

A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 20.40, MAUI COUNTY CODE, DECLARING A MORATORIUM ON SAND MINING OF CENTRAL MAUI INLAND SAND

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Chair Cochran and Members of the Maui County Council Infrastructure & Environmental Management Committee:

I am Grant Chun, testifying on behalf of A&B Properties (A&B) on “A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 20.40, MAUI COUNTY CODE, DECLARING A MORATORIUM ON SAND MINING OF CENTRAL MAUI INLAND SAND.” We respectfully oppose this bill.

The stated purpose of this bill is to declare a moratorium on the mining of Central Maui inland sand. We are concerned that there may be other unforeseen or unintended consequences and impacts of the proposed moratorium that would negatively impact the basic needs of Maui’s working public—the provision of housing, infrastructure, and other public facilities, as well as the associated jobs and economic benefits of such activities.

We understand that this bill will prohibit the extraction and removal of Central Maui inland sand from the lot where such sand is located. We are concerned that this provision may negatively impact lawfully authorized Maui County grading and grubbing permits. While it is envisioned that sand derived from construction excavation or grading will usually be retained on-site for other uses when possible, certain construction projects may necessitate the movement of sand beyond the boundary of

the lot from which the sand originates. This may especially be true for larger construction projects situated on multiple lots. This restriction may significantly and negatively impact the construction of much needed workforce housing and other community or business facilities, located on sandy soils within Central Maui. In addition, State and County capital improvement projects such as roads and highways, community parks, schools, and other public facilities on lands where Central Maui inland sand is located may be impacted by the proposed moratorium. Additionally, secondary impacts to employment and economic and social development may also arise with the deferral of State/County capital improvement projects.

With inland sand prevalent at parcels of agricultural land in Central Maui, it is envisioned that the proposed moratorium may also negatively impact farming and other agricultural operations. Ground and soil preparation, essential activities prior to planting agricultural crops, may be impacted if the inland sand cannot be moved beyond the boundaries of its lot of origin. Thus, implementing diversified agricultural operations in Central Maui may be impeded should this bill be passed.

The moratorium may also affect the availability of sand on Maui for other beneficial uses. Golf course maintenance and beach replenishment and nourishment are common uses of inland sand here in Maui County which may be negatively impacted by lack of available sand on Maui due to the moratorium.

We understand that entities previously involved in sand mining in Maui County have agreed to suspend their sand mining operations. Thus, in lieu of the establishment of a moratorium on sand mining which may prompt unforeseen or

unintended consequences, we respectfully recommend that deliberation and discussion focus on regulatory options to amicably address this matter.

Based on the foregoing, we respectfully request that this bill not be passed by this Committee. Thank you for the opportunity to testify.