

PUBLIC HEARING

OCTOBER 10, 2018

A public hearing of the Council of the County of Kaua'i was called to order by Derek S.K. Kawakami, Chair, Economic Development & Intergovernmental Relations Committee, on Wednesday, October 10, 2018, at 1:30 p.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Arthur Brun
Honorable Mason K. Chock
Honorable Ross Kagawa
Honorable Derek S.K. Kawakami
Honorable JoAnn A. Yukimura
Honorable Mel Rapozo

Excused: Honorable Arryl Kaneshiro

The Clerk read the notice of the public hearing on the following:

“Bill No. 2720 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 23, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO SUNSHINE MARKETS,”

which was ordered to print by the Council of the County of Kaua'i on September 12, 2018, and published in The Garden Island newspaper on September 19, 2018.

The hearing proceeded as follows:

SCOTT K. SATO, Deputy County Clerk: Committee Chair, we have no registered speakers and received no written testimony.

Committee Chair Kawakami: Are there members from the public who want to testify? Anne, please.

ANNE PUNOHU: *Aloha*, my name is Anne Punohu and I am here to testify in support. When I heard that list, my mouth started to water. My uncle used to make the best frog legs, those are so good and goat from the mountain, soak them in *waiū* and a little bit of honey—oh, so *ono*. Even if I am a vegetarian now, I am happy to support this Bill. I think it is great and it is great for everyone. It is good for our farmers, for our young men, they will be able to promote their products, good for our fishermen, and it is just great all around. I am very happy today to support this. I was just talking to our friend back there, though, I was concerned about hygiene and how we are going to keep this sanitary because we are talking about meats, perishable things, and different sorts of things, but he assured me that

everything will be *pono* and up to speed. I am all for it and hurry up because I want to buy some things. Thank you very much, that is all I have to say today.

Committee Chair Kawakami: Thank you, Anne. Are there any other members of the public wishing to testify? Good afternoon.

BRUCE HART: For the record, Bruce Hart. I have attended the Kapa'a Sunshine Market for over twenty (20) years and it has always been open. When you come, you can browse, but you could not purchase, and they had problems sometimes with people trying to put things aside. Recently, just within the last couple months, they have roped it off and they will not allow anybody to go in until the whistle blows. Now, one of the most important parts of my participation in the Sunshine Market has been the interaction between me and the farmers. It is a "talk story" time. I show up maybe thirty (30) minutes, sometimes even an hour, and I go around and talk to all of them. I know a lot of them by name and they know me. Now, all that socializing and "talk story" is gone, because then the mad rush happens and you just want to get out of there. I do not know why they have done this, so I wanted to bring it to your attention. I would rather have it the way it was. Thank you.

Committee Chair Kawakami: Thank you. Are there any other members of the public wishing to testify? Seeing none, this public hearing...oh, did you want to testify on the Sunshine Market? Okay, you are just in time.

TESSIE KINNAMAN: For the record, Tessie Kinnaman. I was interested in this Bill because I am worried about what types of fish and shellfish are going to be on sale. We, that live here depend on the ocean as our refrigerator, so if we do not be careful on how we harvest the ocean, we will not have anything left for our children and grandchildren. I would prefer that if there are whole fish that you would sell, it would be *roi* and *ta'ape*—they are very invasive, but I hear that they taste really good and I do not even know what they look like. We need to maintain our *manini* and *akule*. I do not mind seeing *akule* being sold at the markets, but it cannot be every day because the Sunshine Market is every day. One-day a week would be good because we need to keep our resources for our people. The shellfish like *'opihi*, *wana*, and *hukihuki* are really important also because I know that there is a *wana* that is really popular, the *uni*. I do not think *'opihi* has a season and we harvest by size, but I personally do not like the quarter size, I like the dime size, but we do not eat it very often. That is the only thing I am worried about and how it will be regulated. Will the Department of Health (DOH) going to be regulating this? I noticed that it says, "Whole fish in season," and *roi* and *ta'ape* is always there, so there is no season for it. That is pretty much what I was worried about and so if there was maybe one (1) day a week, they could sell the catch and shellfish. Shellfish, too me, is shrimp, which is available as "Kaua'i shrimp" and Kona crab, so that is seasonal. I really would like you to think about what and how we sell these things. Thank you.

Councilmember Kagawa: I have a question.

Committee Chair Kawakami: Sure.

Councilmember Kagawa: Tessie, based on your concerns, would it be okay if the Council addresses it with George as far as some of the sustainability type of issues that you brought up and making sure that the Office of Economic Development (OED) would have some type of monitoring so that we make sure we do not over-fish certain items that the Sunshine Market could be hurting by having regular sale of *'opihi*, *wana*, and *manini*—things that we value. Would you be okay that we address that next week at the Committee Meeting?

Ms. Kinnaman: Okay.

Councilmember Kagawa: We cannot do it now at the Public Hearing. I just want you to know that we will have it in Committee and then if you cannot come in-person, you can at least watch the livestream.

Ms. Kinnaman: Yes.

Committee Chair Kawakami: Councilmember Yukimura.

Councilmember Yukimura: With respect to *'opihi*, you would like to have the monitoring to make sure that the *'opihi* are legal?

Ms. Kinnaman: Well, it is very hard to monitor *'opihi* because I have seen at local parties, which of course is the only time you really see it unless you go to a big party, and someone that goes outside and dive under for the *'opihi*, then yes, that is different, but everyday usage is really hard for anyone to monitor that.

Councilmember Yukimura: It is probably unlikely that they will sell *'opihi* at the Sunshine Market, because it is probably saved for big parties.

Ms. Kinnaman: Probably, but you never know. There is no regulation on it, so they will sell it if they can get it.

Councilmember Yukimura: That is the issue. Do we allow them to sell it at a County market if it is illegal? Do we just turn away, or do we actually monitor it?

Ms. Kinnaman: Yes.

Councilmember Yukimura: Although if you monitor it, they probably will not sell it at the market. I do not know. You raised an interesting point and I guess you can talk about each regulation. I am just trying to understand.

Ms. Kinnaman: Yes, I am just worried that we do not abuse and over-fish what we need for table. It is not just for now; it is our future.

Councilmember Yukimura: Thank you for raising the points.

Committee Chair Kawakami: Just to clarify, we can work with OED to promulgate rules on what type of fish and shellfish we are actually going to include, because we can all agree that certain fish should not be allowed to be sold. Even 'opihī is a discussion that has to be had with our local fishermen on what they think is appropriate.

Councilmember Kagawa: The other thing, too, is just to have some type of database would be good, so we can ask George about that next week, but you know the vendors would declare how much approximate pounds of *manini* and *menpachi* that they have and at least we will have the database of what is really out there. When you have Tessie come up, saying that she is worried about what is being marketed every week, we need to have that database of exactly or an estimate of what is being sold out there. If we are in charge of it, good information is knowing what is being sold—are *opihī* being sold, so that people would actually voluntarily declare what they have, so we can ask George on what they have and what type of database will we be keeping.

GREG CROWE: Greg Crowe. I was not preparing to testify on this, so I have not done my homework on this, so excuse me if I am bringing up a point you have already done. Going back to what the first testifier mentioned regarding sanitation and health with these things. I am fully in support of this legislation to open up the markets, but we have to also make sure that not only is it legally enabled, but it is the logistics or feasible for the farmers and the various vendors of the fresh food, because there is a big difference between fruits and vegetables and things like meats and fish. It would be able to have the commercial kitchens available for people having some, like the Kīlauea Ag Park, also including in the process there making a commercial kitchen available so that the farmers can do what they needed to do there. If we are going to require commercial kitchen standards to be healthy and safe on these foods, we need to have a way that they can actually provide that and provide the training, maybe through OED or what have you, and the training and support for the farmers that know what to do, because there are some simple things that they can learn, but until they learn those things, the last thing we want is to have someone getting sick by buying foods at the markets and it ends up backfiring what we really want to accomplish here. I just hope that that is part of the overall plan and this is a great first step, putting that in place, let us make sure that it becomes feasible for the various market people who can actually make it happen in a safe way that is going to be overall achieving the great benefit we all want to see from this. Thank you very much for taking this great first step.

Committee Chair Kawakami: Thank you for your testimony, and yes, there are safeguards in place and I believe that there are going to be amendments removing certain items because we do not have the facilities on-island to make sure that they are United States Department of Agriculture (USDA) or food safety certified. Thank you. Are there any other members of the public wishing to testify on this matter? Seeing none, Anne would you like to come up for a second testimony?

Ms. Punohu: I just want to support her testimony because yes, I absolutely agree with that. That would be pandemonium, it would be very terrible for our neighborhoods with other folks coming in and scraping everybody's

'opihi. What she said is spot on and I one hundred percent (100%) agree with it. I just want to make sure that I say that because that is how I feel. Thank you.

Committee Chair Kawakami: Thank you, Anne. Are there other members of the public wishing to testify on this matter? Seeing none, this public hearing is now closed.

There being no further testimony, the public hearing adjourned at 1:44 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S.K. Sato".

SCOTT K. SATO
Deputy County Clerk

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