

Meeting Minutes

Tuesday, November 19, 2019

Hyperlink to [Meeting Video](#)

Community Plan Advisory Committee

Attending: Chair Kai Nishiki, Vice-Chair Jeri Dean, Hans Michel, Karen J. Comcowich, Donald Robert Gerbig, Leilani Pulmano, Yvette Joyce Celiz, Ravi Bugga, Dylan Payne, Dawn Hegger-Nordblom, Aina Kohler

Absent: Joseph D. Pluta

County of Maui – Planning Department

Michele McLean, Director

Pam Eaton, Long Range Planning Division

Jennifer Maydan, Long Range Planning Division

Kate Blystone, Long Range Planning Division

Annalise Kehler, Long Range Planning Division

Jaime Paa, Long Range Planning Division

Call to order at 5:33 p.m.

Public Testimony (00:00 to 10:42 in Meeting Video)

Senan Antonio voiced his support for sustainable development and walkable communities, and noted that there's great opportunity for Maui to set a precedent for the rest of the nation/world. He explained that he was supposed to give a presentation to CPAC, but in lieu of time constraints, offered to present at a later date and provided members with a printed PowerPoint presentation. (Link to PowerPoint presentation)

Paul Laub presented a handout to CPAC outlining a property from the Kā'anapali 2020 project intended to be a military and civilian memorial park, and noted that it needs to be zoned. (Link to handout)

Policies and Actions Related to Goal 2.3: Responsible Stewardship of Resources, Culture and Character (11:40 to 1:37:48)

POLICIES

1. Maintain the scale, building massing and architectural character of historic Lahaina town (see “Design Policies for Lahaina Town” within this section). **(11:40 to 16:25)**
 - Discussion
 - Cultural Resources Planner Annalise Kehler explained the intent behind the policy, noting that it will allow the Cultural Resources Commission to utilize the Design Policies as an intermediate step until new design guidelines can be created.
 - Consensus Decision(s): **Adopt**

Policy 2 was previously adopted by consensus.

3. Gulches, as identified in the map in figure XX of this plan, shall remain in open space and no new permanent structures shall be developed in or within 100 feet of the top of the bank of identified gulches unless low-impact development strategies are implemented to prevent stormwater runoff to the gulch. **(17:13 to 21:18)**
 - Discussion
 - Planning staff Kate Blystone explained what changes were made to the policy since the last time members reviewed it. She noted that members will be able to see a map identifying gulches in West Maui before the end of the CPAC process.
 - Consensus Decision(s): **Revisit**

Policies 4-8 were previously adopted by consensus.

ADDITIONAL POLICIES (21:18 to 36:34)

Leilani Pulmano’s suggestions:

1. Encourage existing lo’i cultivation within West Maui and support new lo’i cultivation in other areas that were traditionally cultivated. **(23:09 to 25:30)**
 - Discussion
 - Chair Nishiki noted that Leilani’s policy is similar to her own policy in her suggestions handout (#4): Preserve and protect the region’s cultural resources and traditional lifestyles, including, but not limited to the agricultural pursuits of Native Hawaiians in Honokohau Valley, Kahoma Valley, Olowalu, and Ukumehame.
 - Leilani liked Chair Nishiki’s language; Chair Nishiki suggested merging both policies together by including Leilani’s language “such as lo’i cultivation” after her policy’s language “agricultural pursuits of Native Hawaiians.”
 - Consensus Decision(s): **Merge Leilani’s and Chair Nishiki’s policies and adopt**

2. Encourage CWEM to establish in-stream flow standards for streams that have not been set. **(26:15 to 26:41)**
 - Discussion
 - Kate Blystone noted that this policy would be better as an action.
 - Consensus Decision(s): **Change to action item (see Actions section)**
3. Support a thriving paddling community at Canoe Beach with 1) broader community and Kā'anapali Resort support through collaborative actions such as shared parking with the Resorts and shuttle service during canoe races especially State races; and 2) build a canoe hale structure for storage of canoes. **(26:41 to 27:50)**
 - Discussion
 - Chair Nishiki suggested splitting the policy into two; the first section, with "Support a thriving paddling community at Canoe Beach" as a policy and 1) and 2) as an action.
 - Consensus Decision(s): **Adopt first part as policy; change second part to action item (see Actions section)**

Leilani's #4 was determined to be an action item.

4. Encourage DLNR to complete the Honolulu Bay – Lipoa Point management plan. **(27:59 to 28:55)**
 - Discussion
 - Staff noted that this policy would be better as an action.
 - Consensus Decision(s): **Change to action item (see Actions section)**

Leilani's #6 and #7 items were determined to be action items.

Chair Nishiki's suggestions:

Existing areas of open space, including agricultural lands and gulches should be viewed as a resource to be protected and enhanced. Protect view corridors and scenic vistas. Design landscape barriers along major roadways in such a manner as to provide periodic views of the mountains and ocean. **(29:30 to 30:47)**

- Discussion
 - Staff noted that this policy would be better split into three separate policies.
- Consensus Decision(s): **Split policy into three separate policies and adopt**

The marine and nearshore environment and open space areas are important assets of the region and should be protected and preserved. Habitat connectivity, watersheds, undeveloped shoreline areas and other environmentally sensitive lands shall be preserved.

- Discussion: None
- Consensus Decision(s): **Adopt**

Reuse of treated effluent and the reduction in sedimentation of near shore waters shall be pursued to protect and enhance the region's land, water and marine environments.

- Discussion: None
- Consensus Decision(s): **Adopt**

Policy 4 was adopted during discussion of Leilani's Policy 1 (see above).

Prohibit the construction of seawalls and revetments except as may be permitted by rules adopted by the Maui Planning Commission governing the issuance of Shoreline Management Area (SMA) emergency permits and encourage beach nourishment through dune restoration. **(31:33 to 33:03)**

- Discussion:
 - Planning Director Michele McLean suggested alternate language: add "and Shoreline Rules" after (SMA) and delete "emergency permits."
- Consensus Decision(s): **Adopt with amended language**

Before addressing the revised draft lists of actions, members discussed the legality of having an action item that prohibits hotels from moving sand. **(33:40 to 36:34)**

ACTIONS (36:34 to 52:28)

Action 1 previously adopted by consensus.

2. Install interpretive signs at County-controlled properties in County Historic District No. 1 identifying the region's traditional place names. (Department of Parks and Recreation)
 - Discussion: None
 - Consensus Decision(s): **Adopt**
3. Install street signs identifying traditional Hawaiian street names in County Historic District No. 1. (Department of Public Works)
 - Discussion: None
 - Consensus Decision(s): **Adopt**

Action 4 previously adopted by consensus.

5. Identify County parks and properties in West Maui that have historical, cultural, or environmental significance and install signs explaining this information at appropriate locations. (Department of Parks and Recreation/Finance/Planning)
 - Discussion: None
 - Consensus Decision(s): **Adopt**

Action 6 previously adopted by consensus.

7. Amend the Historic District Ordinances to limit vacation rentals. (Department of Planning) **(39:03 to 49:16)**
 - Discussion:
 - Members discussed clarifying the language for this action and how to properly address prohibiting vacation rentals in both the current and any newly established or expanded Historic Districts. Members also discussed phasing out current vacation rentals. Michele McLean advised that members move on to the next action while staff works on better language. **See page 11 for follow-up.**
 - Consensus Decision(s): **Adopted with amended language; see page 11 for follow-up**

Actions 8 and 9 previously adopted by consensus.

10. Amend the Maui County Code to prohibit new development within gulches and wetlands and implement a 100-foot buffer around gulches, wetlands and streams where no structures will be allowed. (Department of Planning) **(49:21 to 50:12)**
 - Discussion:
 - Leilani Pulmano suggested changing the language to be similar to the language in Policy 3 (regarding “low-impact” and “gulches named in figure XX”).
 - Consensus Decision(s): **Adopt with amended language**

Actions 11-13 previously adopted by consensus.

14. Amend the County Code to make backwashing of pools into the street illegal.
(Department of Planning) **(50:12 to 52:04)**

- Discussion:
 - Leilani Pulmano and Chair Nishiki suggested changing “into the street” to “outside property boundaries.”
 - Ravi Bugga suggested including “or emptying” after “backwashing.”
- Consensus Decision(s): **Adopt with amended language**

15. Implement recommended actions that are within the County’s jurisdiction from the West Maui Mountains Watershed Management Plan and the Army Corps of Engineers West Maui Watershed Study, when complete. (All County)

- Discussion: Addressed in Additional Actions section **(1:10:00 to 1:11:34)**
- Consensus Decision(s): **Adopt**

Action 16 previously adopted by consensus.

17. Create a county historic district officer position responsible for enforcement and education in the Lahaina Historic District and implement a clean and safe program as part of the proposed parking action plan to include revenue generation.

- Discussion: None
- Consensus Decision(s): **Adopt**

ADDITIONAL ACTIONS (52:28 to 1:37:48)

Leilani Pulmano’s suggestions:

Encourage CWRM to establish in-stream flow standards for streams that have not been set. **(52:45 to 54:15)**

- Discussion:
 - Kate Blystone reminded members to think about which County agency can implement their suggested actions. Leilani noted that her action is State jurisdiction, and that it can be deleted. Hans Michel agreed that the action is unnecessary.
- Consensus Decision(s): **Dismiss**

Support a thriving paddling community at Canoe Beach with 1) broader community and Kā'anapali Resort support through collaborative actions such as shared parking with the Resorts and shuttle service during canoe races, especially State races. **(54:15 to 56:25)**

- Discussion:
 - Members discussed what County agency would be in charge of implementing both this action and Leilani's action about building a canoe hale (see below). Leilani felt that the Mayor's Tourism group or the Parks Department could be possible agencies.
- Consensus Decision(s): **Adopt**

Design, fund and build a canoe hale structure for storage of canoes at Hanakao 'o Beach Park. **(56:25 to 57:39)**

- Discussion:
 - Chair Nishiki modified Leilani's original action language to make it stronger.
- Consensus Decision(s): **Adopt**

Install ahupua'a signs throughout West Maui. **(57:39 to 1:05:10)**

- Discussion:
 - Annalise Kehler suggested "Fund and install."
 - Chair Nishiki suggested "ahupua'a/moku designations."
 - Dawn Hegger-Nordblom suggested also creating a separate action for installing Code of Conduct signs.
 - Staff noted that this is already covered in Action 4, but Dawn responded that Action 4 only covers cultural sites and parks. Members discussed the merits of amending Action 4 or having a separate, broader action. Kate Blystone commented that Dawn's suggestion might fit better in Goal 2.4: Economic Opportunity Economic Opportunity through Innovation and Collaboration, and that staff will work on language and bring it back to CPAC at a later date.
- Consensus Decision(s): **Adopt**

Create a management plan for areas that are or will soon become over capacity such as mile-marker 14. **(1:05:19 to 1:07:37)**

- Discussion:
 - Jennifer Maydan asked whether this action covers areas beyond the ones in a similar action Leilani suggested for Goal 2.5: Safe, Healthy, Livable Communities for All; Chair Nishiki voiced her support for the action as written.
- Consensus Decision(s): **Adopt**

Build a community center that allows for hula hālau practices by various hālau. **(1:07:37 to 1:09:52)**

- Discussion:
 - Members discussed what County agency would implement the action, and where such a community center might be located.
 - Chair Nishiki suggested strengthening the language: “Fund, design and build”
- Consensus Decision(s): **Adopt**

Yvette noted that Action 15 was skipped over; staff noted the edit made to the action since CPAC last reviewed it. The action was adopted by consensus. **(1:10:00 to 1:11:34)**

Karen Comcowich’s suggestion: Develop and implement a plan to ensure there is ample water allocated for DHHL to be developed now and in the future. **(1:11:40 to 1:22:47)**

- Discussion:
 - Pam Eaton noted that this action is already covered in the Water Use Development Plan. Members discussed the best section for the action, before deciding on putting it in Goal 2.1: Ready and Resilient Systems.
 - During this discussion, Dylan Payne, who stepped out briefly, suggested amendments to Action 10 and 11. However, members decided to keep the Actions as is.
- Consensus Decision(s): **Move to Goal 2.1 and adopt**

Chair Nishiki’s suggestions:

Protect the shoreline and beaches by preserving waterfront land as open space wherever possible. **(1:23:55 to 1:28:57)**

- Discussion:
 - Jennifer Maydan reminded members to think about what County agency will implement their suggested actions, and will they be able to understand what you are asking them to do and put it into their budgets. She noted that there is quite a growing laundry list of action items, and that CPAC will have to cut down and prioritize the list as there is only so much funding available.
 - Ravi Bugga suggested including “within the SLR-XA” after “waterfront land.”
 - Kate Blystone suggested changing the action to a policy; Karen Comcowich noted that the policy already mirrors a policy in Goal 2.1: Ready and Resilient Systems.
- Consensus Decision(s): **Change to policy, move to Goal 2.1 (either as an additional policy or merged with Action 5) and adopt with amended language**

Encourage park, golf course, landscape and agricultural use of treated effluent. Plan for waste water reuse in the design of all new developments, parks, golf courses, and open spaces. Identify potential new users of treated effluent and implement the necessary improvements to supply this water through the county CIP. **(1:28:57 to 1:30:32)**

- Discussion:
 - Chair Nishiki noted that most of her actions are from the current West Maui Community but have not been implemented, which is why she is including them again.
 - Members noted that this action also seems duplicative, and discussed the merits of having similar actions across multiple Goals.
- Consensus Decision(s): **Move to Goal 2.1 and adopt**

Transition from the use of waste water injection wells to appropriate environmentally sound methods of waste water disposal and promote the beneficial use of waste water effluent. **(1:30:32 to 1:35:33)**

- Discussion:
 - Kate Blystone noted that this action is already in Goal 2.1: Ready and Resilient Systems (Action 17). However, Chair Nishiki felt that her Action 2 or 3 should still be kept in this Goal as well.
- Consensus Decision(s): **Move to Goal 2.1, merge with Action 17 and adopt**

Amend county regulations to allow for the use of grey water for approved purposes in West Maui. **(1:35:33 to 1:37:34)**

- Discussion:
 - Members noted that this action is duplicative from Goal 2.1: Ready and Resilient Systems; Leilani Pulmano also noted that there wouldn't be a County agency to implement this.
- Consensus Decision(s): **Dismiss**

Fund and implement a "Safe and Clean" program in Lahaina.

- Discussion:
 - Chair Nishiki noted that this action is already included in a different Goal.

RECESS/DINNER BREAK

Policies and Actions Related to Goal 2.3: Responsible Stewardship of Resources, Culture and Character (Cont.) (1:37:48 to 1:55:50)

Fund and implement a “Safe and Clean” program in Lahaina. (Cont. from above)

- Discussion:
 - Chair Nishiki explained her reasoning for why she wanted to keep this as a separate action item despite a similar action already in this Goal (Action 17). **Kate Blystone asked if Chair Nishiki then wanted to delete that portion from Action 17. Chair Nishiki confirmed.**
- Consensus Decision(s): **Adopt; delete reference to program in Action 17**

Chair Nishiki pointed members to the list of policies and actions from the current (1998) West Maui Community Plan in her handout, noting that there were a few she’d like to carry over to the updated Plan:

ADDITIONAL POLICIES (from 1998 West Maui Community Plan)

14. Encourage the development of “cultural parks” for visitation and education. **(1:41:09 to 1:43:39)**

- Discussion:
 - Annalise Kehler asked if Chair Nishiki felt that Action 5 already covers this action. Chair Nishiki commented on the differences between the two actions, **and suggested adding “and encourage the development of new cultural parks” at the tail end of Action 5.**
- Consensus Decision(s): **Adopt; add language to Action 5**

15. Encourage cultural and educational programs to perpetuate Hawaiian and other ethnic heritages. **(1:43:39 to 1:45:57)**

- Discussion:
 - Annalise Kehler noted that a similar policy exists in the Countywide Policy Plan, and asked Chair Nishiki if she knows of any specific programs that she feels needs to be funded to differentiate this policy. **Chair Nishiki agreed that it is vague and suggested changing “Encourage” to “Fund and implement.” She also noted that the County agency would be the Office of Economic Development.**
- Consensus Decision(s): **Adopt with amended language**

16. General site types and areas that should be flagged for possible preservations include the following: **a.** Ancient trails/old government roads; **b.** fishponds; **c.** Landings; **d.** Nearshore marine cultural resources; **e.** Stream valley areas - 1) habitation complexes (shoreline and interior), 2) lo'i and 'auwai, 3) terraces; **f.** Significant native vegetation zones; **g.** Plantation ditch systems; **h.** Religious structures (shrines, churches and heiau); **i.** Old bridges; **j.** Plantation camps; **k.** Plantation era structures and homes; **l.** Petroglyphs; and **m.** Burials.

(1:45:57 to 1:51:34)

- Discussion:
 - Members discussed whether this policy was duplicative and unnecessary. Annalise Kehler noted that listing things will exclude those not listed, and recommended instead determining what the community values as far as historic properties.
- Consensus Decision(s): **Revisit**

17. Important site types and areas in the West Maui region include but are not limited to the following: **a.** Lahaina Pali trail; **b.** Olowalu Church ruins; **c.** Olowalu heiau; **d.** Stream valley sites; **e.** Plantation ditch systems; **f.** Sites and structures within the National Historic District; **g.** Plantation buildings; **h.** Lo'i terraces and 'auwai; **i.** Ukumehame complex; **j.** Launiupoko complex; **k.** Moku'ula Island; **l.** Camp Pecusa; **m.** Honolulu archaeological district; **n.** Honokohau Valley; **o.** Olowalu petroglyphs; **p.** Pioneer Mill; **q.** Lahainaluna High School; **r.** Olowalu Landing; and **s.** Mala pre-contact burials.

- Discussion:
 - Per discussion on previous policy, CPAC will revisit Actions 16 and 17 at a later date.
- Consensus Decision(s): **Revisit**

Before moving onto the next agenda item, Karen Comcowich asked if staff was able to come up with language for Action 7; Michele confirmed and provided the following suggestion: **Amend the Historic District Ordinances to allow existing hotels such as the Pioneer Inn and Plantation Hotel, prohibit new hotels and vacation rentals, and phase out existing vacation rentals.** Leilani Pulmano requested to also include Lahaina Inn. **No objections; Action 7 adopted with amended language. (1:51:34 to 1:55:50)**

Request for Time Extension (1:56:02 to END)

Chair Nishiki asked for input from Planning Director Michelle McLean, who commented that she felt it was appropriate that a request for a time extension come from CPAC. Chair Nishiki then read the letter for the record, explained her perspective in drafting the letter, and asked for comments from CPAC members. ([Link to Draft Letter](#))

Questions and comments from CPAC included whether CPAC is required to deliver a complete plan or recommendation to the Planning Commission, the merits of asking for an extension; whether work on the CPAC process should be completed through the holidays or individually at home; and whether CPAC is required to use all of the days if a time extension is granted.

Leilani Pulmano supported the extension, but provided her own draft of the letter with more factual and concise language. ([Link to Leilani's Draft Letter](#)) **Joseph Pluta made a motion to accept Leilani's letter, Donald Gerbig seconded the motion.** Karen Comcowich supported the letter but asked to include the information about the holidays; Leilani supported Karen's request. Ravi Bugga and Jeri Dean supported the letter with reluctance, noting that CPAC needs to put its feet to the fire and not drag out the process any longer. **All members voted in favor; MOTION PASSED UNANIMOUSLY.**

Members then discussed their availability for December 17 and 19, with staff noting that the topics on those dates are critical. Jennifer Maydan told members that she will send out an email and to please respond with their availability then.

NEXT MEETING IS ON NOVEMBER 21, 2019. MEETING ADJOURNED AT 8:24 P.M.

