TO: Honorable Nohelani U'u-Hodgins Chair OF THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

FROM: Stephen West , BUSINESS AGENT ILWU INTERNATIONAL LONGSHORE WAREHOUSE UNION LOCAL 142

SUBJECT: **My Testimony on RESOLUTION 23-194, RELATING TO DEVELOPING A COMPREHENSIVE RECOVERY AND RESILIENCY PLAN IN RESPONSE TO THE ISLAND OF MAUI'S TRAGIC WILDFIRES OF AUGUST 2023.**

I've served on various boards and commissions, including the Maui County Board of Variances and Appeals, the Maui County Liquor Commission etc. I'm currently serving on the private sector, permitting process working group established by Mayor Bissen.

Here is my view and opinion on the path forward to healing after this horrific tragedy in Lahaina.

We will be judged by history how we take care of those in need – those that have lost everything, the elderly, the young, the disabled and the sick.

The County must allow the plantation homes that were passed down from generation to generation to be rebuilt, and to be rebuilt as soon as possible.

In the 1950s, Hawaii's plantation labor was the highest-paid agriculture work force in the world, and this allowed these multicultural workers to purchase homes and the process of generational wealth to be passed down.

When the agricultural work begin to dwindle this workforce began to transition to work in hotels landscaping, and construction, and because of those jobs they were able to provide a path forward for their children to get education to transition into becoming doctors, lawyers, architects, etc.

GREAT (on site) 9/27/23

I don't believe that we need to reinvent the wheel. We have the tools that we need to move ahead to allow people to reconstruct their existing homes whether they be unpermitted or permitted.

Section 105.2.1 of Title 16.26B of the Maui County Code provides the help we need to jumpstart the rebuilding of our destroyed community. It allows those who own dwellings that were damaged in the wildfires to quickly obtain permits to rebuild their homes.

105.2.1 Emergency reconstruction of dwellings and accessory structures.

A. Applicability. Any existing dwelling and its accessory structures that were legally erected and that have been damaged in a disaster or civil defense emergency, recognized by the governor pursuant to chapters 127 or 128, Hawaii Revised Statutes, can be repaired pursuant to this section. The provisions of this section shall remain in effect for a two-year period beginning from the day the governor proclaims the state of disaster or emergency and shall apply to those areas of the county covered by the governor's proclamation.

B. Building permit application. The building official shall make available a modified building permit application specifically prepared for the issuance of permits under this section. The modified application may be approved without review from other county agencies or any state agency, except that repair of a non-conforming dwelling or structure shall be reviewed by the planning department. All other state and county agencies that regulate the repair of structures shall be responsible for enforcing their regulations independently upon issuance of the building permit.

C. Electrical and plumbing permits. The modified application may also be used for permits for electrical and plumbing work related to the repair work.

D. Construction drawings. An applicant for a modified permit shall submit construction drawings showing the location and scope of repair work, prepared by a registered design professional. The construction drawings shall be reviewed and approved by the building official. The records of the real property tax division of the department of finance shall be the basis for

establishing the shape and size of structures prior to damage, provided that the structures were legally constructed.

E. Permit fees. The building official may defer all plan review and building permit fees upon written request by the applicant.

F. Permit issuance. The building official shall be authorized to issue building permits based upon the modified application. A copy of the approved modified application and construction drawing(s) shall be distributed to appropriate agencies immediately after the permit is issued.

G. Building inspections. The building official shall be authorized to deputize additional inspectors for the purpose of conducting the inspections required by permits issued under this section. Repair work shall be performed in conformance with this code.

H. Illegal construction. Permits issued under this section shall not be interpreted to be an approval of any violation of federal, state, or county statutes, ordinances, or rules. The issuance of a permit shall not relieve the applicant and the property owner from complying with any applicable statutes, ordinances, or rules. Structures or portions thereof that were illegally erected or constructed shall not be repaired under this section.

I. Time extensions. Building, electrical and plumbing permits issued under this section may be extended in accordance with the provisions of the applicable code.

J. Approval by default. If the building official does not take action by either approving, approving with conditions, or denying the modified application within seven calendar days after submittal of all information required by the building official, then the application shall be deemed approved; provided that the time period for the modified application for repair of a nonconforming building or structure that is subject to section 19.500.110, Maui County Code, shall be ten calendar days. End..

Many of the homes in Lahaina were built long ago, before building permits were issued, or with permits that neither the County or owner have records of.

I urge the County not take the position that because there may not be any records of permits for some of these structures they do not fall outside MCC 105.2.1, as that issue should have been taken up a long time ago and should not serve as an excuse to deny those in need of the benefits of emergency relief.

In MCC 105.2.1 Section **E. Permit fees. The building official may defer all plan review and building permit fees upon written request by the applicant. I would strongly urge the county if they were going to make any changes in this code to wave all fees as it relates to permits Without the requirement of it being requested by the applicant.**

Other issues that should be taken up by the County immediately.

There should be a restriction on all transient vacation rentals in our neighborhoods as well as restrictions on AirBNB as these contribute to the high cost of rents and the high cost of housing within our County. They were a problem before this tragedy and they only exacerbate the tragedy and the lack of housing for local families.

Let's begin the healing process for this community and its residents.