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STATE OF HAWAII  
LAND USE COMMISSION  
Meeting held on February 19, 2025  
Commencing at 9:00 a.m.  
Held at  
Maui Arts & Cultural Center  
Haynes Meeting Room  
1 Cameron Way  
Kahului, Hawaii 96732

- I. CALL TO ORDER
- II. A07-773 (a) EMMANUEL LUTHERAN CHURCH OF MAUI  
To consider the continuation of the 2023 Status Report for Emmanuel Lutheran Church of Maui in accordance with the Land Use Commission ("LUC") Decision and Order ("D&O") issued on February 6, 2024. Files pertaining to this docket are available at:  
<https://luc.hawaii.gov/a07-773>

Parcel is identified as TMK No. (2) 3-5-002: 011, approximately 25.263 acres located in Wailuku, Island of Maui, State of Hawai'i.

- III. APPROVAL OF MINUTES FOR FEBRUARY 5-6, 2025  
Meeting Minutes are available at:  
<https://luc.hawaii.sov/meetings/2020s>

VI. TENTATIVE MEETING SCHEDULE

V. ADJOURNMENT

BEFORE:

PARTICIPANTS

LUC COMMISSIONERS:

Dan Giovanni, Chair

Michael Yamane

Brian Lee

Ken Hayashida

Ku'ike Kamakea-Ohelo

Myles Miyasato

Nancy Carr Smith

LUC STAFF:

Daniel Orodener, Executive Officer

Scott Derrickson, Chief Planner

Martina Segura, Planner

Ariana Kwan, Chief Clerk

John Dubiel, Esq., Deputy Attorney General (via  
Zoom)

OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT  
("OPSD"):

Alison Kato, Esq., Deputy Attorney General

Mary Alice Evans, OPSD Director

Aaron Setogawa, Senior Planner

PARTICIPANTS CONTINUED

COUNTY OF MAUI, PLANNING DEPARTMENT:

Mimi Desjardins, Esq., Corporation Counsel

Kate Blystone, Planning Director

PARTICIPANTS CONTINUED

EMMANUEL LUTHERAN CHURCH OF MAUI:

Joshua Rempfer

Sandy Baz

WAIKAPU DEVELOPMENT VENTURE:

Jeffrey Ueoka

Heidi Bigelow

1 HAWAII LUC MEETING

2 HELD ON

3 FEBRUARY 19, 2025

4 9:00 A.M.

5  
6 CHAIR GIOVANNI: Aloha mai kakou. Good  
7 morning, everyone. This is the February 19, 2025  
8 Land Use Commission Meeting. This is an in-person  
9 meeting, and it's being held at the Maui Arts and  
10 Cultural Center, Haynes Meeting Room, No. 1 Cameron  
11 Way, Kahului, Maui 98 -- 96732 is the zip code.

12 This meeting is open to the public. Court  
13 reporting transcription will -- are being done from  
14 a Zoom recording of this meeting. And let me just  
15 confirm the recording is in progress?

16 MS. KWAN: Yes, Mr. Chair.

17 CHAIR GIOVANNI: Thank you very much.

18 So even though this is an in-person  
19 meeting, please be aware that all meeting  
20 participants are being recorded on the digital  
21 record of this Zoom meeting, which will be posted on  
22 YouTube and used for court reporting purposes.

23 And your continued participation is your  
24 implied consent to be part of the public record of  
25 this event. If you do not wish to be part of the

1 public record, you should exit the meeting now.

2 I will also share with participants that  
3 we will be taking breaks from time to time --  
4 normally five minutes every hour. We don't expect  
5 to continue much beyond midday today or even that  
6 far, but we'll see how it goes. But as of this time  
7 we are not planning a lunch break.

8 My name is Dan Giovanni, and I have the  
9 pleasure to serve as the LUC Chair. And we  
10 currently have nine seated commissioners, and seven  
11 of which are participating in today's meeting.

12 Along with me today are Commissioner  
13 Michael Yamane from Kauai, Commissioner Kamakea-  
14 Ohelo from Oahu, Commissioner Brian Lee and  
15 Commissioner Hayashida, also from Oahu, Commissioner  
16 Miyasato and Commissioner Carr Smith from the island  
17 of Hawaii. Excused from today's meeting are  
18 Commissioner Mel Kahele and Commissioner Bruce U'u.

19 Also in attendance are LUC Executive  
20 Officer Daniel Orodener, LUC Chief Planner Scott  
21 Derrickson, LUC Staff Planner Martina Segura, and  
22 LUC Chief Clerk Ariana Kwan.

23 And joining us today for the first time is  
24 our LUC Deputy Attorney General John Dubiel. He's  
25 joining us from Zoom. So thank you, John, for

1 joining us today. Again, court reporting  
2 transcriptions are being done from a Zoom recording.

3 Our next order of business is a status  
4 report of Docket AOA07773A, the Emmanuel Lutheran  
5 Church of Maui. This is an agenda item to consider  
6 the continuation of the 2023 status report for  
7 Emmanuel Lutheran Church of Maui in accordance with  
8 the Land Use Commission decision and order issued on  
9 February 6, 2024.

10 At this time I'd like the parties to  
11 identify themselves for the record. So, Petitioner,  
12 would you please identify yourself and who you have  
13 with you?

14 MR. REMPFER: My name is Josh Rempfer.  
15 I'm the principal at Emmanuel Lutheran School. And  
16 with me is Sandy Baz, who is a parent at our school  
17 but also a volunteer on our building committee and  
18 helping us go through some of the phases of our  
19 project.

20 CHAIR GIOVANNI: Again, your last name,  
21 sir?

22 MR. REMPFER: Rempfer, R-E-M-P-F-E-R.

23 CHAIR GIOVANNI: P-F-E-R.

24 And just to save time I'm going to elect  
25 to swear you in upfront right now, and then we won't

1 have to do that. So do you swear that the testimony  
2 you're about to give today will be the truth?

3 MR. REMPFER: Yes.

4 CHAIR GIOVANNI: And --

5 MR. REMPFER: Yeah. So --

6 CHAIR GIOVANNI: -- when's --

7 MR. REMPFER: Yes.

8 CHAIR GIOVANNI: Thank you. State your --

9 MR. REMPFER: And this --

10 CHAIR GIOVANNI: -- the other gentleman,  
11 state your name for the record.

12 MR. KEMPFER: That's -- yeah --

13 CHAIR GIOVANNI: And --

14 MR. KEMPFER: -- Sandy Baz, B-A-Z. And,  
15 yes, I swear.

16 CHAIR GIOVANNI: Thank you very much.  
17 County, who is here representing the  
18 County of Maui today?

19 MS. DESJARDINS: Aloha. Good morning,  
20 Chair and Commissioners. First Deputy Corporation  
21 Counsel Mimi Desjardins. And with me is the  
22 planning director Kate Blystone. Good morning.

23 CHAIR GIOVANNI: Thank you. Good to see  
24 you guys again. Happy 2025.

25 And from the Office of Planning and

1 Sustainable Development?

2 MS. KATO: Good morning. Alison Kato,  
3 Deputy Attorney General with Office of Planning and  
4 Sustainable Development. Also here with me are Mary  
5 Alice Evans, director; and Aaron Setogawa, planner,  
6 from OPSD. Thank you.

7 CHAIR GIOVANNI: Thank you very much.

8 At this time we'd like to address any  
9 potential disclosures and/or conflicts of interest.  
10 So in accordance with HRS 84-14, commissioners are  
11 not allowed to take any official action affecting a  
12 business in which they or a member of their family  
13 has a financial interest.

14 They must therefore recuse themselves from  
15 the matter if there is any benefit, monetary or  
16 otherwise, to themselves or to members of their  
17 family.

18 Also in accordance with this legal ethical  
19 standards, commissioners should be -- should  
20 disclose any relationship -- business, social, or  
21 otherwise -- that they may have with the petitioner  
22 or its representatives or any other parties to this  
23 proceeding that may give rise to an allegation of  
24 impropriety.

25 Commissioners, do any of you have any



1 conflicts of interest or disclosures to make at this  
2 time?

3           Hearing and seeing none, we will proceed.

4           So let me, for everyone's benefit, briefly  
5 explain the procedure for this agenda item. Excuse  
6 me. First, I will recognize written public  
7 testimony that has been submitted on this matter.

8           Next, I will call among public -- members  
9 of the public who wish to provide oral testimony on  
10 this matter. Then I will call upon the LUC staff to  
11 present a summary of their report -- their staff  
12 report and any recommendations that they might want  
13 to put forth for the Commission's consideration.

14           Next, I will call on the petitioner to  
15 provide a status report. After the petitioner's  
16 presentation, I will ask the County and then the  
17 State OPSD, which is the Office of Planning and  
18 Sustainable Development, to present their comments  
19 regarding the status report.

20           Commissioners will have the opportunity to  
21 ask questions of the parties, including staff, at  
22 the conclusion of each of their presentations. I  
23 will then reopen the floor for a second round of  
24 public testimony should any member of the public  
25 wish to testify at that time.

1           Finally, the Commission will enter into  
2 deliberations regarding the status report to decide  
3 if any action is necessary. Again, I will be taking  
4 short breaks, normally five minutes every hour.

5           Reference for the record. As stated on  
6 today's agenda, which has been published, please be  
7 informed that all relevant records and documents  
8 pertaining to this matter, this agenda item, can be  
9 accessed for review on the LUC website  
10 <https://luc.hawaii.gov/a07-773>.

11           At this time we'll consider public  
12 testimony. For members of the public, please be  
13 reminded that the Commission will not be considering  
14 the merits of this petition.

15           Rather, the Commission is interested in  
16 learning about the current state of activities  
17 relative to the docket, including compliance with  
18 conditions. And Commission will then consider  
19 whether any action is necessary.

20           Ms. Kwan, I'd like now to recognize any  
21 written testimony that's been received. Has there  
22 been?

23           MS. KWAN: There's been none, Mr. Chair.

24           CHAIR GIOVANNI: Ms. Kwan, are there any  
25 members of the public who signify they wish to

1 present oral testimony at this time?

2 MS. KWAN: No, Mr. Chair.

3 CHAIR GIOVANNI: Very good. So at this  
4 time I'd like to move to the presentations, and the  
5 first presentation I would call on the staff.

6 So, Ms. Segura, I understand that you will  
7 provide a summary of the staff report and any  
8 recommendations that you'd like to put forth for the  
9 Commissioners' consideration?

10 MS. SEGURA: Yeah. My name is Martina  
11 Segura for the record. I prepared the staff report  
12 and got it approval -- got it approved for signature  
13 on February 13th. And it was posted to the Land Use  
14 Commission for public review on that day.

15 This is a continuation of the October 18th  
16 and 19, 2023 status report where the Commission  
17 ordered the petitioner to come in for a continuation  
18 of the status report.

19 There were seven listed concerns from that  
20 hearing. Those can be found on pages 12 and 13.  
21 Those concerns were shared with the petitioner  
22 through a letter so that they're aware of the  
23 concerns that the Commission had from the last  
24 meeting.

25 And those include everything from finances

1 to the Ka Pa'akai analysis and split conditions  
2 between Waikapu development.

3 A summary would be that the project update  
4 and letter that the petitioner provided includes a  
5 lot of summaries saying that they have to come in  
6 for a motion to amend to amend, I believe, Condition  
7 No. 1, Condition No. 5, and -- yeah, those are the  
8 two that I have. And those relate to the phases of  
9 development and the traffic impact report and study.

10 To proceed, staff recommends that a  
11 follow-up status report be scheduled after July 11,  
12 2025 if they don't come in for a motion to amend.

13 And that date is -- we chose that date,  
14 July 11, 2025, because it correlates with Condition  
15 No. 1 from the 2019 decision and order where it  
16 states the Petitioner shall complete two initial  
17 phases of the updated ELC Project within six years  
18 of the Commission's 2019 decision and order. And  
19 that date is July 2025.

20 CHAIR GIOVANNI: Thank you, Ms. Segura.

21 Commissioners, do you have any questions  
22 for staff regarding their -- the staff report and  
23 recommendations at this time? Thank you very much.

24 Petitioner, we'll turn to you now and  
25 remind you you're both under oath. And please

1 proceed with your presentation.

2 MR. REMPFER: All right. I just want to  
3 give a brief introduction. This is Josh Rempfer,  
4 Emmanuel Lutheran School. At our last status report  
5 I will admit that I was not prepared because I had  
6 never done anything like this before.

7 And we took or tried to take all of the  
8 recommendations that were given to us to prepare a  
9 better presentation, to give you a better update,  
10 and so that you can see how our phases now aligned  
11 with the phases that were presented in a previous  
12 status report.

13 Speaking on Emmanuel's behalf is Sandy Baz  
14 graciously volunteered, as he has a bit more  
15 experience with these kinds of things than I do. So  
16 I'm going to turn the microphone over to him.

17 But he and I have communicated regularly  
18 back and forth about this. And we've gone back and  
19 forth with the Land Use Commission and even some  
20 time with the Office of State Planning. So I'm  
21 going to give the microphone to him and let him go  
22 through the presentation if that's okay.

23 CHAIR GIOVANNI: Yes, that would be fine.  
24 And I understand you have a visual that you'll be  
25 referring to; is that correct?

1 MR. BAZ: Yes, that's correct. Thank you.

2 CHAIR GIOVANNI: Mr. Baz, please proceed.

3 MR. BAZ: All right. So first of all, we  
4 wanted to thank the staff for their report. We had  
5 a chance to review it prior to this meeting. And so  
6 we're able to address directly some of those things  
7 that are brought up in that report. And in writing  
8 as well after this we can provide that to you.

9 So as you're aware, in 2008, the Emmanuel  
10 Lutheran Church and School came in for a district  
11 boundary amendment, and that was originally granted.  
12 It was amended, among other times, in 2019.

13 Basically was splitting out the projects.  
14 Right? A bifurcation between us and Waikapu  
15 Development Ventures. And then also an update of  
16 the projects and timeline -- things like that.

17 Well, right after that was COVID. There  
18 were some challenges, of course, with our economy  
19 and being able to do fundraising. Also we had a  
20 change of leadership at the school and Mr. Rempfer  
21 came onboard.

22 The issue also -- the subdivision between  
23 us and Waikapu Development Ventures was delayed at  
24 the County. So, you know, that had some impact to  
25 our ability to move forward as well.

1           Our main goal is to develop a safe,  
2 functional campus that serves our students, our  
3 church members, and the broader Maui community. All  
4 right. Thank you.

5           So if you look at the original document  
6 decision and order in 2019 and the phases, the first  
7 phase was securing funding. Second phase,  
8 multipurpose buildings. Third phase, classrooms.  
9 And then the fourth phase we're looking at optional  
10 sanctuary.

11           As we have had more time now and have  
12 engaged professional planning and architectural  
13 design teams, we are looking at an updated timeframe  
14 and then also just updated phases.

15           To reduce confusion, we put letters on  
16 them instead of numbers. So looking at right now as  
17 we're continuing our activities, feasibility, and  
18 discovery, we're looking at things related to the  
19 financial aspect of it, the demand for school  
20 classroom, you know, space.

21           We have looking at other support  
22 organizations -- schools within Hawaii as examples.  
23 We've consulted with them as well, you know, getting  
24 enrollment numbers and realistic operational  
25 financials as well as the capital that we're looking

1 at raising.

2 We've also engaged Lutheran Church  
3 Extension Fund, which is an arm of the Lutheran  
4 Church that provides support for real estate  
5 development in the manner of financing. And so very  
6 low-cost financing specifically for Lutheran Church  
7 missions, which is what this is.

8 And then also for the actual architectural  
9 kind of concept, design, things like that, they've  
10 been very, very helpful over the last six months or  
11 so really listening to what our needs are, looking  
12 at our environment, looking at that.

13 And then also we're engaging local  
14 architect to do the construction drawings and things  
15 like that. So those are active activities that are  
16 happening now.

17 We've also engaged with a fundraising  
18 consultant, a Hawaii-based fundraising consultant,  
19 to help us with our capital campaign. And we've had  
20 some initial discussions and meetings and a golf  
21 tournament coming up.

22 But looking at opportunities for more of  
23 those, you know, larger, six-digit, seven-digit  
24 opportunities for donations and grants and things to  
25 support the school. So, you know, that's the



1 financial aspect of what we're looking for -- the  
2 support.

3 And then also, you know, the engagement  
4 again with professional consultants and our building  
5 committee that has significant expertise in  
6 construction and planning and those related  
7 activities.

8 We have a civil engineer on our building  
9 committee as well. So really, really helpful having  
10 that volunteer engagement as well as the  
11 professional engagement.

12 We're kind of starting that concept and  
13 design phase as well during this time period. And  
14 we have -- you know, we could -- we didn't present  
15 pictures. But we have some basic concepts of  
16 design, layout on the property.

17 You know, the original design and layout  
18 was based on the 25 acres. Right? So once the  
19 school sold half of it to Waikapu Development  
20 Ventures, then the whole project needed to be  
21 rescoped, relooked at, and things like that.

22 So, you know, that's an important  
23 understanding of the time delays as well to  
24 understand why we haven't quite got to that point of  
25 construction here. So once the concept and design

1 is completed and we have done a majority of the  
2 capital campaign then we will go ahead and start  
3 construction.

4           The construction phase we're looking at is  
5 between 2027 and 2029. We're looking at doing most  
6 of the construction at one time so there's less  
7 impact to the activities of the students, there's  
8 less impact to the school itself.

9           We can, you know, build it while the  
10 current school is still operating and then be able  
11 to just transition into it when it's ready. The  
12 Phase D, kind of that final phase, will be a  
13 sanctuary at the very end. And so that's kind of  
14 what we're looking at at the revised phases right  
15 now.

16           So we hope that there's a little better  
17 understanding of the correlation between what you  
18 have on record as decision and order and then what  
19 also is our end phases -- what we're looking at for  
20 actual activity. And we, as mentioned, we will be  
21 presenting this in a motion to amend in the future  
22 for future actions.

23           So, yes, the original deadline for the  
24 schedule -- we were supposed to be completed with  
25 the first two phases by July 11, 2025 -- that's

1 coming up here in a few months.

2 So that's, you know, not going to happen.

3 We need to present a motion to amend. We talked  
4 about part of those reasons for the delay and  
5 looking at what our commitment is to move forward  
6 with this.

7 Go ahead.

8 Related to the cultural impact assessment  
9 and the native species identified, the same  
10 consultant that did Waikapu Development Ventures did  
11 the CIA for our project as well.

12 It's basically the same parcel. It's the  
13 same information. So you'll see that there's a lot  
14 of similarities between their CIA and our CIA. And  
15 they basically modified the CIA that they did for  
16 Waikapu Development Ventures for our project,  
17 understanding what our project's scope is and things  
18 like that.

19 Because of the presence of the uhaloa and  
20 the ope'ape'a, we are looking at integrating that  
21 into the curriculum of the school to honor the  
22 native species that are identified in that area and  
23 be able to help the students of the school to learn  
24 more about the flora and fauna of Hawaii as a part  
25 of an engaged curriculum there.

1           And we will comply with the  
2 recommendations of the Paki portion of that related  
3 to working with SHPD if there is any additional  
4 items identified.

5           So, you know, again we have a partnership  
6 with LCEF -- Lutheran Church Extension Fund. They  
7 are a specialized church school financing and  
8 advisory group supporting capital campaigns as well  
9 as the actual concept and design of the project.  
10 They help the kind of big picture stuff as it gets  
11 facilitated in building a school.

12           Again we're going to -- we have engaged a  
13 local architect or architectural group to do the  
14 design of the buildings, make sure that they're  
15 correct for our environment and for the area, make  
16 sure that the design is something that fits into the  
17 community and also is the most energy-efficient and  
18 supported by the natural environment that it can be.

19           And so we have a building committee that  
20 Mr. Rempfer has grabbed together. We meet  
21 regularly, again sharing our expertise and helping  
22 to get input and provide guidance to the actual  
23 project itself.

24           And then the school has hired  
25 administrative staff that is also very helpful in,

1 you know, facilitating all this instead of just  
2 volunteers and a very busy principal. So thank you  
3 for that time.

4 So related to Condition No. 5 -- and this  
5 will come in an actual amendment but the -- we are  
6 requesting, you know, removal of or an amendment of  
7 that condition specifically.

8 We feel that the conditions of that area  
9 are significantly different than the conditions of  
10 when the original TIAR was done in two thousand --  
11 you know, prior to 2008. So I think it was  
12 completed in 2006 or '07.

13 And we feel that the school is very small  
14 impact to that if any. And we would like to ask for  
15 relief of that condition or an alternative, you  
16 know, reduction.

17 Instead of an updated TIAR to get, you  
18 know, we can hire a traffic engineer, do updated  
19 counts, things like that after we're completed with  
20 construction and opened is when the condition would  
21 be required to be implemented.

22 So, yeah, so timeline, next steps. We  
23 will be filing a motion to amend hopefully before --  
24 our target is before July 11th so we don't have to  
25 do another status report and the amendment.

1           We have engaged the attorney that Waikapu  
2 Development Ventures has on the project. So his  
3 expertise in the -- his experience specifically with  
4 this we can benefit from as well.

5           So we'll start to engage him and work on  
6 this next phase. He is going to assist us with that  
7 piece of it, realizing that we need professional  
8 legal support.

9           And your proceedings are very legal, you  
10 know, oriented so that support's going to be really  
11 beneficial for us. And then we'll continue to  
12 utilize support from the Office of Planning  
13 Sustainable Development.

14           Aaron, thank you for your support along  
15 this way so far and then also with the County of  
16 Maui Department of Planning and Public Works and  
17 anybody else that we would engage with at that level  
18 and just work on our continued progress towards the  
19 goal of the project.

20           Our commitments, you know, who's going to  
21 be responsible development. Right? So we're going  
22 to maintain compliance with the LUC orders while  
23 building a sustainable, community-oriented campus.

24           We will maintain cultural and  
25 environmental stewardship, honoring the traditions

1 and protecting native species and promoting a  
2 stewardship education.

3 Financial transparency, you know, we want  
4 to provide updated plans and status reports to  
5 confirm that we do have the financial capacity to  
6 complete this project and again to engage with you,  
7 including timely submissions of status reports.

8 So that, I think, is the end of our  
9 presentation. And mahalo for listening to us. And  
10 we are available for questions. Hopefully we have  
11 answers.

12 CHAIR GIOVANNI: Thank you.

13 Commissioners, questions for the  
14 petitioner?

15 COMMISSIONER YAMANE: Mr. Chair?

16 CHAIR GIOVANNI: Mr. Yamane?

17 COMMISSIONER YAMANE: I thank you. So  
18 just some questions. And you might not know this.  
19 But on your first phase that you're doing now, which  
20 is feasibility I think it was. How much is that  
21 costing? What is the commitment to that dollar  
22 amount?

23 MR. BAZ: You're saying what is the --  
24 what's it costing to do the feasibility study?

25 COMMISSIONER YAMANE: Yeah, you obviously

1 hired someone to help you --

2 MR. BAZ: Yeah.

3 COMMISSIONER YAMANE: -- scope out and --

4 MR. BAZ: Her fee is like \$22,500. We  
5 paid the initial installment. Those meetings have  
6 -- we've had three different Zoom meetings. She's  
7 going to be over in late February to follow up with  
8 some of those.

9 We're trying to -- she's working with us  
10 to create a capital campaign committee with members  
11 of our church and school, members of the community  
12 so that we're -- should be end of February we're  
13 working on gathering names for that. So did I  
14 answer your question?

15 COMMISSIONER YAMANE: Yeah. And my  
16 follow-up is do you have any idea -- or maybe this  
17 is a result of the study -- is any idea on what the  
18 total estimated cost will be and -- because you need  
19 that amount to secure funding and have an idea of  
20 whether you're going to borrow or any idea for that?

21 MR. BAZ: So total cost given to us from  
22 Real Estate Solutions as we've worked with them is  
23 -- if we did everything exactly as we wanted it  
24 would be 30 million. But what we've -- what we're  
25 working into our plan is a Plan A, Plan B, Plan C



1 based on how much we do raise through our capital  
2 campaign.

3           So if we are able to build some permanent  
4 structures and then some of the structures need to  
5 be modular or lower in cost -- the goal is really  
6 that we want to be able to move our current campus  
7 all at once as opposed to moving grades 1 through 2,  
8 moving 3 through 5. The goal is how can we do this  
9 all at once.

10           And so that big number is something we'll  
11 shoot for. But if we don't get there, how much do  
12 we raise and then how much are we eligible to  
13 borrow. But the idea is that at the end of this  
14 we're going to move everything at one time.

15           COMMISSIONER YAMANE: Okay. Thank you.

16           No more questions, Mr. Chair. Thank you.

17           CHAIR GIOVANNI: Thank you, Commissioner.  
18           Commissioners, anything else?

19           Commissioner Carr Smith?

20           COMMISSIONER CARR SMITH: Thank you.

21           Just a couple of questions. I was  
22 wondering what the status of your subdivision is?

23           MR. BAZ: It's officially bifurcated as of  
24 -- I'm not sure the exact date. But we've paid our  
25 title insurance. We have two different TMKs.

1 Waikapu Development Ventures paid theirs. So it's  
2 done. But it's been in the last three weeks or  
3 month so --

4 COMMISSIONER CARR SMITH: Oh --

5 MR. BAZ: -- but it is officially done.

6 COMMISSIONER CARR SMITH: -- good, good.

7 And I was just curious what's the size of your  
8 school? How many students?

9 MR. BAZ: Currently we have 230 students.  
10 Looking to grow a little bit because we can add  
11 additional preschool spaces, but we're not looking  
12 at doing double grades. We're looking to increase  
13 the size of our preschool but keep our K through 8  
14 the same size.

15 COMMISSIONER CARR SMITH: Thank you.

16 CHAIR GIOVANNI: Thank you.

17 Commissioners?

18 So I had a couple follow-ups on those  
19 items. So the preliminary total budget -- 30  
20 million to do Phases A through D on your portion of  
21 the land that you -- for the school; is that  
22 correct?

23 MR. BAZ: D would include the sanctuary --  
24 that 30 million. We may not build the sanctuary for  
25 quite some time because what we're doing on campus

1 -- we're creating a couple different options for  
2 worship spaces so church on Sunday morning could be  
3 held.

4           So that Phase D is not part of that. But  
5 that would be for administrative offices, preschool,  
6 classrooms, gymnasium. Like there's five different  
7 building structures that we're looking at.

8           We didn't want to share the concept  
9 drawing yet because it's sort of going through some  
10 iterations with feedback. But we will have that  
11 before our next meeting so we can show that to you.

12           But five buildings, each with a separate  
13 cost. And like I said, if we can -- if we have to  
14 scale back and some of those are not permanent  
15 structures, they're modular in nature that's --

16           MR. REMPFER: Yeah, thank you. If I could  
17 add as well, you know, civil work is going to be a  
18 big part of that. And, you know, we have partners  
19 in the community that have offered, you know, a  
20 lower cost to us as a school.

21           So we're looking at saving cost in those  
22 areas too -- the actual, you know, construction.  
23 The estimates that we get are, you know, general  
24 cost estimates based on current construction  
25 numbers. But, yeah, we hope as a nonprofit, as a

1 school to reduce that. And civil is one of the  
2 areas that we can reduce it significantly.

3 CHAIR GIOVANNI: So what you -- what I  
4 heard you say is that you have a preliminary goal  
5 and estimate kind of around the \$30 million. It  
6 does not include the sanctuary. And it does include  
7 assumptions for some discounted --

8 MR. REMPFER: No. I'm sorry. To make  
9 that clear, it does not include assumptions. It's  
10 based on current construction standards. But as we  
11 work towards developing the project we will reduce  
12 that \$30 million estimate by discounts on --

13 CHAIR GIOVANNI: Okay. So it's \$30  
14 million if you don't get any discounts. If you get  
15 them it gets a little bit less. So of the net -- I  
16 don't know what the number is. Let's just say it's  
17 like in the \$20 million plus range. How much of  
18 that are you seeking to raise through a capital  
19 campaign?

20 MR. BAZ: Simple answer -- as much as  
21 possible. But that's when we finish the feasibility  
22 study with Beth Lum from Creative Fundraising  
23 Solutions. She's going to give us a number like  
24 this is what I think we can raise.

25 And our church and school has money saved

1 and invested. And then there's a piece that we can  
2 borrow. And we're going to see where those three  
3 things line up. But she hasn't finished her  
4 feasibility study yet to say this is what I think we  
5 can hope for or raise.

6 So I don't know how to -- I can't answer  
7 that fully yet. But I would hope that we can get to  
8 the \$10 million mark and then use some of the funds  
9 that we have and then see where we're at.

10 But I don't want to be overly -- I don't  
11 want to be too overly confident. But I think  
12 there's significant funds that we can take advantage  
13 of.

14 CHAIR GIOVANNI: So understood. So we,  
15 looking forward for six -- five months, you're  
16 coming back on or before July 11th, either with a  
17 motion to amend or a status report.

18 Do you think you will be in position to  
19 more specifically address the questions on scope,  
20 dollars, capital campaign, goals, et cetera at that  
21 time?

22 MR. REMPFER: Absolutely. Yes.

23 CHAIR GIOVANNI: Okay. We'll look forward  
24 to that.

25 Commissioners, anything further?

1 Commissioner Hayashida?

2 COMMISSIONER HAYASHIDA: I wanted to get  
3 the County's comments on the traffic -- the TIA --  
4 and what they would require from the developers for  
5 the site. And if we are to waive it we need some  
6 evidence that this is required or not required.

7 CHAIR GIOVANNI: So for the County, I'm  
8 going to go to the County next. So you heard  
9 Commissioner Hayashida's question. And let me ask  
10 that you try to address that specifically in your  
11 comments to us.

12 So anything further directly to the  
13 petitioner at this time? This is not the last  
14 chance. Okay. Let's turn to the County.

15 Ms. Desjardins?

16 MS. DESJARDINS: Thank you, Chair. Yes,  
17 we definitely wanted to address the -- what sounds  
18 like the possibility of in this motion to amend  
19 conditions that the TIAR issue possibly be amended.

20 And we would -- at this time we don't have  
21 a comment. We'd like to see what the motion states  
22 and the reasons and justifications for asking for  
23 that. As you folks are aware, it's a very busy  
24 section of Wailuku.

25 So we're going to hold comment on that

1 until we see specifically what evidence they present  
2 to determine whether or not that would be an  
3 appropriate amendment or not. I have a couple of  
4 other comments. Do you want to hear those now?

5 CHAIR GIOVANNI: Yes, please.

6 MS. DESJARDINS: Okay. We are totally  
7 supportive of this project. My ears definitely  
8 perked up when I heard expansion of preschool  
9 because, believe it or not, one of the biggest  
10 challenges we have at the County with our younger  
11 employees is preschool and childcare in general for  
12 young children and folks who work for the County.

13 So it's exciting to hear that that's on  
14 the table -- the expansion of possible preschool  
15 services that might be available -- but we -- and we  
16 understand the challenges, the financial challenges.  
17 So we want to just state that we want to support  
18 them as much as we can.

19 But at this time we don't really have  
20 anything more concrete than that until that motion  
21 comes in. We are supportive of the motion in  
22 general. But we would just like to see, you know,  
23 further what that entails.

24 And if they would like to reach out to us  
25 prior to filing that and having some discussions

1 about it, we're very open to that. So thank you  
2 very much. And I know that the Planning Director at  
3 this time doesn't have any comments.

4 But she's happy to try to answer some  
5 questions. We also have a senior planner from our  
6 current division here at this meeting -- Tara Ficara  
7 -- in case you have further questions. Thank you.

8 CHAIR GIOVANNI: Thank you.

9 Commissioner Hayashida, anything to follow  
10 up?

11 COMMISSIONER HAYASHIDA: No. Last  
12 question. Environmental assessments required for  
13 the project or not?

14 MS. DESJARDINS: Thank you, Chair.

15 So I guess the general consensus -- if  
16 there are required hook ups to County lands that  
17 would trigger that. Then, yes, there would be that  
18 necessity. But I don't know yet what the plan is.  
19 Perhaps they can fill us in on if they know at this  
20 point what those hook-ups would look like.

21 CHAIR GIOVANNI: So that may result in an  
22 updated EIS if -- depending what they're  
23 specifically proposing?

24 MS. DESJARDINS: Depending, yes, exactly,  
25 on what they're proposing. And then I know there



1 have been other EIS that have been done in that  
2 area. So we would look and see what the dates on  
3 those are and whether or not it would entail or  
4 encompass that work. Thank you.

5 COMMISSIONER HAYASHIDA: Commissioner  
6 Hayashida again. So the school should know -- the  
7 school should have already done the studies with  
8 their civil engineers. So I'm waiting for the  
9 church to respond whether they think an EIA is  
10 required or not.

11 CHAIR GIOVANNI: Do you understand the  
12 question, Petitioner?

13 MR. KEMPFER: Yeah. I'm not aware of a  
14 trigger at this point for a Chapter 343  
15 environmental impact statement or environmental  
16 assessment. But we'll take a look at that. And  
17 when we present to the Commission again we can have  
18 that --

19 CHAIR GIOVANNI: Yeah, that was basically  
20 my follow-up to Commissioner Hayashida's inquiry is  
21 that when you come back before us before July 11,  
22 either as part of a motion or as part of a status  
23 report, that you specifically address any  
24 environmental additional studies that would be  
25 needed based on your conceptual design.

1 MR. KEMPFER: Thank you. Yeah, we'll work  
2 with the Planning Department at the County to  
3 identify that as we move forward.

4 CHAIR GIOVANNI: Okay. You're good with  
5 that?

6 COMMISSIONER HAYASHIDA: Yes, I'm good.  
7 One last question, County. So is the  
8 project within the County's general plan urban  
9 district or urban classification?

10 CHAIR GIOVANNI: I need to swear you in,  
11 please. Please state your name.

12 MS. BLYSTONE: Kate Blystone.

13 CHAIR GIOVANNI: And you are the planning  
14 --

15 MS. BLYSTONE: I'm the Director of the  
16 Planning Department for Maui County.

17 CHAIR GIOVANNI: And you swear your  
18 testimony will be the truth?

19 MS. BLYSTONE: I do.

20 CHAIR GIOVANNI: Please proceed.

21 MS. BLYSTONE: I'm just pulling up the map  
22 right now. It is outside of our urban -- wait, hold  
23 on. Apologize.

24 It is currently within the urban growth  
25 boundaries -- check me (inaudible).

1           It's currently within the urban growth  
2 boundary. Sorry, my map is misbehaving at the  
3 moment. It's within the urban growth boundary if  
4 that was your question.

5           Regarding community plan designation, I  
6 can pull that up as well. It's currently designated  
7 public, quasi-public in the, I think, Kahului  
8 Wailuku Community Plan.

9           That plan is slated for update right now  
10 so -- but it'll take a few years for that to happen.  
11 I imagine it'll continue. And this is an  
12 appropriate use consistent with that.

13           CHAIR GIOVANNI: When the DBA came before  
14 us 18 years ago or thereabouts it was agriculture.  
15 And we redistricted it to urban. Can you comment  
16 from the County whether the neighboring area is --  
17 and adjacent properties are agricultural --  
18 currently agricultural or urban -- have been  
19 urbanized?

20           MS. BLYSTONE: Mahalo for that question.  
21 So there is a project that's immediately north of  
22 it. You may be familiar with that project because  
23 it's Kaulana Mahina. It was an affordable housing  
24 project.

25           To the west of that project there is a

1 DHHL project that's being developed. And then I'm  
2 not quite sure what is to the east. It does look --  
3 it's Yakima Gardens.

4 So I will say that the designations -- the  
5 community plan designations surrounding this area  
6 are all agricultural. But they are being urbanized  
7 because of the way our rules are.

8 CHAIR GIOVANNI: So the direction this  
9 whole area is going is urban as opposed to what it  
10 was originally 20 some plus years ago -- mostly  
11 agricultural; is that correct?

12 MS. BLYSTONE: It does appear that way,  
13 Commissioner, yes.

14 CHAIR GIOVANNI: Commissioner Lee?

15 COMMISSIONER LEE: Thank you, Chair.

16 For Director Blystone, what other  
17 discretionary permits would be needed by the  
18 petitioner to build out to its fullest? Are there  
19 any like group home type permits or any zoning  
20 requirements?

21 MS. BLYSTONE: I'm checking with my  
22 planner. Off the top of my head I cannot think of  
23 anything. Forgive me, my head is always into SMA.  
24 And so this is not in that.

25 I can't think of anything off the top of

1 my head -- neither can my planner -- regarding  
2 discretionary permits that would be required. We  
3 can be prepared to answer that question next time we  
4 all get together as well to see if anything comes  
5 up. But I can't think of anything.

6 COMMISSIONER LEE: Thank you. Would there  
7 be any possible council approvals that would be  
8 needed as well?

9 MS. BLYSTONE: I do not believe so. Not  
10 for this aspect of the project. I'm certain there's  
11 none, yeah.

12 COMMISSIONER LEE: So that would be for  
13 the sanctuary, for any student dormitory housing as  
14 well?

15 MS. BLYSTONE: Again, you know, this is  
16 off the top of my head. And I'm still only one year  
17 into this job so there's a thousand things I don't  
18 know. But that -- I'm fairly certain there's not.

19 There's not anything that I can think of.  
20 But if there is when we -- when they come back for  
21 their update we will be prepared to provide those  
22 answers.

23 COMMISSIONER LEE: Thank you. Just wanted  
24 to get a better understanding of what possible  
25 obstacles might be in the way.

1 Thank you, Chair.

2 CHAIR GIOVANNI: Ms. Desjardins?

3 MS. DESJARDINS: Thank you, Chair. So one  
4 of the reasons why we like it when you folks put  
5 these on the agenda is because it does provide an  
6 opportunity -- just tell us what you need.

7 And we clearly at this point need to have  
8 a deeper discussion with Emmanuel Lutheran and  
9 really sort of help them along with -- because it  
10 sounds like their efforts are moving along, but we  
11 would like to partake in figuring out all of that.

12 What are your plans? Let's figure out  
13 what needs council approval. What do you need to  
14 put into your motion to amend? So we'd like to be  
15 more of a partner in that. So we appreciate the  
16 opportunity to learn more about the project because  
17 it hasn't been on our radar for quite some time. So  
18 thank you.

19 CHAIR GIOVANNI: All right. This is for  
20 the petitioner. At a previous hearing there were  
21 some unpermitted structures that were identified.  
22 What has become of that? Is that still there?

23 MR. KEMPFER: Do you mean unpermitted  
24 structures on the property?

25 CHAIR GIOVANNI: Correct.

1 MR. KEMPFER: I mean, I'm not sure what's  
2 -- as far as I know, and we drive by every once in a  
3 while, the apartment complex that went up next to  
4 our property -- they were using that property for  
5 some of their construction vehicles and offices.

6 But technically it was still their land  
7 because it hadn't been bifurcated yet. Previous for  
8 many years there was a lot of garbage and stuff that  
9 had accumulated with people, you know, living on the  
10 lot.

11 But that's all cleared out. I don't think  
12 there's anything there that's unpermitted now. It's  
13 just ready for whatever construction comes next.

14 COMMISSIONER LEE: I'd like to ask the  
15 Executive Officer if he knows more information about  
16 this from his last hearing?

17 MR. ORODENKER: Thank you, Commissioner  
18 Lee. Can't remember -- how long ago was it that we  
19 did that? About three years ago we visited the  
20 site. It was pre pandemic. There were some  
21 structures in the wooded area that were being used.  
22 Different project.

23 MS. SEGURA: Yeah, I believe you're  
24 getting the status report update confused with  
25 another -- a similar project on Kona. I believe

1 that's United Nation -- or University of the Nations  
2 in Kona.

3 MR. ORODENKER: Okay.

4 MS. SEGURA: Yeah --

5 MR. ORODENKER: Then I stand corrected.

6 MS. SEGURA: -- unpermitted structures on  
7 there.

8 MR. ORODENKER: I stand corrected. Okay.

9 COMMISSIONER LEE: Thank you, Ms. Segura.

10 CHAIR GIOVANNI: So I would like to  
11 emphasize the point that came out in the immediately  
12 prior discussion in response to Commissioner Lee.  
13 And that is about the value of communicating with  
14 each other and identifying potential obstacles or  
15 delays that could further slow down the project.

16 And, yes, a primary purpose of these  
17 status reports is to surface issues so that we're  
18 all on the same page. And it's not uncommon that  
19 projects such as yours get delayed and they get off  
20 the radar. There's a lot going on and they get off  
21 the radar.

22 And so part of what we're trying to do is  
23 get it back on the radar. Now we have a target date  
24 of July 11th, which is five months down the road.

25 And I just can't encourage you strong



1 enough to communicate directly with the County,  
2 identify the issues, and come up with potential  
3 remedies that you can bring back before us either as  
4 part of a motion or as part of your next status  
5 report.

6 MR. KEMPFER: Thank you. We look forward  
7 to having more open communication with the County.

8 CHAIR GIOVANNI: Okay. Commissioners,  
9 anything further? Okay. We'll turn to the State  
10 Office of Planning and Sustainable Development. Ms.  
11 Kato?

12 MS. KATO: Thank you, Chair. Alison Kato.  
13 From a planning perspective, OPSD continues to  
14 support this project as an appropriate use for the  
15 property. Petitioner mentioned that they will come  
16 in with request for an extension for an extension of  
17 their deadline so I just wanted to restate those  
18 deadlines for clarity.

19 The upcoming one is July 11, 2025 to  
20 complete the initial two phases of the 2019 plan.  
21 But we understand based on their presentation that  
22 that no longer makes sense given the change in their  
23 phases -- plans.

24 And also their deadline to complete the  
25 project construction is March 7, 2028 -- 20 years

1 from the twenty -- 2008 D&O. OPSD looks forward to  
2 receiving that motion to amend that reflects the  
3 current plan and responsibilities with realistic  
4 goals and timeframes. Thank you. We're available  
5 for any questions.

6 CHAIR GIOVANNI: Thank you.

7 Commissioners, questions for OPSD?

8 I think you're free to go. Thank you very  
9 much.

10 MS. KATO: Thank you.

11 CHAIR GIOVANNI: Thank you very much for  
12 coming here today.

13 Commissioners, do you have any final  
14 questions or comments for the parties before I take  
15 another round of public testimony?

16 I just have one comment. Even though we  
17 will hear any motion you want to bring for us,  
18 including the one to provide relief on Condition 5,  
19 but that doesn't mean we're going to give you  
20 relief. You got to make a really good case for  
21 that.

22 And we will be listening to the County to  
23 speak on that issue as well. We're very concerned  
24 about potential traffic problems. And that's why  
25 the condition is there. So take it very seriously.

1 Okay. Second round of public testimony.

2 Ms. Kwan, is there anybody signed up and  
3 wants to testify?

4 MS. KWAN: Seeing none, Chair.

5 CHAIR GIOVANNI: Okay. Thank you.

6 So it is 10:20. I'm going to take a five  
7 minute break, and we'll come back and we'll  
8 deliberate on this.

9 So come back in five minutes. We're now  
10 under recess.

11 (Recess taken from 10:20 to 10:30 a.m.)

12 CHAIR GIOVANNI: Okay. We're back on the  
13 record. It's 10:30. So I want to go back and have  
14 a little more dialogue with the petitioner on two  
15 topics. The first is the environmental assessment  
16 and 343.

17 And there was a communication that you  
18 would confer with the County. But jurisdictionally  
19 you need to confer with State. Whether there's a  
20 343 trigger or not -- and what avenue you take to  
21 find a remedy or to find compliance with 343 --  
22 whatever you do with the County you need to do to  
23 satisfy the County's requirements.

24 But you need to confer also and directly  
25 with the State Office of Planning and Sustainable

1 Development, who has an environmental group that  
2 will assist you to figure out if there are triggers  
3 today -- which there very well could be -- that  
4 weren't there before and then what you need to do.  
5 So please do that. Is that understood?

6 MR. KEMPFER: Yes, thank you.

7 CHAIR GIOVANNI: Okay. And then secondly  
8 has to do with the Ka Pa'akai analysis. So the  
9 cultural impact assessment that was done -- let me  
10 just say real clearly -- what was done is not a Ka  
11 Pa'akai analysis and it's not sufficient.

12 You need to take it very seriously. We  
13 have an obligation as a commission to accept the Ka  
14 Pa'akai and make a Ka Pa'akai determination on this  
15 matter. And you need to bring that information  
16 before us so that we can understand it and make that  
17 determination.

18 My personal expectation is you probably  
19 have to get a consultant or somebody that's  
20 qualified to do a specific Ka Pa'akai analysis and  
21 not rely on previous CIAs or not rely on previous  
22 communications with SHPD.

23 You need to do a specific Ka Pa'akai  
24 analysis for your proposed project and bring that  
25 before us when you come back.

1 MR. KEMPFER: Thank you. Would it be  
2 possible for us to use the same consultant that did  
3 the CIA?

4 CHAIR GIOVANNI: You can ask them and  
5 whether they're qualified or not, whether they can  
6 do it. You can confer with our staff about the  
7 adequacy of the scope of the work that they would  
8 do.

9 MR. KEMPFER: Okay. Thank you.

10 CHAIR GIOVANNI: Does that help?

11 MR. KEMPFER: Yes, definitely. We'd want  
12 to know the details of what's not compliant about it  
13 and --

14 CHAIR GIOVANNI: Yeah, you can confer with  
15 our staff.

16 MR. KEMPFER: Okay. Thank you.

17 CHAIR GIOVANNI: Thank you.

18 Anything else, folks?

19 Okay. So where am I? Commissioner  
20 Miyasato?

21 COMMISSIONER MIYASATO: Yeah, just a  
22 follow-up to your comment. You know, this Honua  
23 ethnographic survey, it just has a really -- a  
24 snapshot of your project.

25 As far as like for the Ka Pa'akai, we'd

1 want to -- I'd want a bigger view. I would like to  
2 know if the mountain is one block away, if the ocean  
3 is half a block away. So a better location, bigger  
4 view of where it's at. Yeah.

5 MR. KEMPER: Okay. Thank you.

6 CHAIR GIOVANNI: That's exactly where I  
7 was going. Okay. Because we did some additional  
8 conference I'm going to ask again a third time if  
9 anybody from the public has showed up that wants to  
10 testify.

11 MS. KWAN: Seeing none, Chair.

12 CHAIR GIOVANNI: Okay. Then we'll proceed  
13 to deliberations.

14 So Commissioners, this is a status report.  
15 We are not required to take any action at this time.  
16 And if no action is taken the requirements are  
17 continued. Annual status reports will remain in  
18 effect.

19 However, if the Commission feels that its  
20 concerns have not been addressed based on the  
21 comments and responses provided by the petitioner,  
22 the Chair will entertain a motion in that either the  
23 petitioner status report has not sufficiently  
24 addressed the Commissioner's concerns --  
25 Commission's concerns and that further meetings or

1 status updates are necessary to provide the  
2 opportunity to do so at future dates to be  
3 determined by LUC staff.

4 And we've already identified that January  
5 -- I mean, July 11, 2025 is a critical date. So we  
6 would expect either a detailed, updated status  
7 report and/or a motion to amend on or before that  
8 date.

9 If there's reason to believe that the  
10 petitioner will not adhere to the conditions set  
11 forth in the decision order the request that -- and  
12 request the staff move forward they may -- pardon  
13 me. Let me be clear.

14 If there is reason to believe that the  
15 petitioner will not adhere to the conditions set  
16 forth in the decision and order, the Commission may  
17 request the staff to move forward with a formal  
18 order for a show-cause proceedings. That's another  
19 option we have for us.

20 So, Commissioners, any discussion at this  
21 time on the adequacy of the report today or any  
22 specific motions that you would like to make?

23 Commissioner Carr Smith?

24 COMMISSIONER CARR SMITH: Thank you. I  
25 feel pretty good about what was reported today. It

1 seems as though there is movement.

2 We've got their feasibility study; hired  
3 an architect; they're looking at fundraising and  
4 different financial avenues; hired counsel; playing  
5 with the plan about what could be added, what would  
6 need to be taken away. I think those are all  
7 progressive movements. That's all good.

8 So I understand all the things that were  
9 suggested about working more closely with the County  
10 and with OPSD and coming back and giving more  
11 information on the specific items -- the 343 and the  
12 Ka Pa'akai.

13 I personally would like you to bring  
14 visuals as well when you come back so that we can  
15 have a clearer idea about what we're talking about.  
16 But I'm pleased with today. Thank you.

17 CHAIR GIOVANNI: Thank you, Commissioner.  
18 Commissioners, any other comments?

19 So I feel similarly that today's meeting  
20 was -- checked the box in terms of adequacy as far  
21 as the information in terms of a status report. It  
22 does show progress, although you got a long way to  
23 go, and a lot of details.

24 But you heard some very specific items to  
25 be addressed and to be addressed in the next three,



1 four months. And I don't see a need for a request  
2 for a show cause hearing or anything of that sort.

3 I will give the Commissioners an  
4 opportunity one more time if they want to make such  
5 a motion. Seeing none, I think that we can bring  
6 this matter to a close for today and say that we  
7 look forward to seeing you in a few months.

8 MR. KEMPFER: Thank you very much.

9 MR. BAZ: Thank you.

10 CHAIR GIOVANNI: Thank you. We thank you  
11 for your presentations. And that ends this agenda  
12 item. Thank you very much.

13 The next agenda item is the adoption of  
14 our minutes from our meeting of February 5th and 6,  
15 2025.

16 Ms. Kwan, has there been any written  
17 testimony submitted on the February 5th and 6th  
18 minutes?

19 MS. KWAN: No, Mr. Chair.

20 CHAIR GIOVANNI: Pardon me?

21 MS. KWAN: No, Mr. Chair.

22 CHAIR GIOVANNI: Thank you. Has anybody  
23 in the public indicated they want to testify?

24 MS. KWAN: No, Mr. Chair.

25 CHAIR GIOVANNI: Okay. Commissioners, are

1 there any corrections or comments on the minutes?  
2 And if not, is there a motion to adopt the minutes?

3 COMMISSIONER LEE: Chair, motion to  
4 approve the minutes.

5 CHAIR GIOVANNI: So moved by Commissioner  
6 Lee. Do I have a second to the motion to approve  
7 the minutes of February 5 and 6?

8 COMMISSIONER HAYASHIDA: Commissioner  
9 Hayashida, second.

10 CHAIR GIOVANNI: Thank you, Commissioner  
11 Hayashida.

12 Commissioner Lee has moved to adopt the  
13 minutes. It's been seconded by Commissioner  
14 Hayashida. Since this is the first motion of the  
15 day we'll have to take a roll call vote.

16 So, Mr. Orodenger, please take a roll-call  
17 vote on adoption of the minutes.

18 MR. ORODENKER: Thank you, Mr. Chair. The  
19 motion is to adopt the minutes.

20 Commissioner Lee?

21 COMMISSIONER LEE: Aye.

22 MR. ORODENKER: Commissioner Hayashida?

23 COMMISSIONER HAYASHIDA: Aye.

24 MR. ORODENKER: Commissioner Yamane?

25 COMMISSIONER YAMANE: Aye.

1 MR. ORODENKER: Commissioner Miyasato?

2 COMMISSIONER MIYASATO: Aye.

3 MR. ORODENKER: Commissioner Kamakea-  
4 Ohelo?

5 COMMISSIONER KAMAKEA-OHELO: Aye.

6 MR. ORODENKER: Commissioner Carr Smith?

7 COMMISSIONER CARR SMITH: Aye.

8 MR. ORODENKER: Commissioners Kahele and  
9 U'u are excused. Commissioner Giovanni?

10 CHAIR GIOVANNI: Aye.

11 MR. ORODENKER: Thank you, Mr. Chair. The  
12 motion passes unanimously.

13 CHAIR GIOVANNI: Thank you very much.

14 The next agenda item is a tentative  
15 meeting schedule. Mr. Orodenker, please tell us the  
16 (audio disruption.)

17 MR. ORODENKER: Thank you, Mr. Chair.

18 We do not have anything scheduled for  
19 February 20th. And that day is released. March 5th  
20 we have -- and 6th we have tentative meetings. But  
21 at the moment we do not have anything scheduled.

22 March 19th and 20th, we have on the 19th  
23 the Toyama status report and on the 20th the status  
24 report. And they will either be -- both be in Hilo  
25 or both be in Kona. We're working on those --

1 MS. SEGURA: And court got postponed.

2 MR. ORODENKER: Oh.

3 MS. SEGURA: Remember? They called us.

4 MR. ORODENKER: Okay. Recent  
5 communications from Bancorp is that they would like  
6 to postpone that until May. And we can do that on  
7 either May 8th or the 21st to 22nd.

8 CHAIR GIOVANNI: So the March 19th will be  
9 a -- for Toyama -- that will be in Hilo?

10 MR. ORODENKER: Yes.

11 MS. SEGURA: Hilo.

12 MR. ORODENKER: That's correct.

13 CHAIR GIOVANNI: And it will not be  
14 overnight?

15 MR. ORODENKER: No.

16 MS. SEGURA: No.

17 MR. ORODENKER: April is currently open.  
18 And May we have the -- on the 7th we have the Oahu  
19 Gentry motion. On -- the 8th is currently open,  
20 but, as we just mentioned, we may move Bancorp to  
21 that date.

22 I am also aware that KS Waiawa is going to  
23 give a presentation in May on either the 21st or  
24 22nd with regard to their revised plan, which  
25 they've submitted already. But they're going to

1 give us a presentation on it.

2           And this matter that we just heard --  
3 Emmanuel Lutheran -- may be scheduled in July  
4 depending on when they get their documents to us.  
5 But given that OPSD needs an opportunity to review  
6 everything, probably August.

7           CHAIR GIOVANNI: Okay. Commissioners, any  
8 questions on the schedule?

9           Commissioner Lee?

10           COMMISSIONER LEE: For March 5th  
11 tentative, for the Executive Officer, what is DR24-  
12 78? Which project is that?

13           MS. SEGURA: That was RK2 that we heard  
14 January 8th.

15           COMMISSIONER LEE: So this is not  
16 necessary now or are they coming back?

17           MS. SEGURA: It's an internal deadline.  
18 That was the last day to hear the hearing, but we've  
19 already completed it.

20           MR. ORODENKER: Yes. That's correct. We  
21 marked it on the -- when we have deadlines that are  
22 statutory timeframes we put those in the calendar to  
23 make sure we don't miss them.

24           COMMISSIONER LEE: Thank you. And then if  
25 there are any legislative updates could you put that

1 on the agenda if something significant happens?

2 MR. ORODENKER: Thank you, Commissioner  
3 Lee. We will do that right now. There isn't a  
4 whole heck of a lot significant. There's the Senate  
5 bills have died. We really won't know much until  
6 crossover.

7 COMMISSIONER LEE: What's the date of  
8 crossover?

9 MR. ORODENKER: I believe it's the 18th  
10 March. March 18th, yeah.

11 COMMISSIONER LEE: I think we should be  
12 down to only maybe a couple of bills possibly.

13 MR. ORODENKER: Yeah. By then, yes.  
14 Thank you.

15 CHAIR GIOVANNI: Okay. So, Commissioner  
16 Lee, we will keep abreast of that. And if we see  
17 something of significance we will -- I will support  
18 agendizing that for public discussion.

19 Okay. Any other questions on the  
20 schedule? Hearing none, we will move forward. I  
21 think the next item is a meal request. They put it  
22 in writing so I don't forget, which I appreciate.

23 So, staff, the LUC meeting is scheduled  
24 for March 19th in Hilo. I would like to request  
25 that meals be provided for a working lunch at an

1 interval part of the meeting due to the remote  
2 locale of the meeting and the demanding time  
3 schedule to complete the LUC business.

4 Mr. Orodenger, would the LUC staff make  
5 the necessary arrangements for a working lunch,  
6 please?

7 MR. ORODENER: We will, Mr. Chair. Thank  
8 you.

9 CHAIR GIOVANNI: Thank you. So noted.  
10 This concludes our meeting for today unless there's  
11 any further business to discuss. Commissioners, any  
12 further business to discuss?

13 If not, I declare this meeting adjourned.  
14 Thank you very much.

15 (Meeting concluded at 10:45 a.m.)  
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CERTIFICATE

I, LeAnn Trumble, do hereby certify that the proceeding named herein was professionally transcribed on the date set forth in the certificate herein; that I transcribed all testimony adduced and other oral proceedings had in the foregoing matter; and that the foregoing transcript pages constitute a full, true, and correct record of such testimony adduced and oral proceeding had and of the whole thereof.

IN WITNESS HEREOF, I have hereunto set my hand this 7th day of March, 2025.



LeAnn Trumble