

West Maui Soil and Water Conservation District Board Meeting

Tuesday, June 27, 2023, 10:00 AM

Meeting to be held in-person at: 77 Ho'okele St., Suite 202 Kahului, HI 96732

- **Meeting Call to Order**

- The meeting was called to order at 1:07 PM by James J. Nobriga, Board Chair
- Roll Call of Those Present at the Meeting:
 - Directors
 - James J. Nobriga, Chair
 - Kainoa Casco, Vice Chair
 - Kimo Falconer, Treasurer
 - Ian Swezey, Secretary
 - Associate Director(s)
 - Wes Nohara, Associate Director
 - Daniel Ornellas, Associate Director
 - Kristi Ono, Associate Director
 - Watershed Coordinator
 - Tova Callender
 - USDA Natural Resources Conservation Services (NRCS)
 - Gerald Gregory, District Conservationist
 - Soil and Water Conservation District (SWCD) Staff
 - Kelly Butler, Maui SWCD Conservation Planner
 - Millie Wagner, Administrator – via Zoom
 - Leilehua Low, Administrative Assistant
 - Members of the Public
 - None
 - Board Members Not Present at the Meeting
 - None
- Determination of Whether a Quorum has been Established
 - It was determined that a quorum had been Established

- **Public Notice of Meeting**

- Electronically posted to the state calendar (calendar.ehawaii.gov/calendar) on June 21, 2023
- Physically posted at the Soil and Water Conservation District Office located at 77 Ho'okele St., Kahului, HI on June 21, 2023
- Filed with Lt. Governor's Office on June 21, 2023
- Mailed or emailed to persons requesting notifications of meetings, postmarked June 21, 2023 (*Please note that at this time there is no one requesting notification of meetings*)

- **Approval of the Minutes from March 30, 2023**

- Wes Nohara recommended accepting with corrections to Treasurer's report portion which stated that the board requested an itemized spending report be provided.
 - ❖ Wes Nohara requested that the minutes from the March 27, 2023 meeting be amended to add: "Wes Nohara requested that an accurate and clear statement of

unrestricted funds, so the board can make proper decisions based on the funds available.”

- A motion to approve the minutes of the March 30, 2023, meeting with corrections was made by Kimo Falconer
 - The motion was seconded by Ian Swezey
 - The motion to approve the minutes from the March 30, 2023, board meeting was voted on and approved unanimously
- **West Maui Soil and Water Conservation District Treasurer’s Report**
 - Jay Nobriga asked if an accurate and clear statement of unrestricted funds would be provided during this board meeting
 - Millie Wagner explained that when grant funds were received in the past, they were entered in lump sums, not class
 - Admin fees were previously lumped in with the rest of money, making it difficult to go line item by line item to provide board with an accurate accounting of unrestricted funds
 - Millie Wagner and Leilehua Low will need to work backward to clean up reporting of unrestricted funds by providing a ballpark of last balance
 - Wes Nohara referred to a line item on the Treasurer’s Report called Net Income which was listed at \$152,000 and asked if that figure was as close to an idea of the unrestricted funds amount
 - Millie Wagner explained that figure is somewhat restricted because payroll comes out of that fund
 - Ms. Wagner went on to explain because deposits have been entered as one lump sum in the past, bookkeeping now needs to look at everything as whole based on that total
 - Ms. Wagner recommends that bookkeeping identify each item by class going forward to cross reference with deposit, admin fees will be clearly defined
 - Ms. Wagner recommended to board that an accountant be brought in to classify funds and clearly identify unrestricted funds
 - Jay Nobriga stated that the board will need to fund the Lahaina Flood Control project and will need an accurate account of unrestricted funds to do so
 - Millie Wagner recommended the Lahaina Flood Control project be paid for from the West Maui SWCD savings account and that the bookkeeping be set up as a separate class and ear marked for the Lahaina Flood Control Project
 - Admin fees from the country grant could then be used to reimburse WMSWCD savings
 - Jay Nobriga asked Millie Wagner for the admin fee amount for Q4 of the county grant
 - Ms. Wagner stated that the admin fee is generally 10% of the grant total
 - A motion to accept the treasurer’s report was made by Kainoa Casco

- The motion was seconded by Ian Swezey
 - The motion to accept the treasurer’s report was voted on and approved unanimously
- **Straw Poll Vote to Proceed with Lahaina Flood Control Project Work**
 - A motion was made to approve full funding, up to \$25,000 of maintenance to the Lahaina Flood Control Project by Ian Swezey
 - The motion was seconded by Kimo Falconer
 - The motion was unanimously approved
 - A motion was made authorize Kainoa Casco to make final payment after inspection and approval of project by Ian Swezey
 - The motion was seconded by Kimo Falconer
 - The motion was unanimously approved
 - A motion to accept the bid was made by Ian Swezey
 - The motion was seconded by Kimo Falconer
 - The motion was unanimously approved
- **Open positions to the West Maui Soil and Water District Board of Directors**
 - Position of Director (elected) currently vacant
 - Wes Nohara suggests Vance Honda from Kaanapali Land Company
 - Kimo Falconer offered to ask Vance Honda if he would be interested becoming an elected Director
 - Kimo Falconer has not been able to follow up with Pomaikai Crozier regarding interest in the position
 - Wes Nohara recommended Paul Higashino to join as an Associate Director to incorporate Kahoolawe
 - Kimo Falconer will reach out to Mr. Higashino once he gets contact information
 - Ian Swezey suggested Kalani Kaleiopu and provided him with a copy of Act 180
 - Mr. Swezey also recommended Race Randle of Maui Land and Pineapple
 - Kainoa Casco will be meeting with Race Randle next week and will ask if Mr. Randle is interested in joining as a director
 - Kristi Ono asked the board would be interested in having her contribute as a consultant rather than an Associate Director
 - Jay Nobriga explained that there is no limit to the number of Associate Directors the board can have and that Ms. Ono’s expertise as an Associate Director is invaluable to the board
 - Daniel Ornalles attempted to contact Amber Starr of Kamehameha Schools, but did not get a response
 - Mr. Ornalles will attempt to contact Ms. Starr again
 - Wes Nohara recommended Lance De Silva of Department of Land and Natural Resources – Forestry

- Jay Nobriga will be meeting with Mr. De Silva on Thursday to discuss
- **HACD 2023 Annual Conference: Reports from Those in Attendance**
 - Kainoa Casco reported that conference was very informative, Maui SWCD Conservation Specialists did a good job with their presentation
 - A major observation was that WMSWCD focuses heavily on drainage and watershed management
 - Mr. Casco would like to see WMSWCD refocus some attention to farming in West Maui
 - Wes Nohara reported that he and Jay Nobriga attended the HACD Executive Board meeting
 - Associate Directors must get ethics training
 - HACD is discussing the possibility of Associate Directors need to do disclosure paperwork, as Directors currently do
 - HACD proposed a term limit of 3 years for Associate Directors, this is an appointed position
 - Once term expires it will need to be documented in board meeting minutes that Associate Director has been re-elected to another 3-year term
 - Associate Directors would be considered unpaid employees of the State
 - Mr. Nohara then asked, as employees of the State if Associate Directors would be represented by the AG's office regarding liability disputes
 - Michelle Watkins responded in stating that there is no guarantee that the AG's office will represent Directors or Associate Directors, representation is at the discretion of the Attorney General's office
 - Mr. Nohara asked that the D&O Insurance policy for West Maui SWCD be reviewed to ensure that the current policy covers Associate Directors
 - Mr. Nohara pointed out that consultants could provide similar roles on Boards, but without the liability
 - Wes Nohara relayed the outcome of Election of Officers during the HACD Executive Board Meeting
 - Two candidates ran for the position of President: Brenda Iokepa Moses – Ka'u SWCD & Mae Nakahata – Central Maui SWCD
 - Brenda Iokepa-Moses was elected as the new HACD President
 - Jay Nobriga reported that the next HACD Annual Conferences will be held on Kauai in 2024, Oahu in 2025, and Maui in 2026
 - Land Judging to resume this year, starting with Hawaii Island

- The island that hosts the HACD Annual Conference also hosts the State Land Judging Contest
 - Gerald Gregory informed the board that Jason Hew of NRCS will be assisting in training the SWCD trainers regarding the Land Judging Contest
 - Mr. Gregory requested help from SWCD in acquiring awards, food, beverages for the contest
 - Jay Nobriga suggested a committee meeting with CTAHR to collaborate on Land Judging Contest and providing training books, materials and train the trainer assistance
 - Mr. Nobriga requested that Millie Wagner or Leilehua Low reach out to extension administrator for assistance and collaboration
 - Gerald Gregory will reach out to Mahi Pono to host the contest
 - Jay Nobriga suggested meeting to discuss logistics of the contest by the end of July 2023
- **Lahaina Temporary Flood Control Project**
 - Kainoa Casco provided status update of project stating that Truth Excavation was selected to begin work and to complete before end of the fiscal year
 - Main scope of work is to remove trees and trash and to fill in portions of the berm
 - Next year's scope of work should include work to Kahula road
 - Ian Swezey suggested that Kamehameha Schools be notified regarding work being done on the Temporary Flood Control Project
 - Wes Nohara requested follow up on status of right of entry from Kamehameha Schools for Temporary Flood Control Project
 - Per Mr. Nohara, previous Maui SWCD administrator Maggie Kramp had submitted all the right of entry paperwork to Kamehameha Schools, but they did not execute their portion of the agreement
 - The motion was seconded by Kimo Falconer
 - The motion was then voted on and passed unanimously
- **West Maui Ridge to Reef (R2R) Initiative Updates by Tova Callender**
 - A summary of the Watershed Coordination activities since 3/30/2023 includes:
 - Army Corp watershed studies continue, discussing how to modify structures
 - USGS conducted reef studies, finding that reef that could die did, and those persisting continued to persist
 - Water quality efforts are going well
 - Honokowai Channel is picking up contaminants including an artificial fragrance that has been documented as a chemical anomaly
 - 30 day accumulating water study flowing into the ocean
- **Maui Soil and Water Conservation District Conservation Specialist Updates by Kelly Butler**
 - Ag in the classroom event took place at the end of April was a success, SWCD staff first time participating since 2019
 - Micaela Hogger added soils lesson with trivia questions and prizes to the lesson
 - Soil gutters were incorporated to simulate healthy soil

- Farm Bureau announced that Ag in the classroom would be returning to the classroom next year
 - Ag Fest outreach event generated a lot of foot traffic
 - Interest from teachers present to have SWCD lead soil lessons in their classrooms
 - Maui Farm Bureau donated funding for a new SWCD banner
 - Local Working Group meeting has been scheduled in Lahaina on August 9th from 4:30 PM – 6:30 PM at the Lahaina Civic Center, August 7th at Maui College, August 11th at Hana Bay Park Gazebo
 - Gerald Gregory communicated that next step is to send out mailers to invite communities to attend the Local Work Group meetings
 - Mr. Gregory stated that the meeting will be open to all community members who would like to attend and will not be district specific, but venues will be in central locations for farmers and ranchers throughout Maui
 - Jay Nobriga will look into donating refreshments for the Local Work Group meeting
- **NRCS Updates by Gerald Gregory**
 - The board moved into Executive Session to Discuss Farm Bill Plan
 - Mr. Gregory presented a plan for Farm Bill requiring irrigation, high tunnel systems, cover crops, canoe crop forest, and wind erosion control
 - Mr. Gregory informed the board that Sharon Sawdey would be available to provide insight to the Lahaina Flood Control project via Zoom
 - Ms. Sawdey was admitted to the meeting via Zoom at 2:22 PM
 - Ms. Sawdey's interpretation of the Lahaina Flood Control status is that project management consulting team at Stantec offer great technical assistance to the project, may lack other aspect of project management – cultural resources that tie into Hawaii concerns
 - Strongly want to keep project going
 - Final signature from Kamehameha schools has been captured for Rights of Entry
 - Once Right of Entry is finalized, consultant company can begin field sites
 - Plan to follow with Stantec this week regarding beginning work
 - Kristi Ono relayed information that another consulting company with a presence on Maui is also a potential option for project management – HDR
 - Ms. Sawdey acknowledged that HDR may be an option as consultant or to oversee Stantec
 - This option is still be considered but could potentially require additional cost, which may not be available
 - Ms. Sawdey left the meeting
 - Mr. Gregory continued discussing Farm Bill implementation practices
 - Wes Nohara inquired whether hydroponics and or aquaponics are included in Farm Bill practices
 - Mr. Gregory reported those practices are not included at this time
 - A motion was made by Kimo Falconer to accept the Farm Bill Plan presented by Mr. Gregory

- The motion was seconded by Ian Swezey
- The motion was then voted on and was approved unanimously

- **Annual Work Plan**

- Jay Nobriga suggested that implementation of the Annual Work Plan be resumed and that each project be assigned to specific board members
- Lahaina Watershed - Kristi Ono provided update stating that Public Works Engineering Division is discussing NRCS taking on major role in managing the project
 - Public Works would take on more of a supporting role to NRCS
 - Field work is pending on project, awaiting right of entry agreement from Kamehameha Schools
 - Land acquisition can happen concurrently with project design
 - An Environmental Impact Statement will need to take place after the field work and could take several years to complete
- Puamana Channel - Jay Nobriga explained that the portion of the channel that goes through the neighborhood will need to be a separate project, not included in the current scope of work to the Lahaina Watershed
 - Wes Nohara recommended that the board include this project on the official radar screen of future projects
- Honolulu Watershed – Ian Swezey assigned, with Wes Nohara as consultant - need to inspect and assess current conditions of watershed, changes are occurring above and below, as well as weather conditions, and development
 - Wes Nohara discussed two additional maintenance projects related to Honolulu Watershed
 - Honolulu Ditch – maintenance to prevent failure. Plan to monitor water source and erosion
 - Basins – at least 20 owned by Maui Land and Pine that have not been maintained
- Water Systems Upgrade – this item refers to Honolulu Ditch, which has been assigned to Ian Swezey and Wes Nohara
- Lahainaluna – Kainoa Casco assigned
 - Daniel Ornalles reported that per the last meeting, the Department of Education is currently working with a contractor
 - Status update is unknown
- Tri-Isle RC&D – item can be removed as this has been completed
- Forestry – assigned to Kimo Falconer
- Kahoolawe – assigned to Kimo Falconer
- West Maui Land Company Drainage Plan – Board assigned, persistent drainage issues

- West Maui Mountains Watershed (Mauna Kahalawai) – Kimo Falconer assigned, no regrowth after rain
 - Kamehameha Schools Land – periodic review by board
- Daniel Ornalles reported that surface water and groundwater is now in water management
 - Water Commission to shut down tunnels diverting water out of existing streams and reassess diversions on government land
- **Honokowai Channel** – Ian Swezey and Kimo Falconer assigned
 - Not owned by county, makai side of Honoapiilani Highway to ocean owned by Papakea Owners Association
 - Inspect deterioration conditions and see if the channel is in compliance
 - Ian Swezey to contact manager of Papakea Owners Association for right of entry
- **Olowalu Lawsuit** – status update, case has been dropped
 - Gerald Gregory reported that a Techno Form has been adopted to explain requirements of participants when entering into a CTA plan with SWCD
 - Board will pull CTA plans if participants step outside of the boundary of the plan or if a permit is needed outside of boundary of plan
- **All Maui County Board Committee**
 - Wes Nohara reported that the board is in motion and will meet periodically
 - Board will consist of Chairs from: Lanai/Molokai, West Maui, Central Maui, Olinda-Kula, and Hana
 - Board will go over programs and agendas that benefit all of Maui County
 - Mr. Nohara will meet with board as a consultant
 - Jay Nobriga explained that focus of the board is to manage the County budget
 - Purpose is to be more inclusive of all districts in deciding direction of County funding
 - Restructure SWCD to encompass Maui County, currently managed under West Maui SWCD
 - Wes Nohara elaborated that board would be making decisions that impact 5 SWCD districts
 - Exploring possibility of Maui County SWCD managing County funding in fiscal year 2025
 - A motion was made by Kimo Falconer to appoint Jay Nobriga as district Chairman to represent West Maui on board, with Wes Nohara as a consultant
 - The motion was seconded by Ian Swezey
 - The motion was unanimously approved
- **Identify Next Project Beyond 2030**
 - Wes Nohara recommended that the annual work plan be extended to include projects beyond 2030
 - Mr. Nohara suggested Puamana Channel as the next major project
 - Engineering design

- Daniel Ornalles suggested Waiehu/Waihee Ditch Sedimentation Basin
- **Reimplementation of Quarterly Field Visits**
 - Wes Nohara suggested reimplementing quarterly field visits in West Maui
 - Effort to promote more agriculture operations
 - Visit and inspect sites and visit projects like Ridge to Reef
 - Review basins, terraces, Lahainaluna, Puamana Channel, Lahaina Drainage System
- **HACD / NRCS Agreement**
 - Jay Nobriga requested a board member to attend upcoming Zoom meeting to discuss SWCD district director training assistance to increase district capacity
 - Ian Swezey will attempt to attend
 - Mr. Nobriga will send the information to Mr. Swezey and Kainoa Casco
- **County Grading/Grubbing Follow-up**
 - Pulelehua Subdivision - is there enough capacity to support this subdivision with the 2 existing basins
 - Review Maintenance Instructions Protocol: Concerns that contractors may not be passing on/providing maintenance instructions to landowners
- **County Grading/Grubbing Plans**
 - Time Period 3/30 – 6/16
 - Plans that appear adequate: 2
 - Plans that do not appear adequate: 0

| COUNTY DSA (UNLESS NOTED OTHERWISE) TRANSMITTAL DATE | REVIEW DATE(S) | DATE COMMENTS SUBMITTED TO COUNTY | PROJECT NAME | COUNTY FILE NUMBER | TMK |
|---|-------------------|--|--|--------------------------|----------------------|
| 4/5/2023 4/13/2023 | 4/18/2023 | 4/20/2023 | KAANAPALI INVESTMENTS LLC - KEKAA RESIDENCE | G2022- 00273 | TMK: (2) 4-4-008:016 |
| 5/8/2023 | 5/22/2023 | 6/6/2023 | JAMIESON RESIDENCE | G2023- 00133 | (2) 4-8-003: 093 |

- Puamana Channel
 - Jay Nobriga explained that the portion of the channel that goes through the neighborhood will need to be a separate project, not included in the current scope of work to the Lahaina Watershed

- Wes Nohara recommended that the board include this project on the official radar screen of future projects
- **Public Comment and Written Testimony (NOTE: Public comment and/or written testimony is limited to 3 minutes)**
 - No public comment was submitted
- **Proposed dates and times for next meeting**
 - No specific dates were discussed for the next board meeting
- **Adjournment of the Meeting and Move to Executive Session**
 - A motion to adjourn the meeting was made by Ian Swezey
 - The motion was seconded by Kimo Falconer
 - The motion was voted on by the board and approved unanimously
 - The meeting was adjourned at 3:17 PM by James J. Nobriga, Board Chair

Submitted by



Ian Swezey
Secretary

Meeting Recorder Leilehua Low, Soil and Water Conservation District Administrative Assistant