

Construction Industry of Maui

The power to legislate and create laws is a tool of our government. I will draw an analogy to it of a hammer. A hammer can be used with skill and finesse to shape metal into intricate shapes of fine jewelry or useful products. A hammer can be used to build furniture and homes to enable people to live their lives with more comfort and security. A hammer can also be destructive. It can be used to break glass. To hurt and main people. Even without hitting someone with a hammer you can cause fear and stress by merely showing that you can use it for harm.

From my perspective, this legislation has two interwoven issues.

- 1- Sand as a limited resource on our island home, Maui
- 2- The Archeological and culture practice of burials in sand and the history of battles fought in Central Maui

The two issues need to be addressed separately and cannot be lumped together.

The first issue of sand as a limited resource to be managed for our community's use is measurable. It is acknowledged and there is no debate on this. It is a management issue.

The second issue is a cultural issue subject to interpretation and charged with emotion and mistrust.

Our State government established the State Historic Preservation Division in the 1970's. As a General Contractor, I am familiar with the process of SHPD review and the power it has over the preservation of Hawaiian cultural sites and Burials. The power it has to delay a permit until it has been reviewed by SHPD.

- 1- I will not go into detail from start to finish what it takes to get SHPD review and approval on a permit.
- 2- Or the process and cost to hire a licensed Archeologist company to do an inventory study or establish a monitoring plan.
- 3- Or the process to schedule a project grading and excavation including the Archeological monitor that is onsite during any excavation or digging of ground. One monitor per piece of equipment and location.

But I will state it is thorough and forceful and standard operating procedure for Contracting on Maui. Weather it is doing work in public right of ways for sewer, water, utilities and roads. Or site work making retaining walls and terraces. Or building residential or commercial buildings.

The monitoring of excavation when required is being followed.

The emotional testimony of people who videotaped trucks being loaded and sand hauled offsite without a monitor is a lack of understanding of the process. Excavation is monitored. Screening is monitored. Screened sand can be loaded and hauled without a monitor because it has been monitored twice.

This brings me back to the topic of sand mining being two separate issues. Mistrust and attaching a cultural and emotional value to the sand.

Look at the men and woman who operate the equipment and trucks excavating and hauling sand to various projects on Maui. They are local working people many if not most of Hawaiian heritage. It is an insult to them to paint a picture of Cultural insensitivity on all of them

This legislation is destruction and counterproductive to our community. It will cause great harm.

I encourage you to use your legislative tools in a more refined way for the good of all our Maui residents. Legislation that will enable our construction community and not be yet another unintended barrier to building homes our local residents can afford. Or residents having work that pays a living wage.

Thank you and I hope my words are taken to heart. Because my words are coming from my heart with hope.