a head start on the Planning Department the effort to get everything down and he did it by different layers. He had cultural, he had water, he had ...

Ms. Young: Michele could probably remember who that was. It was probably Mark King who created them, but um...

Chair Mardfin: No it wasn't.

Ms. Young: Oh, it wasn't Mark.

Chair Mardfin: You said another name in there.

Ms. Young: Oh it was Dave Michaels who was the person in charge at that point.

Chair Mardfin: I think it was Dave.

Ms. Young: Yeah so Dr. Six would have access to all of that to be able to incorporate it all into the cultural overlay. Thank you for bringing that up. I can remind her to check in with Long Range.

Chair Mardfin: And I knew he had circled things and marked up these maps and everything and I think it was Dave. He took them back and actually some of it is in the Maui Island Report. And so that would be a storage. You know there's a DVD disc for different layers. So we don't have to totally reinvent the wheel. We only have to repair the wheel and not totally build it from scratch.

Ms. Young: Well we'll have to take all of these other wheels and put them all in one place. But that's the plan.

Chair Mardfin: Are there any other Committee Members; are there any other statements. Mary Ann?

Ms. Kahana: Yeah, so my question is there was a piece of property on Haneoo Road and it was recently towed a little over 100 acres, so if they decide to develop, it's my understanding that you just mentioned they would have to have an archaeologist on board? And so my question would be the role of the archaeologist with the cultural overlay, take into play.

Ms. Young: Only if it's adopted. And then the map has to be created with that particular parcel and then also only if they come in for any type of permit that's listed in the bill. Now fortunately grading and grubbing is listed, that's kind of the last resort, they would be able to take a look. Now under the current system Jacky and Michele could probably speak to it better. If they're coming in and they don't need any type of discretionary permit, you're probably not going to have an AIS. I don't know I think Planning would be better to talk about the current process.

Ms. Takakura: Commissioner Kahana, are you aware, is this property near the shore like would it be in the special management area?

Ms. Kahana: I believe so. Am I correct or no, Scott.

Mr. Crawford: If it's mauka of the road then it probably is not a SMA. If the one you're referring to is mauka of the road.

Mr. Carvalho: That's the mauka property.

Ms. Kahana: Yeah.

Chair Mardfin: Mauka of Hana Highway or mauka of Haneoo Road.

Mr. Crawford: of Hana Highway.

Chair Mardfin: Yeah, mauka of Hana Highway generally is out of SMA. Generally.

Ms. Takakura: The reason I'm asking is because of um, yeah a lot of times if they're going to be applying for an SMA permit then um there is um a archaeological requirement in there but I guess it's going to depend on what kind of permit they're applying for. Sometimes even with building and grading permits, you know DSA kind of reach out to us on some of those things. Yeah I guess its will going to depend on what they're going to do.

Chair Mardfin: Dean, what did you say?

Mr. Crawford: I don't think he was speaking to all of us. Talking on the side.

Mr. Wariner: This is Dean. I was talking out of turn. Thank you.

Chair Mardfin: No please please give us your manao. Okay.

Mr. Crawford: To followup on that question, I guess I have, I'm wondering to help clarify my understanding of this process is could you explain a little bit exactly when, what would trigger, when does the cultural overlay come into the process. At what points in the Planning Department's processes permitting or whatever would it be used and secondly at what points what would trigger a referral to the Hana Advisory Committee for us to review a particular project based on it's sensitivity level within the cultural overlay.

Ms. Young: Yeah sure, I'll take that one. Um that's a great practical question. How is this going to work. Well first it has to be adopted. So probably...

Mr. Crawford: Yeah, assuming it's adopted in the way that you and the Department and the Commission all sort of are tending to agree towards you know.

Ms. Young: Yeah, so in the bill that the Department puts forth in the Discussion Draft, we have the triggers as being, starting with the change in zoning and going up from there. And actually the administration has reached out to--I can't remember who it is a department staff to have Janet, Dr. Six to even look for environmental assessments. But right now with this bill the way the "Discussion Draft" read, it would start with change in zoning and it would just go through the discretionary permits that happen from that point. We can't do SMA because that's a state law but it has all the other ones that are in Title 19 from there. We also included grading and grubbing, that's kind of the very last process. But at least at the change in zoning or district boundary amendment, community plan, all these preliminary stages especially change in zoning before you really have a site plan you would then need to know what your cultural sensitivity designation is. We are envisioning a system where if it's a high it's a red or known or close to known and those triggers for the red, green and yellow are all in the bill in the Discussion Draft. Inaudible...near a historic place, if it's got a high, maybe even edm sensitivity, and if the medium it's got a likelihood to effect historic properties you have a site plan that doesn't take into account, you have heiaus then Dr. Six would probably send it to the Cultural Resources Commission. If you're in a high sensitivity area including near burials, it will probably go to the Cultural Resources Commission. At that point, if it's in Hana Community Plan district area you would have the option to have them refer it to you, the Hana Advisory Committee and then you would review the project, make your

comments back to Cultural Resource Commission and then they would make a determination of the project and then put conditions on it and they would condition it to the point where it no longer have the potential to impact cultural resources. So a well designed project is less likely to get triggered ... (inaudible)... Burial all over, you know it's going to have to go through this full review process.

Mr. Crawford: Thank you Gina. So in this sense, we the Hana Advisory Committee where officially the Hana Advisory Committee would be taking a role to the Maui Planning Commission but in this sense we would become Advisory to the Cultural Resource Commission in relation to the cultural overlay. Is that correct?

Ms. Young: We amended the, I think it's in Title 2, the section covering the Cultural Resources Commission and in there we added also to the Hana Advisory Committee section of the law of the Maui County Code, we went and added the Cultural Resources Commission. So it wouldn't be only with projects with cultural sensitivity, it could be any project because they also review historic buildings, they look at archaeological reports that are submitted for projects. If they want and you can make a request to them, but they can start, if it's passed, sending any types of items on their agenda to you folks.

Mr. Crawford: Okay and then as far as the SMA you mentioned because it's a state level designation that the county doesn't really have jurisdiction over that but is there a way that if a project came to the Hana Advisory Committee because of like an SMA special use permit that we could like use the cultural overlay that you know like it's available to look at as part of our process even if it's not sort of officially triggered.

Ms. Young: Yes, it's a public document however the burials would be something called a fishnet so they won't actually pinpoint them. But it would probably be something that would be included in the report I assume from time to time. But it would be very easy to print the TMK with the different layers and you also have Dr. Six available to you. So even now she's available to you and you have HICRIS too and you have reports that are submitted in your SMA, they are often AIS, Archeology Inventory Surveys, you can ask Dr. Six more questions about them too and have kind of the same robust review already.

Mr. Crawford: Okay. I'm just thinking of the project, the application that we're dealing with right now, as certain archaeological reports dealing with the site itself but part of the sensitivity of that site is that it's part of a larger complex which isn't really taken into account and I could see how although it may...like the timing it's not going to apply to this site but in the future if there was a similar kind of project that would be very helpful to be able to look at an overlay of the whole area and see that particular property in relationship to the complex around it.

Ms. Young: And you just hit on one of the biggest problems with the current system. Is that it does isolate things down to TMKs and ancient Hawaiians didn't use it. You can't look at a big thing that way, so part of our criteria is, is it near or adjacent to also and the current reports that you get are only limited to that particular parcel, but when we have the overlay map and the

sensitivity designations, they will be based on a relationship to a larger area. Because of exactly what you just said.

Mr. Crawford: Okay.

Chair Mardfin: First I'd like to mention that Becky Lind has just joined us. Becky, where are you calling from.

Ms. Lind: Aloha, I'm calling from my house at Wainapanapa and nobody is in the room. So sorry I ran late.

Chair Mardfin: There's one specific thing I noted and Mr. Kunkel you can rule me out of order if you think I'm getting this wrong, but it seems to me that the Hana Advisory Committee to the Maui Planning Commission is now being asked if this whole thing goes to what it looks like the way it's going that we will have additional duties. That is we will be giving advice not only to the Maui Planning Commission but also to the um. I'm going to get the name wrong. The County Cultural Resources Commission and I think it will be helpful if this body as a committee member on the committee made a motion to the effect that we will be willing and able to accept such additional duties. Mr. Kunkel, did I overstep my position?

Mr. Kunkel: No, not at all sir and yeah, I think that's exactly the kind of comment you're being asked as a committee to respond to. Yeah, do you approve of this or do you disapprove of it or do you have no comment on it. Yeah, I think it's totally appropriate.

Chair Mardfin: I just ask this particular aspect of it whether the Hana Advisory Committee is willing and able to take on the duties of also being an advisory to the Cultural Resources Commission.

Mr. Kunkel: Yeah, I infer they want your committee's opinion on that: are you in favor of it or are you opposed to it.

Chair Mardfin: Anybody want to make a motion?

Mr. Crawford: Well I think he was asking that rhetorically, not saying that we should...

Chair: No, I didn't mean it rhetorically, I meant would somebody would like to make a motion that we are willing and able to accept such additional duties...

Mr. Crawford: Well do we need to make a motion specifically for that? I mean I think the question before us is the overall bill that's being proposed and that's part of the recommendation. What he was saying is if they would be asking that question, not that we need to make that decision right now.

Ms. Young: When you make your specific comments, Chair if you don't mind.

Chair: Sure.

Ms. Young: When you make your specific comments about the bill, that's a very appropriate comment to ask at that time that would be whenever you're done with your discussion and questions, that would be one of your comments that you could make and then you could do it by consensus ... (inaudible)... Or you could do it throughout your discussion. I'm sorry I'm going back to my old Planner or you can go along each question and take your motions and somebody just keeps track of your comments on a case by case. Someone does need to keep track of your comments, so Ward you got to remember that one. But you could do it on a motion basis at the moment and just keep, you know, each comment you make so either way works.

Ms. Takakura: Excuse me Chair Mardfin. I'm taking notes and so I will review them with you, all of your notes before we, so.

Chair Mardfin: I will not take a failure to make a motion at this time as disinclination to take on the additional duties. Any other Committee Members. Clayton, Scott, Mary Ann.

Mr. Wariner: Dean here, but not on this subject, but I have a question.

Chair Mardfin: Please.

Mr. Wariner: I know this in a page 1 through 3 or 4 on the ordinance amending Chapters 2.28. and some others regarding rules for all of the Commissions, all of the Committees, the Advisory Committees. Is this the first time we've had this kind of code to follow? It discusses when all meetings will be held, what punishment can be levied if people don't come to meetings, it's just kind of like the rules for commissions and I don't understand why it's in this bill about culture.

Ms. Young: Chair, would you like me to take that one?

Mr. Wariner: Am I looking at the wrong...

Ms. Young: No. That's a great question, Dean. So how bills are written is they take the existing code and anything new to the code is underlined and anything taken out is in a bracket so on that page that you're looking at, you're looking at the existing County Code. You probably never read the section on what governs you folks. You may remember when the Council added rules for missing meetings, that was fairly recent, but that was already adopted so anything that's underlined in that section is the new information that we're providing to you.

Mr. Wariner: I see, okay. Thank you.

Chair Mardfin: Jacky, did you want to say something?

Ms. Takakura: I was basically just going to explain the same thing that Gina said but I did want to just for um to think about. You know one of the concerns of the Maui Planning Commission was they don't want redundancy, like say the Maui Planning Commission refers something and then the CRC refers something. You know they don't want to you know have an advisory

committee have to review something twice so I guess we have to make sure that if both the Commission and the CRC refer something that hopefully you can review it at once and it not be at two separate times on reviewing the same item. So I guess we just have to make sure we're organized when we do make referrals that you're not having to review things twice. If you were to get something from the Maui Planning Commission and the CRC for example, and we don't want to make things take longer in the process. That's another concern of the Maui Planning Commission.

Chair Mardfin: Um I have one question, I don't know whose it for. On page, the second page of the July 7th letter from the Department of Planning, at the very bottom, it says, details that are proposed bills and it has no. 2, six members of the CRC will be appointed by the County Council and 3 members would be appointed by the Mayor. Currently all members are appointed by the Mayor and confirmed by the Council and I don't, there are two parts to my question. The first part is, has it been resolved or is it still up in the air. And the second is, is that item consistent with either the current charter or with changes in the charter that may or may not be adopted by the people of Maui at the general election of 2022.

Ms. Takakura: So Chair...oh, go ahead Gina.

Ms. Young: I just wanted to give you a background on why that happened, that's in my other testimony that I get to the other committees. I forget you guys read everything. It's a really great question. So it's underlined, so it means it's changing the process and that is something that was recommended by the Council staff actually when we did the bill because they wanted, when they formed the new advisory committees for Haiku and Kihei, they changed the appointment process to what's in there to the Council appointing the majority of them and the Mayor doing less of them. They wanted to bring and then even for you folks that appointment process would change. They wanted to bring that appointment process and update the Cultural Resources Commission. They also changed that, put that language in because of concerns that lack of transparency with the current process and a concern that maybe sometimes those appointments have more develop-pro development and that with the Council you may be won't get that same kind of concern. So that's why that was done in there. We did inadvertently expand the size of the Cultural Resources Commission and that's why it's so great to have Planning reviewing all these bills because it was done by accident, so we have no plans to turn it up to 9. The 7 is fine with us the way it is. We can fix that when it comes back. That is something that is not in the Charter, Ward, the Charter only establishes those commissions, it doesn't lay out the appointment process otherwise if it did, it would need to be a charter amendment voted on the ballot.

Chair Mardfin: Okay, because I knew there was something. I was also on the Charter Commission and there was a lot of back and forth on how members are named and there was at least one member beside that was on there that was very concerned that appointment power would be taken away from the Mayor and this person was against this idea. That appointment power would be taken away from the Mayor and given to the Council. The Charter Commission itself, each Council member was allowed one nominee so that made 7 and then, it made 9 and then the Mayor nominated two so that made it a commission of 11. But I just know there's a lot of sensitivity around this whole thing.

Ms. Young: Yeah.

Ms. Takakura: Chair Mardfin, you know the Department recommends just leaving it the way it is. You know with the Mayor appointing and it being confirmed by the Council and actually the CRC agreed with the Department that we would like to see the CRC appointments just be the same as they are now.

Chair Mardfin: Okay. I mean I don't care one way or the other, I just wanted to make sure the issue was raised and resolved. And since I was on the Charter Commission, I knew what things are driving a hot poker and what aren't. Mary Ann.

Ms. Kahana: Yeah, this is a question for Gina, um I'm going back to what Mavis had shared sites that's being sold and ah with this bill, how can we take this bill into play. Can we refer some of these areas to your division because I understand your division you know you guys are the experts, you all went to school, studied this type of topic that we're discussing okay, but the people here like our cultural practitioners, those who have lived here for a long time for generations, they may be able to refer you that we think this area should be studied. Will your division take this as an option for our people to make referrals or it's just potential wise and only your division would make those decisions.

Ms. Young: The decisions would be made by Dr. Six or by the County archaeologist too, that's Dr. Six right now. So you could speak with her. Now she would need to have the resources and the GIS person who has the time and they haven't purchased the drone yet. But she would be the one that would decide. The bill actually, trying to think which bill, one of the bills actually says in there that she will determine which area or resources go to first to map. And I wish she were here today to talk about her ability to do that. It's something we would need to ask her how that would work and whether or not we can get that drone out and start using it to do our own mapping. Cause I don't know how that would affect properties being sold however with the exception that you would then have documented. Um historic resources on there which could affect the price of the property or I don't know that a land sale would trigger a review of the property but if something were already previously done, at least it would come up on the map as an area with maybe a high sensitivity. We could probably discourage any kind of development because of it.

Chair Mardfin: Mary Ann, there's also a book called Sites of Maui that would...

Ms. Kahana: Yeah, I'm familiar with that book, ah Ward.

Chair Mardfin: Okay, cause I'm sure they'll check through that and there's a whole section by Moku of all the sites that would be of concern. And I know Janet Six is familiar with that. Becky, were you trying to ask something?

Ms. Takakura: Chair Mardfin, this is Jacky from the Planning Department. I just wanted to add that in the Discussion Draft, the one that the Department and Gina had worked on, with the establishment, we do have it here that if any person or agency may nominate an area for cultural

overlay district designation. So you know hopefully the resident experts of the community you know would be able to provide that information to the archaeologist.

Ms. Kahana: Thank you, thank you. That that's what I'm getting at. That's important to me. Mahalo.

Chair Mardfin: Any of the Committee Members have something to add? Um we're being asked if there's no war, I think we're being asked to, we have three options I believe. One is to recommend approval of the proposed bill with or without comments or recommended revisions, two recommend denial of the proposed bill to the Maui County Council or three vote to defer action on the proposed bill in order to gather specific additional information. Does any Committee Member care to make a motion. Scott, you're muted.

Mr. Crawford: Um it seems to me, I mean overall I would like to express support for this general effort and I think that there's actually two different bills that are sort of being merged and there's an overall agreement about the direction of that between the you know the Council Office and the Planning Department and so I don't think we necessarily need to recommend like specific amendments or anything like that but you know overall I'd like to, before I put this in a formal motion, I want to just sort of talk it through. That I think we would like to recommend is that we support the establishment of the cultural overlay, that we support the addition of the Cultural Resources Commission as a body that can advise things to and refer things to the Hana Advisory Committee. And basically you know that we're willing to take on that additional responsibility and that you know when sensitive items in the Hana District come up before the CRC that we would like to have the opportunity for the Hana Advisory Committee to be able to have a hearing and offer opportunity for public comment and for us to make our recommendations on that. Is there anything else that should be added to that? That's my sort of general sense of what I would like to recommend as a formal motion.

Chair Mardfin: A motion to recommend? Approval...

Mr. Crawford: Yes.

Chair Mardfin: On the agenda, it has two things, a and b. B is the Hana Cultural Overlay District and a. is the general concept we've been talking about. Are you...

Mr. Crawford: Well, from my understanding the idea of the Hana Cultural Overlay has been kind of folded into the larger effort because of the change in the funding status and I do want a, you know express my my appreciation for, you mentioned Erin Wade as the one that got that in there and then the Mayor for supporting that and then the Council for supporting it, to put the funding in the budget so this project can be done on County-wide basis so that we're not dealing with just the Hana Overlay as a whole. I mean not individually, but we're supporting the overall effort and you know the effort of the parties working towards the agreement that everybody is that you know is agreeable to everybody as far as the final bill.

Chair Mardfin: Can I take that as a recommended approval of proposed bills? Plural?

Mr. Crawford: Yes, something along those lines and I guess I'm kind of asking for guidance on that from the Department or from Gina on you know does that make sense: we're recommending approval of the proposed bills with you know the comments that I outlined basically. Bill combined.

Chair Mardfin: Is there a second to that?

Ms. Young: You could also – Scott, in response to your question, if you don't mind...

Mr. Crawford: Yeah.

Ms. Young: Okay, you can also request that Hana be mapped as one of the first communities to be mapped given the number of sites, sensitive sites, history, something like that. It's going to take a while to get to everybody without ... (inaudible)

Mr. Crawford: Yeah that makes sense. I think since we're not specifically doing a Hana Cultural Overlay separately, we would like to recommend that Hana and East Maui in general be a high priority for the resources to go into making the map you know ready to actually be used.

Chair Mardfin: Is there a second to Scott's motion of general approval.

Mr. Wariner: Dean seconds.

Chair Mardfin: Thank you very much Dean. Is there any discussion? Any Committee Members...

Mr. Wariner: Yes, Ward, Ward, Dean here.

Chair Mardfin: Yes.

Mr. Wariner: As I read these two bills, everything that we've been talking about is covered. Ah we're not specifically told to report or make suggestions to the Cultural Commission, but I think it's understood in the context of these two bills and I think we should be interested in being able to contribute to the Cultural Commission, but I think it's pretty well stated in this whole document that we would be included.

Chair Mardfin: Yes, and Scott in his motion specifically acknowledged that it would be the Hana Advisory Committee to the Maui Planning Commission that would serve as advisory to the County Cultural Resources Commission.

Mr. Crawford: I see that specific language is actually added in the proposed ordinance on the bottom of the first page. Hana Advisory Committee and the Maui Planning Commission and then underlined is and Maui County Cultural Resources Commission.

Chair Mardfin: Right. Are there any other comments to be edited to this motion in discussion?
Becky?

Ms. Lind: Um, just a quick question. Can you hear me okay?

Chair Mardfin: Yes.

Ms. Lind: Okay, um so this would be combined with our regular meetings? Or is it separate meetings? Just nutsy boltsy stuff, just a quick question on that.

Chair Mardfin: I this is maybe my opinion but we just like at our last zoom meeting. I'm sorry Bluejeans meeting, we dealt with one part of the agenda but not the other. I think they could be combined, I think they need not be combined, it could be separate. But that's just my view.

Ms. Takakura: Chair Mardfin, if I may, what I would anticipate it would be similar to how the Maui Planning Commission would refer something to you, you know if something comes to the CRC and they would like to get the HAC to review it, then they would refer it and then it would be on your agenda, just like how items from Planning Commission are.

Chair Mardfin: Correct, that's how I see it too. Anybody else? Clayton, Mary Ann, Scott you all seem frozen to me. Is that just my computer?

Mr. Carvalho: Chair, we just came back.

Chair Mardfin: Oh, okay. Um, I would like to add one other thing that I would like in the minutes with this and that is that in addition to the Hana Moku being have a cultural overlay, that the Mokus of Koolau, Kipahulu, Kaupo and if needed Kahikinui Mokus also be included in the cultural overlay fairly early on in the process if possible.

Mr. Wariner: Ward.

Chair Mardfin: Yes

Mr. Wariner: I think one of the other Committee Members can make that an amendment and deal with that item first and then the second item the whole bill.

Chair Mardfin: I'm sorry...

Mr. Crawford: Actually, I did when Gina suggested we're not, it's not a separate overlay but what I suggested was that Hana and East Maui, all of East Maui be a priority for the development of the map. And so I didn't refer to the Mokus specifically but I'm happy to have that be included in the notes as or in the contents of the motion that it is, we're recommending all of the Mokus in East Maui be a high priority for the mapping process.

Chair Mardfin: Sure Scott, I didn't pick up on that right away. I'm glad Dean did. Any other comments before we vote. Things that people want to get slipped under the door. Are we ready for a vote? Seeing no objection, I'm going to call off your names and you can say aye if you agree with this motion and nay if you do not. Um Becky.

Ms. Lind: Aye

Chair Mardfin: Clayton.

Mr. Carvalho: Aye
Chair Mardfin: Scott

Mr. Crawford: Aye

Chair Mardfin: Mary Ann. Mary Ann you're muted. I'm going to temporarily skip Mary Ann. Dean Wariner.

Mr. Wariner: Aye.

Chair Mardfin: Mary Ann

Mr. Carvalho: You're mute.

Chair Mardfin: She may be frozen.

Mr. Crawford: You can ask her to give--oh there she is.

Chair Mardfin: Thumb up, thumb down. Mary Ann, you're still muted for some reason but your microphone doesn't look muted. Mary Ann, can you vote either aye or nay? Thumb up or thumb down?

Mr. Carvalho: Yeah she's frozen.

Chair Mardfin: She looks frozen to me. I, Ward Mardfin votes aye. And so it's 1, 2, 3, 4, 5. Dean, you said yes didn't you?

Mr. Wariner: Yes.

It was moved by Committee Member Scott Crawford, seconded by Committee Member Dean Wariner, then unanimously

VOTED: recommend approval of the Department's proposed bill to the Maui Planning Commission; in addition, the HAC would like to advise the Cultural Resources Commission (CRC); and requests mapping for Hana/East Maui (including all Hana Mokus) to be a high priority.

(Assenting: C. Carvalho, Jr; S. Crawford; M. Kahana; B. Lind; W. Mardfin; D. Wariner)

(Excused: L. Kahaleuahi)

Chair Mardfin: Okay. So we don't know Mary Ann's but there are no nays and there are 1, 2, 3, 4, 5 ayes so that is sufficient to pass it. Mary Ann is giving a thumbs up, so that makes it 6 – zero and the motion passes. Are there any other comments, suggestions, would anybody in the audience like to make any testimony. I declare that testimony is closed.

C. NEXT REGULAR MEETING DATE: SEPTEMBER 6, 2022, 4:30 P.M.

Chair Mardfin: Going on to the rest of our meeting. Our next regular meeting as I understand it is September 8 at 4:30 p.m. Is that seem to work out for most of you?

Mr. Wariner: I will be out of state on that day. So I will not be able to attend.

Chair Mardfin: Okay. Becky, are you likely to be able to make it?

Ms. Lind: I think so, I just realized I don't have my phone on me so let me run to the restroom and grab my phone and I'll check my calendar.

Chair Mardfin: I am going to check on my calendar in the kitchen. Give me a second.

Mr. Crawford: Can I clarify with, whether that meeting will be on BlueJeans or possibly be in person as we had some discussion previously of trying to have an in-person meeting for the as I understand the Stice project which will be on the agenda for that meeting.

Mr. Carvalho: We agreed on that in the first rescheduling yeah where we would provide an in-person option.

Mr. Crawford: Yes, we did.

Chair Mardfin: Scott what did—you were asking whether it would be in person at Hana School or BlueJeans? What was the answer.

Mr. Crawford: It hasn't been answered yet.

Chair Mardfin: It hasn't been answered.

Mr. Carvalho: Chair, I know we proposed it and we just didn't agree on a date, the last time when we proposed it and I think people were more keen to showing up in person.

Mr. Crawford: We originally discussed—I mean what we originally had proposed was to have the in-person meeting at the School Cafeteria on the same day as the site visit and then that wasn't able to be scheduled so it was pushed back to the regular quarterly meeting of September 8th and so I think, my sentiment is that we should have at least an option for an in-person meeting you know as the law requires that we also have a virtual option as well, but that we have an in-person site in Hana that people could come to testify on that subject.

Chair Mardfin: Becky.

Ms. Lind: Just a quick note on that, so the cafeteria is the only space on Hana Campus that doesn't have internet. If there's another option anywhere, it would probably be a lot easier to do. I know Skylar works really hard to set it up for them when they need it, but it's like pulling a 300 foot cord across the lawn while there's kids running around so any other spot on campus besides the cafeteria, would make a lot more sense. Also, I think I am available on the 8th.

Chair Mardfin: Mary Ann, I think you're trying to speak but we can't make it out.

Ms. Kahana: ...Inaudible... Can you see me now?

Chair Mardfin: We can see you Mary Ann. That thumbs up is that for the meeting date?

Mr. Carvalho: I can make the meeting date, Chair.

Chair Mardfin: Thank you, Clayton.

Ms. Kahana: I'm sorry, Ward, having problems with the audio on my end so I chimed in on my phone.

Chair Mardfin: Okay, can you do it on September 8th?

Ms. Kahana: What day is that I'm sorry. The day.

Mr. Carvalho: Thursday yeah.

Chair Mardfin: I think it's a Thursday.

Mr. Carvalho: It's Thursday.

Ms. Kahana: Yes, I can.

Chair Mardfin: Good. At the school cafeteria good? I understand Becky's concern that people want to testify, it would be difficult.

Mr. Carvalho: Becky, don't they have an after school program there still?

Ms. Lind: Yes, there's the Youth Center that's operating out of the cafeteria and they don't have wifi. Uncle has been trying to get wifi there for a long time but there's no. I think yeah, it's really difficult to make that happen. Um there's other spaces, let's see, let's think, Thursday at 4:30, the gym now has wifi, let's see where else on campus. Let's see I'm trying to think, oh the band room, the band room should be available. Yeah, the after school program ends at 4pm, so the band room should be available at 4:30 and it's got wifi and air conditioning. But I don't know. I'm just putting it out there for just looking—does it need to be big enough to be open to the public...

Chair Mardfin: Presumably yes.

Ms. Lind: Yeah so you seen the band room—you know is that going to be big enough? Do you think? We can set up tables too.

Chair Mardfin: Depends on how many people want to storm the capitol.

Ms. Lind: You know we can fit a class of 20 in there easily with plenty space, and we'll just move the drums to the side. I don't know I think that would make a lot more sense than trying to you know.

Chair Mardfin: How about the computer room? Adjacent to the office.

Ms. Lind: I think you're talking about—oh, right there.

Chair Mardfin: Right next to it, as you're facing the office the room on the right.

Ms. Lind: That's a good option too. We should ask Chris if there's any um programs happening there, but I think at 4:30 it should be pretty well open. I think that's a great idea. And I think it should be able to fit you know—there's plenty space in there for a class of 20 or 30.

Chair Mardfin: It depends on how they have the desks organized. I kind of like the gym. The gym--Clayton do you know the sports schedule?

Mr. Carvalho: Yeah, volleyball goes from 4pm to about 7, 7:30.

Ms. Lind: On Thursdays.

Mr. Carvalho: Everynight.

Ms. Lind: Okay so that might not—do they use the wrestling room? That might not be big enough huh?

Mr. Carvalho: I think that's a dead spot.

Ms. Lind: Oh, okay. Got it got it. I just know it's really fragile and almost dangerous to get internet into the cafeteria when he's done it before. It's literary a 300 foot cord that has to trail out and you know somebody trips on it. It's a pain in the butt to set up. I don't know.

Mr. Carvalho: Is the library an option?

Chair Mardfin: I was just going to say that. I'm sorry?

Ms. Lind: The library would be—I think the library is brilliant if we can.

Chair Mardfin: I got an email this morning from somebody in town that the library is going to be open a couple of times a week, but it's probably not those times.

Ms. Lind: Maybe we could get special permission to use their conference room there.

Chair Mardfin: That's what you would use is the conference room if you can do it at all there.

Ms. Lind: It's Gina Sansone, I'll text her—September 8th.

Chair Mardfin: They're planning to have the library open 2 or 3 days a week for 2 hours each but it's earlier in the day.

Ms. Lind: And then what is the status of the old school, I know they're letting us move back in. Um is the old school cafeteria going to be open. Cause that's where, there's always been meetings there. But I don't know the status.

Chair Mardfin: That would be a good one.

Ms. Lind: Let's check with Mice yeah.

Ms. Kahana: I was told it's not open yet according to Mavis. Because that's where their office is yeah, so. But we were talking here possibly the courthouse. If it gets full up, they would have to go in one at a time. But that's a possibility. And it does have wifi and bathroom.

Ms. Lind: That is a great idea. I love that idea. What do you guys think, the courthouse?

Chair Mardfin: I would love to sit at the judge's bench.

Ms. Lind: We would get you a gavel.

Chair Mardfin: Yeah.

Ms Kahana: Mavis is trying to let Carolyn know. So that's in working progress right now.

Mr. Carvalho: Yeah, let's just work with that as a temporary idea.

Chair Mardfin: Well, at least we have several ideas. Without getting more details I don't think we're in a position of making a firm decision. But the decision is Thursday, September 8, 2022 at 4:30 and part of the Planning Department will have to come over here if we're going to hold an in-person meeting. I presume that would be a Corp Counsel and maybe Clayton Yoshida.

Ms. McLean: Chair, I'd like to make a comment. I'm not sure we have the resource to do a hybrid meeting because you have to have I mean if the room has the equipment already then that's great, but we don't have equipment to bring in to do a hybrid meeting. We could be all in person,

that's fine and that's allowed.

Chair Mardfin: What we're kind of thinking about is all in-person.

Ms. McLean: Oh okay. If it's all in-person, that's fine. That way it doesn't have to have internet access necessarily.

Chair Mardfin: Yeah

Ms. Lind: Oh. I thought there had to be an internet option. Is that not correct?

Ms. McLean: If you want to have virtual participation then you have to have provide for in-person testimony but it doesn't work the other way around. If you're in-person, you can be 100% in person.

Chair Mardfin: Then we could use the gym.

Ms. Lind: Or we could use the cafeteria.

Chair Mardfin: That's what I meant. I misspoke. I meant the cafeteria.

Ms. Lind: Right, so the Youth Center is there to 5 so we have push it back to 5. Is that?

Chair Mardfin: It only goes to 5?

Ms. Lind: I believe so. I know their schedules been a little bit influx since the school year started. I can doublecheck to make sure, but...

Chair Mardfin: Okay I say the school cafeteria logistically aside from wifi is certainly large enough. Plenty of chairs and tables. Well at this point, it's to be determined.

Ms. Lind: Okay.

Chair Mardfin: I'll try to get in touch with—or Becky can you get in touch with Keoki and find out if that's a problem for him?

Ms. Lind: Yeah I'll send him a text right now.

Chair Mardfin: Okay. And it sounds like most people except for Dean will be able to be there anyhow. Does anybody know if Lipoa will be back?

Mr. Carvalho: Not sure Chair.

Ms. Lind: She told me one month. I have it in an email but I think it'll be just about right now that she will be back. I have it somewhere in an email and she told me when she would be back.

Chair Mardfin: Except for Dean, I think that would work. I'm sorry Dean, he has some really good ideas about things. Well, we have some questions to be answered before our next meeting and Daniel what's the date for agendizing for this thing? That's the time we have to have it decided by.

Mr. Kunkel: Yeah you need to post the agenda six calendar days before the meeting.

Chair Mardfin: So that would be something like September 1.

Ms. McLean: Yeah that is the requirement by the Sunshine Law. We do try to do post the agendas and mail out packets at least ten days prior so that members have time to review the packets. So we don't like to get too close to that date.

Chair Mardfin: Okay. So that would be something like the 29th of August; is a Monday. So it's a week—no it's more than that. Yeah September 1 is a Thursday, August 29th would be 11 days on the calendar. Would that work with the Planning Department? Michele will you have problems getting people out here like Corp Counsel and Clayton maybe or ...

Ms. McLean: Well Dan would have to speak for himself.

Chair Mardfin: Buika would want to be here.

Mr. Kunkel: Yeah I can get out there.

Chair Mardfin: Is there some reason Jim the planner couldn't make it? I presume this is going to be the Stice issue.

Ms. McLean: Right. What is the date you were looking at again?

Chair Mardfin: September 8th at 4:30. Agendize it as of August.

Ms. McLean: Yeah, I can make that and Jim should be able to make it.

Chair Mardfin: Would Mr. Stice have a problem getting there or we don't know.

Ms. McLean: I don't know but I've said before, you know it's his responsibility to be there or have his consultant to be available like we're not going to turn it into a hybrid meeting or completely virtual meeting just to accommodate them. They need to make themselves available to you.

Chair Mardfin: Well so we have a more than tentative date of September 8, 2022 at 4:30. We have a less—tentative but still possible venue of the Hana Cafeteria—Hana School Cafeteria and Becky, you're going to check with Keoki to see if that works for him? Thank you. Any other people want to speak or say something or acknowledge anything.

D. ADJOURNMENT

Chair Mardfin: Thank you all for coming today and I hereby declare the meeting adjourned. Aloha.

(There being no further discussion brought forward to the Committee, the Chair adjourned the meeting at 6:32 p.m.)

Respectfully Submitted by:

LINDA KIM
Secretary to Boards & Commissions I

RECORD OF ATTENDANCE:

Present:

Clayton Carvalho, Jr. – via BlueJeans

Scott Crawford – via BlueJeans

Mary Ann Kahana – via BlueJeans at the Hana Cultural Center and Museum (Joined at 5:02 p.m.)/telephone

Becky Lind, Vice-Chair – via BlueJeans (Joined at 5:44 p.m.)

Ward Martin, Chair – via BlueJeans

Dean Wariner – via BlueJeans/telephone

Excused:

Lipoa Kahaleuahi

Others:

Michele McLean, Director, Department of Planning

Jacky Takakura, Deputy Director, Department of Planning

Daniel Kunkel, Deputy Corporation Counsel, Department of the Corporation Counsel

Clayton Yoshida, Planner VI, Current Division, Department of Planning

Linda Kim, Secretary to Boards & Commissions I, Current Division, Department of Planning