

IEM Committee

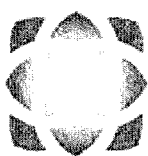
From: Amber Coutsos <execasst@mauichamber.com>
Sent: Monday, September 11, 2017 5:26 PM
To: IEM Committee
Subject: IEM-33 Testimony 09-12-17
Attachments: IEM-33 Sand Moratorium 091217.pdf

Importance: High

Aloha IEM Committee,

I have attached Pamela Tumpap's testimony for the IEM Committee meeting tomorrow 9/12 on item IEM-33 on Sand Mining.

Mahalo,



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

Amber Coutsos

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Maui Chamber of Commerce

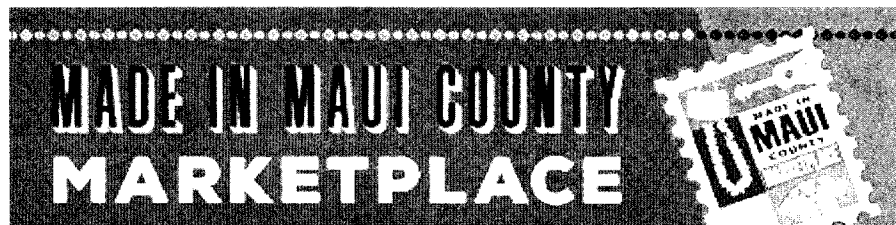
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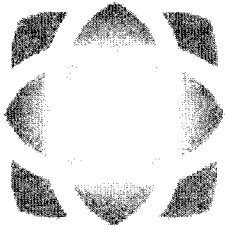
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MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

Testimony on IEM-33

Re: Establishing a New Chapter 20.40, Maui County Code,
Declaring A Moratorium On Sand Mining
Tuesday, September 12, 2017

Dear Chair Cochran, Vice Chair Guzman &
Members of the Committee

Aloha and Mahalo for the opportunity to provide testimony on this matter.

The Maui Chamber of Commerce has been following this moratorium and we have shared our concerns on previous drafts that we believed were too broad. While the changes on this draft and the previous draft do clear up a number of our concerns from the original moratorium, we have seen this bill become more and more complicated and get further away from the original intent to stop the mining of sand as an industry activity for the purpose of selling and/or shipping Maui sand off island. While we believe Maui sand should be protected from exportation off island as it is a natural resource, but we do not see why there is an issue with moving and/or selling Maui sand on Maui. If the definition of sand mining alone was changed to reflect this intent, additional time would not have to be spent creating other lengthy definitions, exemptions, variances, and the creation and redrawing of maps and will avoid harm to residences and businesses. The more complicated the moratorium becomes with extra additions, the more difficult it will be to enforce and more unintended consequences will arise. The intent should be to prevent the exportation of Maui sand off island and sand mining should be defined as the mining of sand with the purpose of use off island. There is a clear agreement that we want to keep our sand resources on island and the Maui Chamber of Commerce supports that.

However, the Maui Chamber of Commerce does not support unilateral moratoriums because they are inflexible and we do not know what the future holds. While the bill does include an exemption on emergencies, people define emergencies differently and a unilateral moratorium may cause unintended consequences. Any moratorium should include a clearly defined purpose, goal(s) and outcomes with a reasonable and appropriate time frame that correlates with achieving the stated purpose, goal(s) and outcomes. Corporation Council also suggested this be done. At this time, we do not see these included in the bill and though the bill has been vetted, it should not be passed out of committee until this work is done. Therefore, we ask each councilmember to continue to work on this bill, refining it to specifically address the exportation of sand and to clearly create a plan if a moratorium is truly needed before passing it out of committee.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.