

Meeting Minutes

Tuesday, December 3, 2019

Hyperlink to [Meeting Video](#)

Community Plan Advisory Committee

Attending: Chair Kai Nishiki, Hans Michel, Karen J. Comcowich, Leilani Pulmano, Donald Robert Gerbig, Ravi Bugga, Dawn Hegger-Nordblom, Joseph D. Pluta, Dylan Payne, Yvette Joyce Celiz

Absent: Vice-Chair Jeri Dean, Aina Kohler

County of Maui – Planning Department

Pam Eaton, Long Range Planning Division

Jennifer Maydan, Long Range Planning Division

Tiffany Bostwick, Long Range Planning Division

Jaime Paa, Long Range Planning Division

Call to order

Public Testimony (00:00 to 32:07 in Meeting Video)

Gabrielle Schuerger of Maui Malama Nui testified in support of solid waste infrastructure in West Maui. She spoke about the current issues with the disposal of bulky items, and recommended planning for permanent infrastructure to provide better access to the community for proper disposal. Questions from CPAC included suggestions for a site location, and how much space is adequate; whether discussions have been had with the County; further clarification on her testimony; and whether Maui Malama Nui plans to have the County or another group within the community take over recycling in West Maui in the long term.

Lawrence Carnicelli provided members with Planning books on behalf of Senin Antonio (who testified on November 19).

Theo Morrison voiced her support of Michele McLean’s suggested wording for Policy 30, “Strive to eliminate injection wells,” and recommended putting in action steps to hold the County accountable (show that they are “striving to eliminate”).

Jonathon Kindred testified on behalf of TY Management Corporation, the owner of the Bay and Plantation Golf Courses at Kapalua Resort, and read from his written testimony. ([Link to written testimony](#)) He voiced his opposition to Policy 1 and gave several reasons as to why he considered the policy malicious, arbitrary, and possibly illegal. He provided alternate policy recommendations to replace Policy 1. Questions and comments from CPAC included whether Kapalua Resort Golf Courses are using R-1 water for irrigation; whether TY Management would be supportive of language restricting development; whether a cost-benefit analysis is the County's responsibility; if there are other lands that TY Management represents that would be available to develop; whether John's organization was consulted with before Policy 1 was drafted; and why more developers aren't at CPAC meetings.

Liz May suggested searching for a permanent location for a recycling center on the West side. Questions from CPAC included how the program functions, and what a permanent location would do for West Maui.

Policies and Actions Related to Goal 2.1: Ready and Resilient Systems (32:07 to 1:37:37)

Planning staff Tiffany Bostwick briefly went over the updates made to the Draft Policies and Actions related to Goal 2.1: Ready and Resilient Systems since the last time CPAC reviewed them. She introduced the resource person for the Climate Change and Sea Level Rise portion, Jim Buika. Chair Nishiki noted that tonight's meeting will focus on the Climate Change and Sea Level Rise section and the Fire and Emergency Management section, and Thursday's meeting will focus on the Water and Wastewater sections.

POLICIES – Climate Change and Sea Level Rise

Introduction: The State-recognized sea-level rise exposure area (SLR-XA) refers to the State Climate Commission's recognized planning target or threshold for sea-level rise exposure. Currently, the recognized planning threshold is 3.2-feet of sea-level rise.

(35:57 to 47:53)

- Discussion:
 - Questions from members to Jim Buika included whether the State has mandated the planning threshold as a regulatory threshold; why the shoreline setback elevation has been set at 3.2 feet; how far inland to go if the land is flat or swampland; and whether the introduction should be moved to the introduction of Goal 2.1.
- Consensus Decision(s): **Revisit. Staff to coordinate with Current Division on placement of introductory text.**

1. Reserve existing golf course facilities as future receiving area to transfer existing shoreline development that is impacted by sea level rise and coastal hazards. **(47:53 to 1:14:15)**

· Discussion:

- Members addressed the concerns Jonathan Kindred brought up in his testimony and discussed reworking the language to make it more broad or focus on an area. Members also discussed erosion, as well as how much responsibility falls on the County regarding shoreline setback.
- **Joseph Pluta made a motion to defer Policy 1 and move on in respect for time; Donald Gerbig seconded the motion.** Chair Nishiki and members Hans Michel, Leilani Pulmano, Donald Robert Gerbig, Ravi Bugga, Dawn Hegger-Nordblom, Joseph Pluta, and Dylan Payne supported the motion, while members Karen Comcowich and Yvette Celiz opposed. **8-2, MOTION PASSES.**

· Consensus Decision(s): **Revisit**

2. In order to minimize impacts from future coastal erosion, new structures on shoreline parcels shall be located outside of the State-recognized erosion hazard line for 3.2-feet of sea-level rise. **(1:14:15 to 1:37:37)**

· Discussion:

- Dylan Payne suggested adding “when possible” at the end.
- Leilani Pulmano expressed concerns with inconsistency between the proposed new shoreline setback rules and Policy 2, and potential for a takings claim. She suggested deleting the policy and following the shoreline setback rules instead.
 - Tiffany Bostwick noted that the language for the erosion hazard line actually matches the proposed shoreline setback rules, and that Policy 2 is more restrictive based on CPAC discussion from a prior meeting.
- **Leilani made a motion to delete Policy 2; Joseph Pluta seconded the motion.** Members Leilani Pulmano, Joseph Pluta, Donald Gerbig, Dylan Payne and Hans Michel supported the motion, while Chair Nishiki and members Dawn Hegger-Nordblom, Ravi Bugga, Karen Comcowich and Yvette Celiz opposed. **5-5, MOTION FAILS.** Members decided to defer until Corporation Counsel can clarify Leilani’s concerns. Leilani suggested adding language for a minimum buildable area. Jim Buika also offered to come up with new language.

· Consensus Decision(s): **Revisit**

RECESS/DINNER BREAK

Policies and Actions Related to Goal 2.1: Ready and Resilient Systems (Cont.) (1:37:37 to END)

3. For redevelopment and new developments within the State-recognized sea-level rise exposure area, developers shall proactively:
 - a) Coordinate with the Maui County Planning Department and adjacent or near-by property owners to understand possible collective re-location of at-risk structures, and
 - b) Incorporate results of coordination into development plans by siting any new planned structure out of harm's way.
 - Discussion: None
 - Consensus Decision(s): **Adopt/Keep as is**

4. Prioritize projects that provide multiple benefits from resilience actions. **(1:39:00 to 1:41:40)**
 - Discussion:
 - Pam Eaton noted that prioritization will be discussed at a future meeting.
 - Consensus Decision(s): **Adopt/Keep as is**

POLICIES – Fire and Emergency Management

Policies 5 – 7 previously adopted by consensus.

ACTIONS – Climate Change and Sea Level Rise

1. Conduct a detailed vulnerability assessment of all existing County infrastructure and facilities in West Maui that are within the State-recognized sea-level rise exposure area, and subject to other coastal hazards. Coordinate with the State on key State infrastructure and facilities such as highways and schools. (Capital Improvement Program Coordinator/Managing Director's Office) **(1:42:54 to 1:44:46)**
 - Discussion:
 - Replace "State-recognized sea-level rise exposure area" with "SLR-XA line."
Tiffany Bostwick noted that the two terms are the same (SLR-XA is an abbreviation), but that she will add "SLR-XA" to the action.
 - Consensus Decision(s): **Adopt with amended language**

2. Conduct a feasibility study on managed retreat of at-risk development in West Maui, include an analysis of alternatives and interim steps to achieve managed retreat, identify incentives for proactive retreat, and develop programmatic environmental documents to assist in implementing managed retreat. (Department of Planning)
 - Discussion: None
 - Consensus Decision(s): **Adopt/Keep as is**

Actions 3 – 5 previously adopted by consensus.

6. Integrate the State-recognized sea-level rise exposure area into West Maui capital improvement planning for all County developments and public facilities. (CIP Coordinator)
 - Discussion: None
 - Consensus Decision(s): **Adopt/Keep as is**

7. Fund additional sea-level rise exposure modeling for six feet or more of sea-level rise to use in vulnerability assessments of critical infrastructure and facilities. (Department of Planning) (1:45:41 to 1:49:49)
 - Discussion:
 - Questions to Jim Buika from members included where the 6ft number came from, and whether SLR exposure modeling could be done for just Maui Nui (rather than using global modeling).
 - **Leilani Pulmano suggested incorporating local data.**
 - Consensus Decision(s): **Adopt with amended language**

8. Work with the State Department of Health Clean Water Branch to identify next steps in addressing the impact of sea-level rise on on-site disposal systems (i.e., cesspool and septic systems) and develop remediation plans. (Department of Environmental Management)
 - Discussion: None
 - Consensus Decision(s): **Adopt/Keep as is**

9. Develop an inventory of natural and cultural resources and practices impacted by sea-level rise along with preservation plans. (Department of Planning)
 - Discussion: None
 - Consensus Decision(s): **Adopt/Keep as is**

10. Evaluate shoreline access locations to be impacted by sea level rise and identify solutions to preserve shoreline access. (Department of Planning)
 - Discussion:
 - **Add language: “and fund any necessary environmental assessments.”**
(from Action 12 discussion - 1:59:50 to 2:01:46)
 - Consensus Decision(s): **Adopt with amended language**

11. Propose amendments to the Special Management Area (SMA) boundaries to account for sea level rise and other hazards, as well as other SMA criteria. (Department of Planning) **(1:50:35 to 1:57:11)**
- Discussion:
 - Questions for Jim Buika from members included what the trigger would be for SMA expansion; the potential for SMA boundaries to be further ma kai in certain areas; and what happens to manholes in the SLR-XA.
 - Consensus Decision(s): **Adopt/Keep as is**
12. Adopt siting and design standards to enhance resilience in public housing and affordable housing projects. (Department of Public Works) **(1:57:11 to 1:59:44)**
- Discussion:
 - Staff clarified the reasons behind the policy.
 - Consensus Decision(s): **Adopt/Keep as is**

ACTIONS – Fire and Emergency Management

Actions 13 – 17 previously adopted by consensus.

18. Develop a disaster preparation plan and a post-disaster recovery and reconstruction plan for West Maui. (Maui Emergency Management Agency) **(2:02:21 to 2:05:32)**
- Discussion:
 - Angela Finklestein commented on issues with agency coverage, **and suggested splitting the action into two separate action items:**
 - **Develop a community-based disaster response plan.**
 - **Develop a long-term disaster recovery and reconstruction plan.**
 - Consensus Decision(s): **Adopt as two separate action items**

Action 19 previously adopted by consensus.

20. Identify additional emergency shelter facilities that include storage of supplies and are located away from areas susceptible to natural hazards in West Maui. (Maui Emergency Management Agency) **(2:05:32 to 2:08:03)**
- Discussion:
 - **Andrea Finklestein's suggested amendment: "...located in the safest identifiable areas given the risk of natural hazards in West Maui."**
 - Consensus Decision(s): **Adopt with amended language**

21. Identify emergency evacuation routes throughout West Maui. (Maui Emergency Management Agency) (2:08:03 to 2:11:13)

- Discussion:
 - **Leilani Pulmano's suggested language: "Identify additional emergency evacuation routes to access West Maui and isolated neighborhoods."**
- Consensus Decision(s): **Adopt with amended language**

22. Plan and build fire breaks and bioswales that can be used for recreational paths and greenways around existing development and between new developments. (Maui Emergency Management Agency) (2:11:35 to 2:12:51)

- Discussion:
 - **Pam Eaton noted that the lead County agency should actually be the Maui Fire Department.**
- Consensus Decision(s): **Adopt with amended lead County agency**

Actions 23 and 24 previously adopted by consensus.

ADDITIONAL POLICIES (2:12:57 to END)

Leilani Pulmano's suggestion: Improve West Maui watersheds. Staff noted that this policy was a better fit for the Water section; members will address it at the next meeting.

Dylan Payne's suggestion: Preserve and maintain existing reservoir and water storage infrastructure within West Maui for fire protection capabilities and Ag uses. (2:14:31 to 2:21:39)

- Discussion:
 - Members asked who the lead County agency should be for this policy; staff noted that Dave Taylor (CIP Coordinator) and Eric Nakagawa (Department of Environmental Management) can provide input on Thursday.
 - Andrea Finklestein noted that the two Departments in charge of emergency action plans for the reservoirs are Department of Water Supply and Department of Public Works. She also cautioned that the old reservoirs were decommissioned for safety reasons, and that any repurposing to those reservoirs should include upgrading and maintenance.
- Consensus Decision(s): **Adopt/Keep as is**

Before moving on to more policy suggestions, Karen Comcowich asked about having a policy on prioritizing or encouraging a hospital in West Maui; Jennifer Maydan replied that having such a policy in the Community Plan would not do much in getting one built, since the Community Plan is a Land Use and permitting plan.

Chair Nishiki's suggestions:

Alert the public of dangerous road conditions, closures or disasters by implementing appropriate safety measures such as staging electronic signs on either side of the Pali, near DT Fleming Beach Park and Waihe'e to provide messaging and alerts to where updates can be found. **(2:23:26 to 2:25:41)**

- Discussion:
 - Members discussed issues with signage and how it is used to notify people in the event of an emergency.
- Consensus Decision(s): **Adopt; staff to revise language for clarity.**

Identify and implement appropriate safety improvements such as guardrails, etc. in improving Kahekili Highway and Honoapi'ilani Highway for use as an alternate route for West Maui during times of emergency. (Department of Public Works, coordinate with State Department of Transportation) **(2:25:41 to 2:35:57)**

- Discussion:
 - Members discussed the issues with creating more traffic on the backside of West Maui.
 - **Karen Comcowich made a motion to delete the action; Leilani Pulmano seconded the motion.** Members Hans Michel, Donald Gerbig, Karen Comcowich, Leilani Pulmano, and Yvette Celiz supported the motion, while Chair Nishiki and members Dylan Payne, Dawn Hegger-Nordblom, Joseph Pluta and Ravi Bugga opposed. **5-5, MOTION FAILS.**
 - **Leilani Pulmano's suggestion: replace "guardrails" with "traffic control."**
 - Staff will check to confirm the right lead agency; possible agencies could be Department of Public Works or Maui Police Department.
- Consensus Decision(s): **Adopt with amended language**

Identify and implement temporary safety measures such as signage, lane shifts, etc. to alert the public of dangerous road conditions due to SLR and climate change.

- Discussion: None
- Consensus Decision(s): **Adopt/Keep as is**

Before Chair Nishiki adjourned the meeting, Jennifer Maydan notified members of a holiday event taking place at Kamehameha III during the same time as Thursday's meeting, and advised them to come a little earlier to account for parking issues.

NEXT MEETING IS ON DECEMBER 5, 2019. MEETING ADJOURNED AT 8:38 P.M.

