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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

December 3, 2024

Ms. Kim Thayer, Chair  
Maui Planning Commission  
c/o Department of Planning  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair Thayer:

**SUBJECT: DISCUSSION ON PROPOSED CHANGE IN ZONING  
FOR PULELEHUA (DRIP-2(24))**

At its meeting of October 25, 2024, the Maui County Council adopted Resolution 24-174, FD1, which referred a proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 3889 (2011), RELATING TO THE CHANGE IN ZONING (CONDITIONAL ZONING) FOR WEST MAUI PROJECT DISTRICT 5 (PULELEHUA) FOR PROPERTY SITUATED AT MAHINAHINA, KAHANA, LAHAINA, MAUI, HAWAII," to the Maui Planning Commission.

The Council's Disaster, Resilience, International Affairs, and Planning Committee, at its meetings of October 30, 2024, and November 20, 2024, discussed the proposed bill.

The following is a brief summary of the discussions:

- Maui Oceanview LP and Maui Nui Resiliency Hui representatives noted the removal of Condition 2 under Ordinance 3889's Conditions of Zoning would allow the Pulelehua project to receive permits to begin the installation of infrastructure. A Maui Nui Resiliency Hui representative noted that the project has acquired preliminary subdivision approval, but Department of Water Supply approval is necessary to obtain final approval.

- Further, the Maui Oceanview LP representative said Condition 2 is unnecessary as the project has proven to have a long-term, reliable water supply that would satisfy an exemption under Subsections 14.12.030(E) and (F), Maui County Code.
- The Director of Parks and Recreation and the First Deputy Corporation Counsel advised that Condition 15 of Ordinance 3889 not be repealed. Rather, Condition 15 should remain or be amended to clarify that the condition has been satisfied.
- The Director of Environmental Management noted that the proposed bill does not affect their Department. He further noted that Maui Oceanview LP will construct and fund a wastewater collection system and R-1 water line to the Lahaina Wastewater Reclamation Facility. The Department's Wastewater Reclamation Division is drafting a Memorandum of Agreement with the developer.
- The Department of Water Supply did not object to repealing Condition 2, but advised that the developer pursue constructing a private water system. The Deputy Director of Water Supply noted there is not a sufficient source of water to provide to the developer, as the water is being reserved for the rebuild for displaced residents returning to Lahaina.
- Further, the Deputy Director of Water Supply said that in order for the Department to approve of the project's subdivision application, the subdivider must submit an engineering report to the State Department of Health, and if approved, the Department will issue a written verification of a long-term, reliable supply of water. The subdivider's engineering report was sent to the State Department of Health over a year ago and is pending review.
- The Committee considered amending Condition 2's language to require the developer to construct a private water system, but allow for the construction of infrastructure while awaiting approval from the State Department of Health.

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Should you have any questions, please contact me or the Committee staff (Jarret Pascual at ext. 7141, or Maria Leon at ext. 7866).

Sincerely,

A handwritten signature in black ink that reads "Tamara A.M. Paltin". The script is cursive and fluid.

TAMARA PALTIN, Chair  
Disaster, Resilience, International  
Affairs, and Planning Committee

drip:ltr:002(24)apl01:jpp

cc: Mayor Richard T. Bissen, Jr.  
Planning Director  
Deputy Planning Director