



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
Monday, August 14, 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 reviewed the previous draft bill and we were concerned about the inflexibility of a moratorium, the extremely broad definition of sand mining which could halt construction, encroach on private property rights and impact our entire community, moving sand on Maui, and the bill going away from the original intent of preventing sand mining for exportation off island. We appreciate that this new draft from Corporation Council addresses many of our prior concerns and should their language stay, we would feel more comfortable with the bill. While this new draft does address many of our concerns, it does not address the original intent, as we understand it, from the Mayor when he requested the Council look at this issue. The intent was 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, we do not see why there is an issue with moving and/or selling Maui sand on Maui.

Furthermore, it seems like there was more time spent on the definition of Central Maui inland sand than on the definition of sand mining, which remains overly broad. The focus should have been on defining the mining process and stopping the exportation of Maui sand off island instead of focusing on targeting very specific lots that quality as Central Maui Inland sand. Sand mining should be defined as an industry that has processes for extracting sand solely for the purpose of selling and exporting sand off island as a product.

Additionally, the Maui Chamber of Commerce does not support unilateral moratoriums because they are inflexible and we do not know what the future holds. We understand the intent of stopping things immediately and do appreciate that emergency situations are included in the exemptions, but a moratorium would prevent any future flexibility.

We would appreciate these suggestions be incorporated and we get to the real intent of exporting sand off island as we have uses for it here and we want to commend Corporation Council again for the improvements made thus far.

Sincerely,

Pamela Tumpap
President

RECEIVED AT IEM MEETING ON 8/14/17
Amber Coutsos

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.