

Great Committee

From: Scott Shapiro <shapmaui@aol.com>
Sent: Tuesday, March 16, 2021 9:35 AM
To: Great Committee
Cc: Tamara A. Paltin
Subject: Scott Shapiro comments on MPC review
Attachments: Testimony GREAT-30 031621.docx

Please see my attached comments
Mahalo

Scott Shapiro

I would like to offer my testimony on the comments of the Maui Planning Commission review of this bill. I have been involved with a working group attempting to draft an acceptable version of this bill, and have been working on this project for almost two years.

The Maui Planning Commission heard a brief presentation from Director McLean at their March 9, 2021 meeting of an earlier draft of the proposed bill item GREAT-30. They heard some limited testimony, and discussed the draft. Here are my responses to their concerns as outlined in Director McLean's report to members of the GREAT committee dated March 11, 2021. The numbers follow the comments as they appear in the report. Thank you for reading this. There will be a test afterwards.

1. **Comment:** "Due to Covid-19 economic fallout, now is not the time to do this." **Response:** So, if we weren't in this unusual time period, it would be OK to form? When is the right time to create more transparency, outreach, and participation from members of our community?
2. **Comment:** "Creating advisory committee's will add more time and money to the permit process." **Response:** Community meetings by applicants are standard operating procedure right now. Adding time to the process is a false narrative. In fact, the permit timeline will likely be reduced because of "one stop shopping" at a required advisory committee, thereby completing that requirement more quickly. Today "public meetings" by developers aren't defined, and many times aren't attended very well or only given to a very select group of people, sometimes with rules. Not all stakeholders are notified, and many times miss the opportunity to speak their minds. The advisory committee's would provide a venue for all interested parties, at times that are much more convenient and flexible, much different than current MPC meetings of M-F, 9-5.
Also, there would be a cost, but I believe much more beneficial compared to some items which are entirely wasteful.
3. **Comment:** "Testifiers will now have to attend two meetings instead of one." **Response:** Wouldn't that be great! If testifiers could attend two meetings? It's hard enough to get testifiers to attend one meeting. Most of the time, they need to take time off of work. Due to Covid-19 economic fallout, now is the time to give testifiers an easier, less costly, more convenient way to testify. Videoconferencing has helped, but as we know, people still work during the day when MPC holds their meetings.
4. **Comment:** "The MPC questioned the need for new AC's, and offered several alternatives to involve the community." **Response:** I heard two "alternatives". One was to widen the net of people who were mailed notices of meetings; the other was to create more geographic diversity on the MPC. I agree both of these things could be done, and should have been done all along. But these efforts would be too small to create a fuller pathway for inclusion and involvement of a greater number of community members. Now is the time to open the pathway for citizens to become involved on their terms, in their local community with their peers, in an easy way.
5. **Comment:** "Hana AC, and Lanai and Molokai planning commissions are needed and justified for those communities, but Paia/South Maui do not have the same need, or geographic distance, especially with videoconferencing." **Response:** If videoconferencing is used as a reason not to

have more AC's, then why should Hana, Lanai, or Molokai still exist? The MPC supports these groups, but why? Geographic distance was indeed an important reason to create Hana, Lanai, and Molokai in the past without the technology of videoconferencing. In 2021 and beyond, the need for additional AC's is perhaps a greater need than for Hana, Lanai, and Molokai. Each of our communities is entirely unique, rapidly growing, and have specific concerns that a central body governing land use is not equipped to handle any longer. In general, people are more secure and feel more protected within their well-known grouping. Testifiers without a doubt, will feel more comfortable reaching out to a local body and becoming active participants more easily than at the MPC.

6. **Comment:** "The MPC wants testimony directly from the community, does not want gatekeepers to interpret or represent testifiers." **Response:** I am unclear. In #3 above, the MPC commented that the testifiers will "now have to attend twice". If true, the MPC will still hear directly from testifiers, right? Also, I have issue with the MPC as the sole gatekeepers and interpreters of what testifiers have to say. Why is OK for them, and not for other intelligent, caring people to "interpret" the community? Are they so well trained at interpreting testimony, that they are professional testimonial interpreters? Is there a course given on interpreting and gatekeeping testimony? I personally believe interpreting is a simple matter of listening intently, without prejudice or bias, and translating it accurately. Also, importantly, gatekeeping and interpretation is one of the key issues we as advisory committee supporters have with the Maui Planning Commission. It seems over the years that the MPC does not always listen to the community who testifies. Their interpretation is sometimes counter to the voice of the people. The recommendations of the Hana AC, which by creation are intended to interpret the testimony of their community and give it to the MPC, are many times, per Hana AC's members, not acted on. Most importantly, the advisory committees will interpret what their community says, in likely the same way as the MPC does, but perhaps with different viewpoints and outlooks.
7. **Comment:** "The MPC sees the proposal as manipulating the process for short term gain." **Response:** I see this comment as ill-informed and accusatory. What grounds do they have for this untrue comment? Do they know something I don't after two years of working on this issue?
8. **Comment:** "The residency requirement of 12 months is not nearly long enough to know a community and its needs." **Response:** I could be mistaken, but the residency requirement for the MPC is 90 days. So if 12 months is too short to know your community, then....90 days? I am a proponent of mixing experiences and backgrounds. Having a newer resident on a commission of old timers may give more breadth and vision to decision making. I know people like the old ways, and we all do, but this comment can be duly "interpreted" in many ways. This approach is similar to the way the council has acted to limit terms to bring in fresh ideas and vision.
9. **Comment:** "The MPC does not believe any authority over decision making should change, they hold a regional view of applications which would be lost if authority were dispersed." **Response:** A regional view is why Maui dislikes Oahu legislators making decisions for us. The exact reason I support AC's is to give a well-informed balanced approach to issues. To be responsible to your community and their needs, is more than having a regional outlook.
10. **One additional comment from a MPC member not reported said, and I quote "would add a bunch of Karen's to this process". You can hear for yourself on the recording. I know, right?**