



Clean Water And Natural Lands Advisory Commission

CITY AND COUNTY OF HONOLULU

530 South King Street, Room 208 • Honolulu, Hawaii 96813

COMMISSIONERS

Sherry P. Broder – Chairperson
Jason Kekahi “Kahi” Pacarro – Vice Chair
Chris Cramer
Keli’iahonui Kotubetey
William Reese Liggett
William Kamana’olana Mills
Jamie Tanimoto

**Meeting Minutes
Friday, September 9, 2022
9:00 a.m.
Meeting Held Virtually**

CALL TO ORDER – Vice-Chair Kahi Pacarro called the meeting to order at 9:01 a.m.

Commissioners Present – Jason Kekahi “Kahi” Pacarro, Chris Cramer, Keli’iahonui Kotubetey, William Reese Liggett, William Kamana’olana Mills, Jamie Tanimoto

Commissioners Absent – Sherry Broder (excused)

Staff Resources Personnel Present

Dawn Spurlin, Deputy Corporation Counsel
Tammy Namihira, Budget and Fiscal Services (BFS)

Guests

Danielle Schaffner, Department of Land Management (DLM)

APPROVAL OF THE MEETING MINUTES FOR AUGUST 12, 2022

The minutes of the August 12, 2022 were approved 6-0 (AYE: Pacarro, Cramer, Kotubetey, Liggett, Mills, Tanimoto; NAY: None; ABSTAIN: None).

DEPARTMENT OF BUDGET AND FISCAL SERVICES PROVIDED AN UPDATE ON NEW APPLICATIONS AND CWNL FUND PROMOTION LETTER STATUS

Ms. Namihira shared that BFS did not receive any new applications.

She also stated that the Fund promotional letter was sent out to City Council members, Neighborhood Board Chairs, the State Legislature and the various entities given by the Commissioners.

FOR DISCUSSION AND/OR ACTION ON COMMISSIONER MILLS’ COMMISSION EXPIRATION

Vice-Chair Pacarro asked if there were any interested applicants that had applied since the last meeting.

Ms. Namihira replied that there were none.

Vice-Chair Pacarro stated that the Commission will confirm Commissioner Mills’ at the next meeting should there be no other applicants and thanked Commissioner Mills for his desire to continue to serve on the Commission.

FOR DISCUSSION AND/OR ACTION ON RESOLUTION RECOGNIZING COMMISSIONER ELLIOTT "KAI" RAYMOND MARKELL

Commissioner Cramer suggested that Commissioner Markell's extensive knowledge and work related to iwi kupuna should be included. All the Commissioners were in favor of the recommendation.

Ms. Namihira stated that it would be included in the resolution.

FOR DISCUSSION AND/OR ACTION ON RESOLUTION RECOMMENDING FUNDING FOR THE APPLICATIONS OF HO`OKUA`AINA AND KAULUAKALANA

Commissioner Liggett recommended that the non-profits' status as a domestic non-profit be noted on the resolution.

Vice-Chair Pacarro stated that would be a good idea to provide more clarity.

The Commissioners agreed and were in favor of the inclusion of both organizations' non-profit status.

Vice-Chair Pacarro wanted to confirm that as approved during the last meeting, the recommendation was for the full funding of both applications.

Ms. Namihira confirmed that as shown on the resolution, the total funding recommendation is \$9,572,000. \$6,228,000 for the Palawai parcels and \$3,344,000 for the Makali`i parcels.

Vice-Chair Pacarro asked if the resolution could be expedited to be presented to City Council with the recommended revisions without waiting another month.

Ms. Namihira confirmed that revisions could be made and sent for review. She stated that she also sent a draft of the letter to the Council with DLM's recommendations to Chair Broder for review but did not hear back from her and that the letter could be sent to the Commissioners for their review.

Vice-Chair Pacarro stated that the concern was for the need of additional review by the Commission after the revisions were made whereas it would be preferred that it be presented to City Council sooner. He suggested making a motion to approve the resolution with the recommended revisions to be made.

Commissioner Liggett commented that in review of the name Palawai, it's a place in Lana`i or Waianae and unsure of how they arrived at the name but it may be confusing. Also Makali`i is located in Moloka`i and Kahana according to "Place Names Hawaii". He questioned if the use of these place names were confusing or whether it was an acceptable practice in the Hawaiian culture to pick another name that represents other places.

Vice-Chair Pacarro stated that to clarify, there are many places across the islands or even on the same island that share the same names. It does state the specific TMK at the top of the resolution to negate any potential confusion. Vice-Chair Pacarro opened the floor to the representatives of the Palawai or Makali`i parcels if they wanted to share more about this topic.

Ms. Reyna Ramolete-Hayashi from the Trust for Public Lands (TPL) mentioned that the "Palawai" and "Makali`i" parcels are defined in quotes in two of the "Whereas" clauses after the TMKS so legally speaking it should be fine.

Ms. Namihira also stated that it does note that it is located in Kailua, Oahu, Hawaii at the top of the resolution.

Commissioner Liggett further commented that in the paragraph midway through page two, it refers to "Hanalei soil". He could not find a definition of that and questioned if there should be a parenthesis after it to explain what it means. It's not a term that he is familiar with so he just raised the point.

Commissioner Tanimoto explained that Hanalei soil is a description of specific type of defined soil, a soil type name and for those in the geology sector, it should be familiar and okay.

Commissioner Liggett commented that this is for a wider circle than for the geologists. Also in the next section, it refers to "aina momona" which translates to "fruitful land" and recommends parenthesis after that.

Vice-Chair Pacarro stated that although he understands that the definitions are important, at this time, it is not for everyone to understand every aspect of it. The purpose of the resolution is to recommend these applications for funding to the City Council, who probably will not come back and ask to define everything. His main concern is that it takes time to approve the funding from Council and applicants need to secure funding expeditiously. He suggested taking a vote on the resolution.

Commissioner Liggett explained that lo'i kalo and `auwai are explained in parenthesis and that his proposed changes would not be major changes. His proposed amendments would bring the wording in line with "wetland taro fields" and "irrigation ditch".

Vice-Chair Pacarro asked Ms. Namihira that if the recommended changes by Commissioner Liggett were to be integrated, could this be done and at the same time have the Commission approve these changes now so it could be presented to the City Council if Council is having a meeting soon and prior to the Commission's next meeting.

Ms. Namihira responded yes.

Vice-Chair Pacarro suggested to Commissioner Liggett that if there are any other suggestions to be integrated, he makes a motion so the Commission would not need to revisit this resolution.

Commissioner Liggett stated that he had no further clarifications and moved to have these revisions done.

Vice-Chair Pacarro asked if there were any other discussion regarding the resolution.

Commissioner Liggett commented that his suggestions needed a second.

Vice-Chair Pacarro asked Commissioner Liggett to confirm if he was making a motion as he had heard Commissioner Liggett state that he so moved but was unsure.

Commissioner Liggett confirmed and that his suggestions needs a second, then discussion, then on to the full resolution.

Vice-Chair Pacarro asked for a second to the motion.

Commissioner Mills stated that he seconds the adoption of the resolution recommending funding for the applications of Ho`okua`aina and Kauluakalana, with the two recommended changes by Commissioner Liggett to add "domestic non-profit corporation" and the description of the applicants and the translation of the term "aina momona," being "fertile land".

Vice-Chair Pacarro commented that Commissioner Liggett also wanted to add of clarification of what "Hanalei soil" was and to be sure this was also included.

Commissioner Mills confirmed that the further clarification of what Hanalei soil is would be included in parenthesis.

Vice-Chair Pacarro asked if there was any discussion on this aspect. There were none.

Vice-Chair Pacarro stated that there was currently a motion on the floor to approve the resolution while integrating the changes from Commissioner Liggett.

A vote was called for the approval of the resolution as amended with the changes proposed by Commissioner Liggett. Approved 6-0 (AYE: Pacarro, Cramer, Kotubetey, Liggett, Mills, Tanimoto; NAY: None; ABSTAIN: None).

Vice-Chair Pacarro asked Ms. Namihira if this resolution would be revised and submitted to the Council before the

next Commission meeting and therefore would not need the Commission to further address the resolution.

Ms. Namihira confirmed that it would be but advised that the next Council committee meetings were scheduled for the week of September 19th and it would depend on how fast we could submit it to the Council.

Vice-Chair Pacarro asked what would be the biggest challenge to getting it to the Council in time. Would it be making the changes or is there more of a process that is not understood?

Ms. Namihira explained that once the revisions are made, Chair Broder would need to sign the transmittal letter and it is then referred to the administration for submittal to City Council. She further explained that Council normally requests that agenda items be submitted at least seven working days, which has already passed and that sometimes the resolution could bypass the committee and move to full Council for consideration, but that would be unlikely. If the resolution does not make it onto this month's committee meeting agenda, the next committee meetings would not be held until the third week of October. She added that BFS would try to get the resolution to Council as soon as possible, but she was unsure whether BFS would make the deadline for submittal to Council since Council has cut off dates for items to be on its agenda.

Vice-Chair Pacarro noted that Ms. Ramolete-Hayashi commented that the meeting would be on September 21st?

Ms. Namihira confirmed but was unsure of the exact dates that the submissions needed to be submitted to Council.

Vice-Chair Pacarro wanted confirmation that the revisions to be added is not what would hold up the process and that it would be to get it signed and delivered to the right people.

Ms. Namihira confirmed that is true.

Vice-Chair Pacarro stated that the resolution would be left as stated and it would be up to the Commissioners to push Chair Broder to sign the letter and for BFS to get it to Council. He also stated that if anyone knows anyone on the Council, to contact them and inform them of the Commission's desire to hear the resolution at the next meeting versus having it pushed to the third week of October so it would require a bit of lobbying on all of the Commissioner's parts.

Vice-Chair Pacarro commented that there is a resolution that has been approved that will be sent to City Council, congratulated the applicants and thanked everyone for their hard work and for bringing the applications to the Commission. He further stated that this is the best part of their volunteer job where it is getting more of our lands protected and more land use as well for sustainability.

Ms. Dean Wilhelm from Ho`okua`aina thanked everyone for their support.

Ms. Maya Saffery from Kauluakalana also thanked everyone for their support and what they are about to take on is taken very seriously and hope to make the Commission and community proud.

Ms. Ramolete-Hayashi also thanked everyone for their support and work behind the scenes and am really excited to go before City Council. She wanted clarification that the letter from Chair Broder to City Council does not include DLM's recommendations and that it is only making Council aware of those recommendations.

Vice-Chair Pacarro and Ms. Namihira confirmed that is correct.

Ms. Ramolete-Hayashi stated that they have had really productive discussions with DLM and are working through the recommendations with them and what the consequences of each would be.

Vice-Chair Pacarro commented that this is one of the larger contributions that the Commission has had during this Commission's time so it is really exciting for them as well.

Vice-Chair Pacarro stated that at this time would be the opportunity to discuss the draft letter to Council that was just referenced and asked if the draft could be shared. He mentioned that it is not a recommendation to accept all

of DLM's comments but rather it came from DLM and that the Commission just wanted to be sure that it didn't get lost in the shuffle and City Council was aware of them as part of the due diligence process. He also commented that it is good to know that TPL is already working with DLM to reconcile a lot of these recommendations so if any questions come up, they would already have their responses and processes in place. He also recommended that it would be good if everyone involved be at the Council meetings in case the Council does have questions.

Ms. Namihira shared the draft letter and noted that on the last page is where it is stated that the DLM recommendations are attached.

Ms. Ramolete-Hayashi asked if the word "included" could be changed to "discussed" as it would be confusing. So if it could say "that these recommendations would be discussed in the CE negotiations."

Ms. Namihira confirmed the revision.

Vice-Chair Pacarro stated he didn't see a problem with that change.

Commissioner Kotubetey asked Ms. Ramolete-Hayashi if they are at the point in the process where they are in the conservation easement negotiations right now.

Ms. Ramolete-Hayashi stated that the negotiations would start after the City Council approved the resolution so right now they are only in discussions with DLM about the intent of some of the recommendations, things that are agreeable and some of the concerns. This is to be sure that they are all on the same page.

Commissioner Kotubetey commented that it's a good thing that they are already in discussions so when the CE negotiations do begin, everything has been already ironed out.

Ms. Ramolete-Hayashi confirmed yes.

PUBLIC TESTIMONY

Vice-Chair Pacarro stated that the Commission would love to hear of any public testimony regarding this meeting or any applications that are planned to be brought.

No public testimony.

ANNOUNCEMENTS

Next meeting scheduled to be held on October 14, 2022 at 9:00 a.m.

ADJOURNMENT: Meeting was adjourned at 9:35 a.m.

Respectfully Submitted,

Tammy Namihira

APPROVED:

Chair Sherry P. Broder

Date

The minutes of the Commission Meeting on September 9, 2022 were approved at the October 14, 2022 Commission Meeting.

	<u>Aye</u>	<u>No</u>	<u>Comment</u>
Sherry P. Broder	<input type="checkbox"/>	<input type="checkbox"/>	Abstain
Chris Cramer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Keli'i Kotubetey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
William Reese Liggett	<input type="checkbox"/>	<input type="checkbox"/>	Excused
William Kamana'olana Mills	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jason Kekahi "Kahi" Pacarro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jamie Tanimoto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	