

Committee Vice Chair DeCosta: I will be taking questions right now for Councilmember Cowden. Are there any questions for her? I have a question.

Councilmember Cowden: Sure.

Committee Vice Chair DeCosta: Who supports this cat sanctuary after the person pays for the infrastructure, fencing, lodging, et cetera.

Councilmember Cowden: Who finances it? Excellent question. This is estimated to cost three hundred thousand dollars (\$300,000) a year. The Lānaʻi sanctuary runs on tourism, but that is not the first choice for this place. You will probably need to have a shared piece between the State, County, and private funders. There will be an annual contribution, but it would be something far more effective than what we have now where cats are in neighborhoods all over the place creating problems.

Committee Vice Chair DeCosta: Do you have a way to track these cats? Some of them will eat out of your hand, but some will stay ten (10) feet away and will not come near you. How do we catch them?

Councilmember Cowden: Yes. This is in partnership with all the cat organizations and the Greater Good, Helix...The goal would be an initial collection of the cats. The people who have cats in the parks support this. It is stressful for them to have their lives tied to taking care of these animals.

Committee Vice Chair DeCosta: Members, are there any additional questions for Councilmember Cowden?

Council Chair Kaneshiro: I have a process question. When you say to run this communication concurrently to Bill No. 2842, are you saying you want that Bill to stay in Committee? If that Bill is voted on now, it will go into full Council.

Councilmember Cowden: Ideally, I would like it to stay in Committee, but I am not trying to make a request. To me, anytime we can get a multiple win as opposed to a win-lose is better. I talked to a range of bird organizations. There is a person from the United States Fish and Wildlife Service who is a key member of the Kauaʻi Animal Welfare Society property. I do not want to speak for them, but we heard from a key member who is in support of this idea. I have been speaking with several people in the science and bird communities who support this. It is the best option to get most of the cats who are near birds...I know we need to protect the upland birds, but there are nesting birds like albatross that are not covered on our Kauaʻi Seabird Habitat Conservation Plan that are also at high risk. We have regular "takes." This will help that, and it is not County property.

Committee Vice Chair DeCosta: Are there any additional questions?

Councilmember Chock: I do not have a question, but a request for discussion if possible. I appreciate the communication from Councilmember Cowden. It says "cat sanctuaries." I think there are multiple programs that are being considered, like the Kauaʻi Humane Society (KHS) and Good Charites.

Councilmember Cowden: Yes.

Councilmember Chock: I want to make sure that when we have the time in two (2) weeks, they are all represented broadly.

Councilmember Cowden: I will be very supportive of that. I am trying to keep it as narrow as possible. The conversation is inclusive of everyone. This was a build of something larger that does not exist yet. Whatever Council Chair Kaneshiro's prerogative is, whether this briefing goes to Council alongside Bill No. 2842 or whether they are both in Committee, I am good with either. It is not the same thing as this Bill, it does not supplant the Bill, but it is certainly something important to consider in partnership with the Bill.

Council Chair Kaneshiro: For me, chairing the Council Meeting, I would say it would be better if the item is deferred. If the item comes up later and you want this discussion to happen prior to the full Bill, we will have to move our schedule around. We usually have the Council Meeting first followed by the Committee Meeting. If Bill No. 2842 gets passed here, it will be in Council, this item will get deferred into Committee, and we would have to move everything around. I would prefer to defer everything in Committee, so that it would stay in Committee. that would be my preference and not mess around with the schedule. Schedule-wise, it is easier for us to do it that way.

Councilmember Cowden: Okay.

Councilmember Evslin: Is there anything in this discussion that you would think would change our vote on the cat Bill or on the amendments?

Councilmember Cowden: Well, it would be my hope. I called different people that I knew would conflict with that Bill and talked to people that help with birds. I tried reaching out to both groups. This came up because a certain sector is very committed to blocking the effectiveness of this Bill and they have lawsuits planned. How this discussion came up was I said, "Hey, maybe you can invest in a solution instead of a fight." We talked about the possible solution. It is relatively someone with "deep pockets" that is willing to pay for the predator-proof double fencing. In this short window since this came into conversation, this is already filling up. There are approximately fifty (50) cats that I am aware of whose cat caretakers are happy to participate, but they would be more than happy to move them. The cats would come out of neighborhoods and parks. Most of the problem is that cats are not in County parks. If we can work with people who take care of the cats and people who are concerned about the birds, when we move them into a safe environment, I would like to see that happen first. If this Bill passes, I am likely to lose that financial support that is critical. I talked to the man who would be paying for the fencing as a result of waiting.

Councilmember Evslin: Can I ask another question?

Councilmember Cowden: Okay.

Councilmember Evslin: What you are saying is that if Bill No. 2842 passed, the cat sanctuary is at risk? I am confused on how they tie in and what the benefit of waiting would be.

Councilmember Cowden: I was hoping to have the U.S. Fish and Wildlife Service and several different partners—at least two (2) critical partners speak, so we can see unity on the plan. The plan is moving too fast for agreement at the State level. We need to have more conversation at the State level for this plan to happen. If the plan does not happen, then it does not happen. If this Bill passes first, I cannot speak for other people. I hope we can have both options. How I got to the second option was talking around the resistance to the first one. I negotiated around that, and we came up with a solution.

Council Chair Kaneshiro: This is to help the scheduling. I will probably make Scott's life more miserable, but our decision here a lot easier. If we defer this item into Committee, and whether this item affects your vote on the Bill or not, but in two (2) weeks, I can run the Committee Meeting first, and then we can run the Council Meeting. You will be able to hear the conversation on this first, and then vote on the Bill, if that makes things easier. I do not want to argue it to death here. It will make Scott's life harder, but it will make our lives easier. It is unfortunate for Scott, but that is the way to go.

Committee Vice Chair DeCosta: I have a discussion point, but I have another question for Councilmember Cowden. Is that sanctuary already built?

Councilmember Cowden: No, but it can be built in two (2) to three (3) months if everything goes well.

Committee Vice Chair DeCosta: From listening to our speakers like Maka'ala Ka'aumoana and Dr. Andre Raine who is a biologist with the native birds in Kōke'e, every day that people feed cats, there are dead native seabirds. If this does not get built in two (2) months, it is not in place, and it takes six (6) months to a year, should we not feed cats in the County parks until the sanctuary is built? The deferral will bring people together where we can have a discussion, but it still does not ensure that the sanctuary will be built, and the native birds will not be subject to cats.

Councilmember Cowden: It is a complex answer. Toxoplasmosis was brought up which is separate from the birds. The birds that are being protected under the Kaua'i Seabird Habitat Conservation Plan (KSHCP), they live up at the top of the mountain. The birds can get hurt anywhere. It would be ideal to have a deadline. Everything has been discussed, but it came up in conversation that there have been no commitments. You asked me about birds being killed every day. I do not know if they are being killed in the park, but they get killed. Here is the piece for people who feed birds, I asked them if they can move the cats. They said, "Moving the cats is easy, feed them one hundred (100) yards away the next day, then one hundred (100) yards away the next day." If this Bill passes, those cats will not be in the parks. There are not a lot of cat colonies. The Department of Parks & Recreation said they did not know of any cat colonies in County parks. I know of at least one. They could be moved out of the way. My goal is instead of working against each other, that we work together. That is the goal. If we have the people who are caring for the cat colonies work with the State to remove the cats, we will not have to trouble our own rangers who are busy. It is not an easy task for them. People who have a relationship with the cats can collect their cats and move them. Most importantly, the most vulnerable areas are not the parks, the most vulnerable areas are all over the place. I have been talking to people in those places, and we need to get them off the cliff line

and out of neighborhoods that are up high. The goal is to be the most effective with the least resistance.

Committee Vice Chair DeCosta: Is there any final discussion before we ask for a motion to defer? If there is no final discussion, Members, can I get a motion to defer?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

Councilmember Cowden moved to defer PRT 2022-01, seconded by Councilmember Evslin, and carried by the following vote:

FOR DEFERRAL:	Cowden, Evslin, Kualii, DeCosta	TOTAL – 4,
AGAINST DEFERRAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Carvalho	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

The Committee proceeded on its agenda item, as shown in the following Committee Report, which is incorporated herein by reference:

CR-PRT 2022-01: on Bill No. 2842 A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO PUBLIC PARKS AND RECREATION, AND CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO GENERAL PROVISIONS RELATING TO PUBLIC HEALTH, SAFETY AND WELFARE (**Approved as Amended.**)

The Committee proceeded on its agenda item as follows:

Bill No. 2843 A BILL FOR AN ORDINANCE AMENDING SECTION 19-1.9, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO SCHEDULE OF FEES AND DEPOSITS (This item was Deferred.)

Councilmember Evslin moved to approve Bill No. 2843, seconded by Councilmember Cowden.

Committee Vice Chair DeCosta: Members, this Bill is relating to managed parking at some of our County parks. I received word from the Department of Parks & Recreation that they would like to respectfully ask for a deferral while they continue their due diligence in reviewing options for charging daily versus hourly, as well as some of our other points raised at first reading. We have representatives from the Department of Parks & Recreation available for questions if there is any. I would like to get us to a deferral knowing this item will come again in a few weeks. At this time, I will suspend the rules. Members, are there any questions for the Department of Parks & Recreation? Councilmember Cowden.

Councilmember Cowden: Pat, the Hanalei Initiative is doing a traffic flow study that is taking a holistic look at what is needed in Hanalei, and the Business

Association asked for alignment with that. If I am correct, the Community Association asked as well? I think Po'ipū Beach Park and Lydgate Beach Park have special needs. Can we separate these parks out? If not, can we defer until after the Hanalei Initiative gets their Plan in?

There being no objections, the rules were suspended.

PATRICK T. PORTER, Director of Parks & Recreation (*via remote technology*): We fully plan to take that into consideration when the time comes to manage parking. We are committed to using the documents they provide, especially from Hanalei Initiative.

Councilmember Cowden: Which means, if we say "yes" to this now, we already committed to that fee, and you adapt it around whatever they say?

Mr. Porter: Yes. This enables us to start the planning process. We do not know what it is going to look like right now. It is too early in the game to know for sure what the operation is going to look like. All that is to come.

Committee Vice Chair DeCosta: Are there any questions? Members, is there any final discussion? Councilmember Cowden.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Cowden: I will say that whatever we do, I am not willing to assign a fee to anything until we hear from all parties. I am being clear about my position. I have been opposed to all of this from the beginning, so I guess that is no surprise. I am being open. I do not think it is a constructive way to handle the problem. I think it would create more problems than it will solve.

Committee Vice Chair DeCosta: Is there anyone else? Councilmember Evslin.

Councilmember Evslin: Yes. I am obviously in support of the Bill and going in this direction. I think it is an important mechanism for us to address tourism on Kaua'i and to address the problem of overcapacity at beach parks. Certainly, and in any type of policy we make, there is going to be downstream issues, which we need to continue to work on as we go through it. Hopefully we end up deferring today, but ultimate passage of this Bill is not going to result with a fee overnight. This will get the Department of Parks & Recreation going down the road, talking to vendors, and working with the community on the best way to set up this structure. I certainly support eventual passage and I support a deferral today to give the Department of Parks & Recreation the time that they need.

Committee Vice Chair DeCosta: Is there anyone else for final discussion? If not, can I get a motion to defer?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

Councilmember Evslin moved to defer Bill No. 2843, seconded by Councilmember Cowden, and carried by the following vote:

FOR DEFERRAL:	Cowden, Evslin, Kualii, DeCosta	TOTAL – 4,
AGAINST DEFERRAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Carvalho	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Committee Vice Chair DeCosta: Motion carried. Not seeing or hearing any objections, the Parks & Recreation / Transportation Committee Meeting is now adjourned.

There being no further business, the meeting was adjourned at 2:17 p.m.

Respectfully submitted,



KarLyn Sukehira
Council Services Assistant I

APPROVED at the Committee Meeting held on March 9, 2022:



BILLY DECOSTA
Vice Chair, PRT Committee