

# Agriculture, Diversification, Environment, & Public Transportation Committee on 2025-06-05 9:00 AM

Meeting Time: 06-05-25 09:00

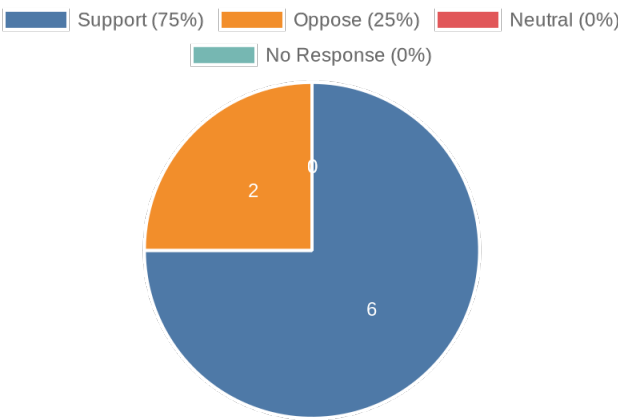
## eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Agriculture, Diversification, Environment, & Public Transportation Committee on 2025-06-05 9:00 AM	06-05-25 09:00	4	8	6	2	0

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



Agriculture, Diversification, Environment, & Public Transportation Committee on 2025-06-05 9:00 AM

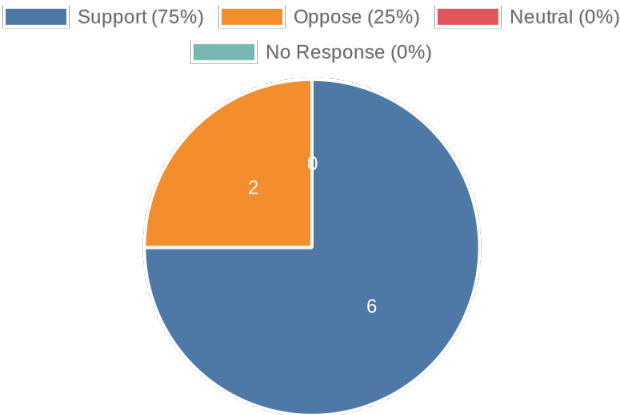
06-05-25 09:00

Agenda Name	Comments	Support	Oppose	Neutral
A G E N D A	1	1	0	0
ADEPT-1(6) COMMUNITY FORESTRY (ADEPT-1(6))	1	1	0	0
ADEPT-3 Bill 75 (2025) BILL 75 (2025), AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM (ADEPT-3)	3	2	1	0
ADEPT-4 Bill 76 (2025) BILL 76 (2025), AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT (ADEPT-4)	3	2	1	0

Sentiments for All Agenda Items

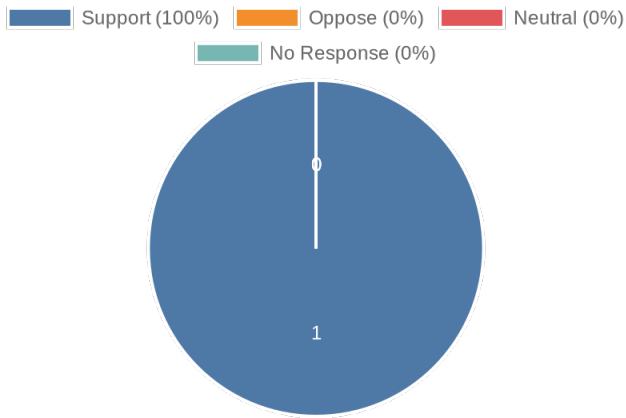
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



## Agenda Item: eComments for A G E N D A

### Overall Sentiment



### Guest User

Location:

Submitted At: 7:44pm 06-03-25

#### Kihei Community Association Testimony

#### Support for Urban Forest Plan for Maui County

A very important benefit of creating an Urban Forest is the shading of hardscape. Our environments are getting hotter every day. This causes multitudes of stresses and increased expenses.

In Maui, we often see that trees are not given the respect that they deserve. We see them cut down and “topped” frequently, especially in parking lots where the hardscape is vast.

Ours is a problem that requires a cultural shift in a deeply entrenched attitude of taking trees for granted.

We all know the value of tree shade -  
the reduction in temperatures  
the preservation of parking lot surfaces  
the freshness of air quality  
the uptake of runoff  
the increase in property values  
the beauty and tranquility of our environment  
the reduction of noise....and more

There are innumerable ways that trees support us. We need to stop hurting trees by our careless treatment of them by improper pruning and lack of appropriate care.

One of the best ways that the Urban Forest Master Plan can make a difference is to support the bill to change the Maui County Code, Section 19.36B, pertaining to Landscape Planting Plans and Shading of Parking Lots.

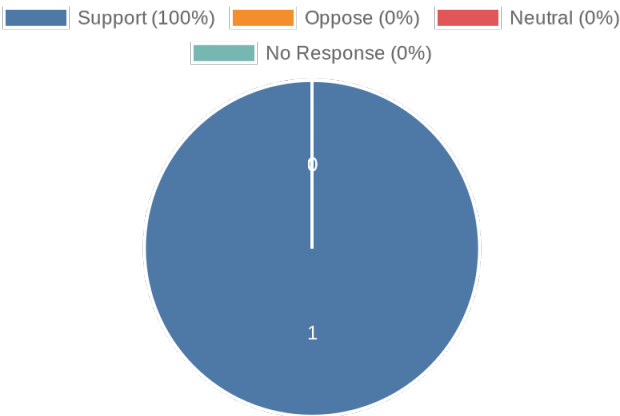
The new ordinance proposes 50% required shade of parking lots, no topping of trees, and necessity to follow the Maui County Planting Plan.

This indeed would be a revolution in our tree canopy. We are in great need of this change. It would be a benefit to all of our community.

Please support the UFMP in accomplishing this goal. Mahalo nui loa

Agenda Item: eComments for ADEPT-1(6) COMMUNITY FORESTRY (ADEPT-1(6))

Overall Sentiment



Vincent Flores

Location:  
Submitted At: 1:55am 06-04-25

Aloha Council Members!

My name is Vincent Flores and I'm a certified arborist as well as an urban forester who has been serving Maui for the last decade and proud to say I am on the Board of Directors for Maui Green and Beautiful. I am submitting my testimony to make sure we're all on the same page for the Kaulunani Grant. The very first step of an Urban Forest Development Plan is to complete a detailed tree inventory with GIS. Imagine for a moment, that we're starting a restaurant together. The first step is to see what exactly we have in the pantry so we can decide what kind of menu we can design, not debate over whether or not the restaurant should be Thai or Mexican or spend half of our budget on fancy plates or art. The street trees are currently mapped and our main focus with the \$300,000 dollar grant needs to be, before anything else, to map the park trees, the trees on commercial property and to begin mapping private properties. As you know, we have Lidar Imaging that has been commissioned by the state, county, NOAA in 2011 & 2019, and most recently a tree canopy specific Lidar Set of Imaging through the US Forest Service just last year, and those Lidar Imaging sets are available to the public. The last thing we need is to waste a third or more of the grant money on another set of Lidar Imaging. I say this because I have read the request for proposal as well as the proposal by SR Partners and to be frank, I was disappointed in the fact that Lidar Imaging was included with such prominence in the proposal as it is a total waste of grant money, time and resources. It shows a lack of knowledge in urban forestry and tree related happenings here on Maui. After we've finished a detailed tree inventory of the commercial and park trees, we should use a portion of the grant money to

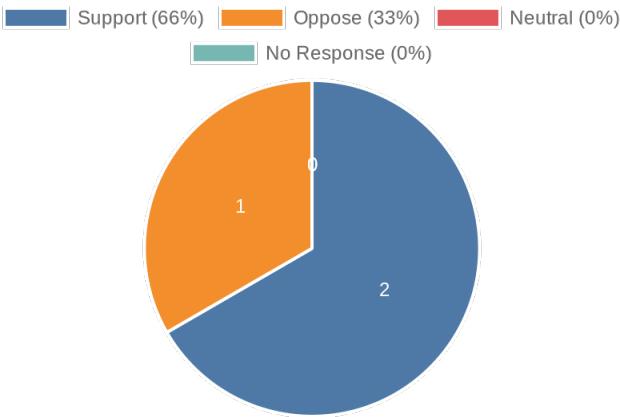


start a preliminary urban forestry division for the County to put together a work plan, management practices, policies, enforcement of said policies and then an overall management plan. Taking those two steps before any other will benefit the trees, the guardian plants, the limu, the community, the coral, and the island as a whole. I would like to work together to help SR partners to execute this grant and fulfill the minimum requirements of the grant as they do not have a certified arborist on staff. I would also like to be the one to take on the task of starting an Urban Forestry Division for the County of Maui and running it as its head. Mahalo for taking the time to read this and I look forward to meeting you at the next meeting! Aloha!

Gratefully,  
Vincent Flores

Agenda Item: eComments for ADEPT-3 Bill 75 (2025) BILL 75 (2025), AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM (ADEPT-3)

Overall Sentiment



**Lauren Lipcon**

Location:  
Submitted At: 6:42pm 06-04-25  
Please see attached testimony.

**Pamela Tumpap**

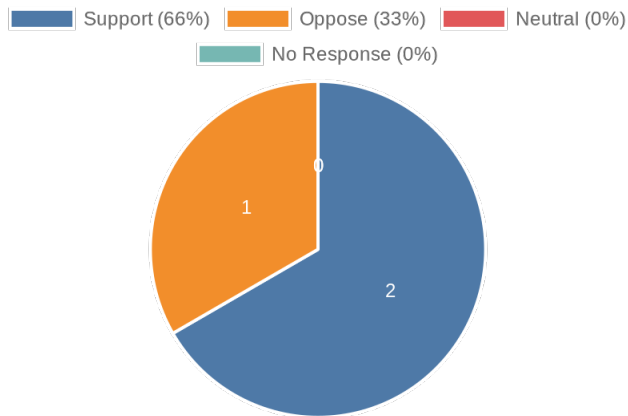
Location:  
Submitted At: 11:45am 06-04-25  
Please see attached testimony.

**Jonathan Helton**

Location:  
Submitted At: 10:52am 06-04-25  
Please see attached.

Agenda Item: eComments for ADEPT-4 Bill 76 (2025) BILL 76 (2025), AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT (ADEPT-4)

Overall Sentiment



**Lauren Lipcon**

Location:

Submitted At: 6:43pm 06-04-25

Please see attached testimony.

**Pamela Tumpap**

Location:

Submitted At: 11:45am 06-04-25

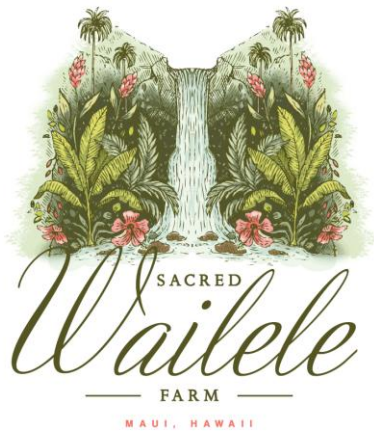
Please see attached testimony.

**Jonathan Helton**

Location:

Submitted At: 10:54am 06-04-25

Please see attached



**June 5, 2025**

**RE: Testimony on Bills 75 & 76 (2025) – OPPOSITION as Currently Written**

**TO: ADEPT Committee**

**Submitted by: Lauren Lipcon, Owner, Sacred Waialele Farm – Makawao, Maui**

Aloha Chair Johnson, Vice-Chair Sinenci, and Members of the ADEPT Committee,

My name is Lauren Lipcon, and I am the owner of a small fruit and flower farm in the Jack Diehl Agricultural Subdivision in Makawao. I am submitting testimony regarding Bills 75 & 76 (2025), which propose significant changes to the agricultural zoning framework.

**I respectfully submit this testimony in opposition to Bills 75 and 76 as currently written — unless they are **amended to include specific, enforceable safeguards** that protect non-participating landowners, cultural sites, rural infrastructure, and public safety.**

While I fully support the intent to uplift genuine agricultural producers, I have personally experienced the **devastating impacts of unregulated ag tourism on adjacent properties**, and I strongly urge the Council to adopt amendments that prevent further abuse.

The past 2.5 years have shown me exactly how devastating short-term rentals on ag-zoned land can be. I've personally endured:

- **Repeated trespassing** by tourists brought across my land through a restricted easement that was never intended for commercial traffic;
- **Significant financial losses**, including complete destruction of privacy to gain a touristic view of my property, destruction of newly installed irrigation, complete decimation of all mature trees over a sacred waterfall **and the substantial devaluation of my property** resulting from continuous nuisance, safety threats, and the loss of peaceful enjoyment
- **A harassment campaign** which has included a **knife embedded in a tree**, a **dead rat in my mailbox**, physical **assault** and most recently an **explosive device detonated outside my bedroom window**;
- **Intentional disabling of the subdivision's fire protection system**, leaving my home and farm exposed during wildfire season, in violation of **HRS §132-16**, all while my farm, home and belongings bear an increased risk of wildfire due to the tourist trespasses
- **Ongoing trespass onto multiple neighboring properties**, including the **exploitation of a sacred**

**Hawaiian birthing pool and pictographs** on adjacent land without permission, cultural authority, or an EIS;

- The complete **collapse of my farm's business model**, which was designed around peace, sanctuary, and regenerative land stewardship — not commercial chaos.

This is not agriculture. This is **commercial tourism masquerading as farming**, with no regulation, oversight, or accountability.

When private land is exploited for commercial use—especially without the consent of the landowner—it creates a significant burden. This includes increased liability, noise, road wear, maintenance costs, and legal costs, all borne by a non-participating landowner. No one should be forced to subsidize or absorb risk for an activity they do not support.

**I respectfully urge you to amend this bill to include the following safeguards:**

1. **Prohibit the use of restricted easements or roads for guest access without written consent from all affected landowners.**
2. **Require operators to use their own access roads** when alternate routes exist.
3. **Mandate Fire and Public Safety review**— and keep the 20-foot road requirement
4. **Forbid approval of ag tourism or food truck accessory uses for any parcel that has active County or State complaints, past enforcement actions, or unresolved violations.**
5. **Require continued use of the Special Use Permit (SUP) process** for any high-impact or guest-based agricultural activity, to ensure public input, cultural respect, and enforceability.
6. **Prohibit Ag Tourism and Food Trucks as an accessory use if STR permits are already in place**

The County must not allow sacred sites to be exploited, neighbors to be endangered, **county resources like police and enforcement systems to be overburdened**, or rural infrastructure to be overwhelmed in the name of “ag tourism” and food trucks. If this bill proceeds, these protections must be in place to avoid irreversible harm to people, culture, land, and the very institutions tasked with protecting them.

Please take a few minutes to review the extensive evidence I have included for you showing exactly how terribly wrong this will all go, if critical safeguards are not included.

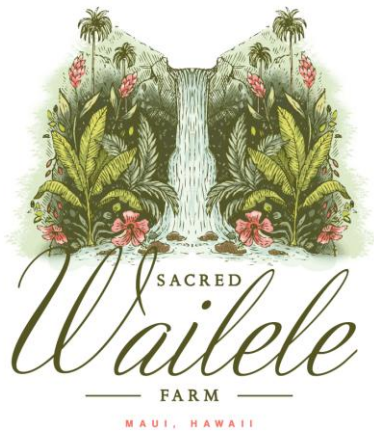
**A balanced path forward is possible — one that uplifts true agricultural producers while also safeguarding neighboring landowners who do not wish to participate, yet endure overwhelming damage, risk, and loss.**

Mahalo for your consideration,



Lauren Lipcon, Owner, Sacred Wailele Farm

*Sacred Wailele Farm is a small fruit & flower farm, cultivated as a sanctuary — with areas dedicated to native restoration and the propagation of rare palms from seed. We are rooted in beauty, biodiversity, and pono land stewardship.*



**June 5, 2025**

**RE: Testimony on Bills 75 & 76 (2025) – OPPOSITION as Currently Written**

**TO: ADEPT Committee**

**Submitted by: Lauren Lipcon, Owner, Sacred Waialele Farm – Makawao, Maui**

Aloha Chair Johnson, Vice-Chair Sinenci, and Members of the ADEPT Committee,

My name is Lauren Lipcon, and I am the owner of a small fruit and flower farm in the Jack Diehl Agricultural Subdivision in Makawao. I am submitting testimony regarding Bills 75 & 76 (2025), which propose significant changes to the agricultural zoning framework.

**I respectfully submit this testimony in opposition to Bills 75 and 76 as currently written — unless they are **amended to include specific, enforceable safeguards** that protect non-participating landowners, cultural sites, rural infrastructure, and public safety.**

While I fully support the intent to uplift genuine agricultural producers, I have personally experienced the **devastating impacts of unregulated ag tourism on adjacent properties**, and I strongly urge the Council to adopt amendments that prevent further abuse.

The past 2.5 years have shown me exactly how devastating short-term rentals on ag-zoned land can be. I've personally endured:

- **Repeated trespassing** by tourists brought across my land through a restricted easement that was never intended for commercial traffic;
- **Significant financial losses**, including complete destruction of privacy to gain a touristic view of my property, destruction of newly installed irrigation, complete decimation of all mature trees over a sacred waterfall **and the substantial devaluation of my property** resulting from continuous nuisance, safety threats, and the loss of peaceful enjoyment
- **A harassment campaign** which has included a **knife embedded in a tree**, a **dead rat in my mailbox**, physical **assault** and most recently an **explosive device detonated outside my bedroom window**;
- **Intentional disabling of the subdivision's fire protection system**, leaving my home and farm exposed during wildfire season, in violation of **HRS §132-16**, all while my farm, home and belongings bear an increased risk of wildfire due to the tourist trespasses
- **Ongoing trespass onto multiple neighboring properties**, including the **exploitation of a sacred**

**Hawaiian birthing pool and pictographs** on adjacent land without permission, cultural authority, or an EIS;

- The complete **collapse of my farm's business model**, which was designed around peace, sanctuary, and regenerative land stewardship — not commercial chaos.

This is not agriculture. This is **commercial tourism masquerading as farming**, with no regulation, oversight, or accountability.

When private land is exploited for commercial use—especially without the consent of the landowner—it creates a significant burden. This includes increased liability, noise, road wear, maintenance costs, and legal costs, all borne by a non-participating landowner. No one should be forced to subsidize or absorb risk for an activity they do not support.

**I respectfully urge you to amend this bill to include the following safeguards:**

1. **Prohibit the use of restricted easements or roads for guest access without written consent from all affected landowners.**
2. **Require operators to use their own access roads** when alternate routes exist.
3. **Mandate Fire and Public Safety review**— and keep the 20-foot road requirement
4. **Forbid approval of ag tourism or food truck accessory uses for any parcel that has active County or State complaints, past enforcement actions, or unresolved violations.**
5. **Require continued use of the Special Use Permit (SUP) process** for any high-impact or guest-based agricultural activity, to ensure public input, cultural respect, and enforceability.
6. **Prohibit Ag Tourism and Food Trucks as an accessory use if STR permits are already in place**

The County must not allow sacred sites to be exploited, neighbors to be endangered, **county resources like police and enforcement systems to be overburdened**, or rural infrastructure to be overwhelmed in the name of “ag tourism” and food trucks. If this bill proceeds, these protections must be in place to avoid irreversible harm to people, culture, land, and the very institutions tasked with protecting them.

Please take a few minutes to review the extensive evidence I have included for you showing exactly how terribly wrong this will all go, if critical safeguards are not included.

**A balanced path forward is possible — one that uplifts true agricultural producers while also safeguarding neighboring landowners who do not wish to participate, yet endure overwhelming damage, risk, and loss.**

Mahalo for your consideration,



Lauren Lipcon, Owner, Sacred Wailele Farm

*Sacred Wailele Farm is a small fruit & flower farm, cultivated as a sanctuary — with areas dedicated to native restoration and the propagation of rare palms from seed. We are rooted in beauty, biodiversity, and pono land stewardship.*



# What Happens When Tourism Is Allowed on Ag Land without Safeguards

## A Visual Record from Sacred Waialele Farm

*Submitted by Lauren Lipcon*

**Arial view of the farm** - A working farm with private boundaries and cultivated land



**View of the waterfall (located within the farm's boundaries)**





I purchased my farm as a private agricultural sanctuary — with no exposure to road traffic or tourism. It was meant to be a peaceful, healing space for both land and people.



The tour operators illegally cleared all the trees above the waterfall — a retaliatory act after I spoke out about short-term rental (STR) dwellings being illegally rented to tourists. This wasn't just destructive; it destabilized the slope, increased runoff, and harmed the stream. **Is this the kind of operator we want our County issuing “tour” and “food truck” permits to? Someone willing to destroy sacred land to serve a private agenda?**





## View from Kaluanui Road — *Before* the Dec. 23, 2024 Destruction



## View from Kaluanui Road — *After* the Destruction

The debris was left next to the stream, creating a public safety hazard. With the trees gone, cars can now fly off a 30-foot cliff and land in my front yard. I requested a guardrail and cleaned up the debris myself.





This tourist, from Maliko Coffee Cottages, passed several "No Trespassing" signs. When I asked what he was doing, he said: **"This is Sydney's property"**



When I respectfully asked the tour operator to keep her tourists off my land, she told me:

- That I don't own my property
- That her guests could go wherever they want
- That I was never to speak to her tourists again
- That she would be removing my security gate and over 50 mature palms that have stood for 25+ years and are in my farm plan

That's when I discovered "the map" — and hired an attorney to protect my farm.

## The Tour Map Given to Tourists

This map shows not only my private land, but also the land of another neighbor — being advertised without permission. It even includes County-owned land (#22).

The waterfall on my property is listed as #19 and is prominently featured on the homepage of [www.malikocoffeefarm.com](http://www.malikocoffeefarm.com).

This is what I'm being forced to fight in court.





Next, the tour operator's hired worker — a convicted felon — destroyed my irrigation and **450 feet of 25-year-old privacy hedges**, exposing my entire property, including my outdoor shower, to passing tourists. When I filmed from 30 feet away, I was **physically assaulted multiple times**, all captured on video.

Before



After



Outdoor shower exposed to tourists now





Tour operator Removing 450 feet of 25+ year established privacy hedges



My newly installed irrigation lines destroyed



## One Second Before Assault — The Trimmer Was Then Slammed Into My Abdomen





## 1998 Photo of the Restricted Easement

There was never a problem with the palms or hedges from 1998 until 2023 — until I spoke up about the tourists in my front yard.



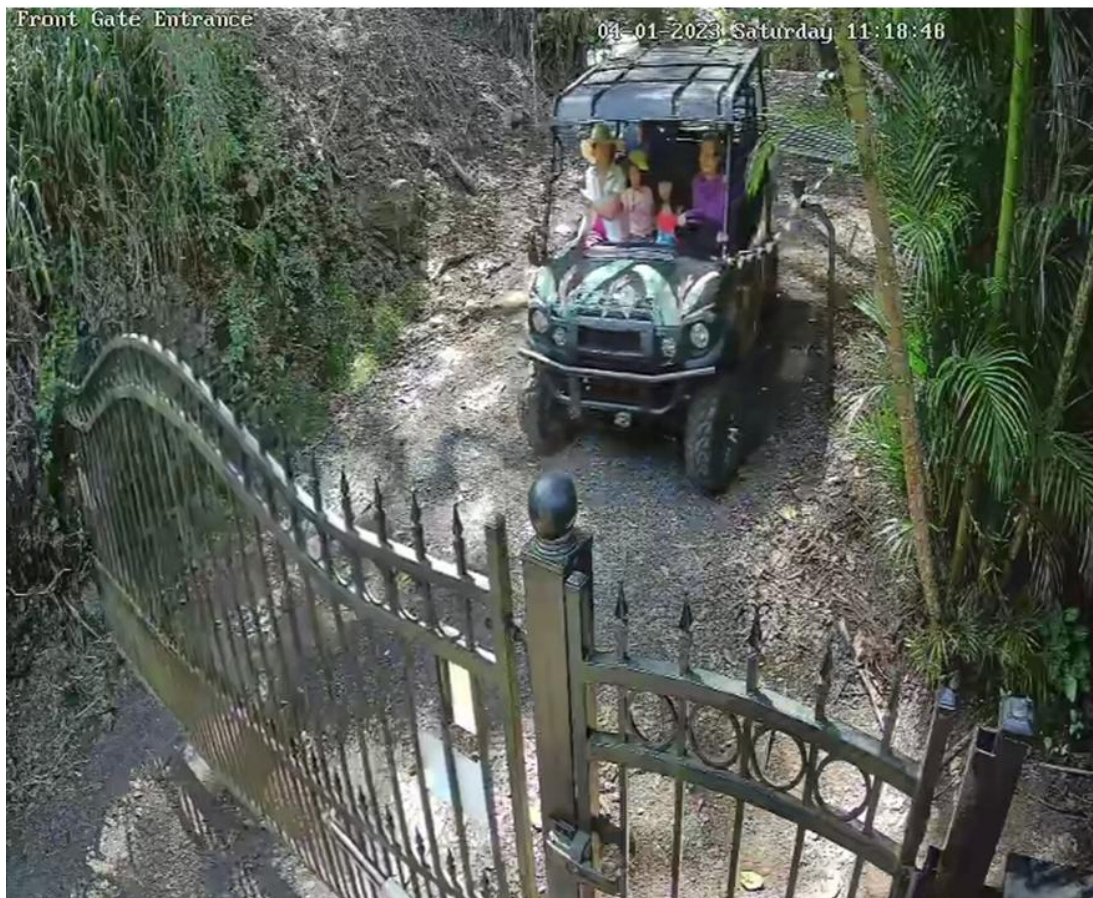
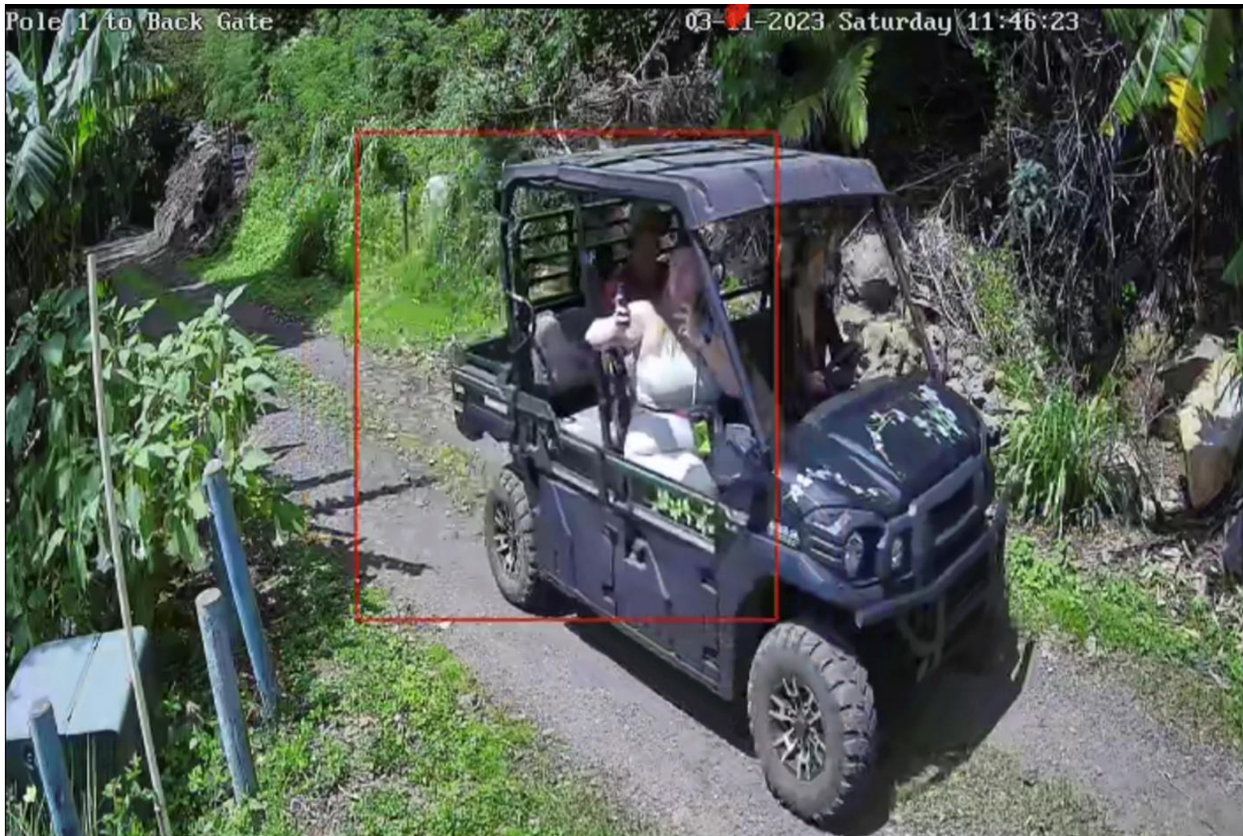
After removal of privacy hedge





## A Small Sample of Tourists Flooding My Property

After the hedges were destroyed, dozens of tourists came through unchecked.





Neighbors Enter

03/16/2023 Thursday 15:01:38



05/29/2023 14:37:25



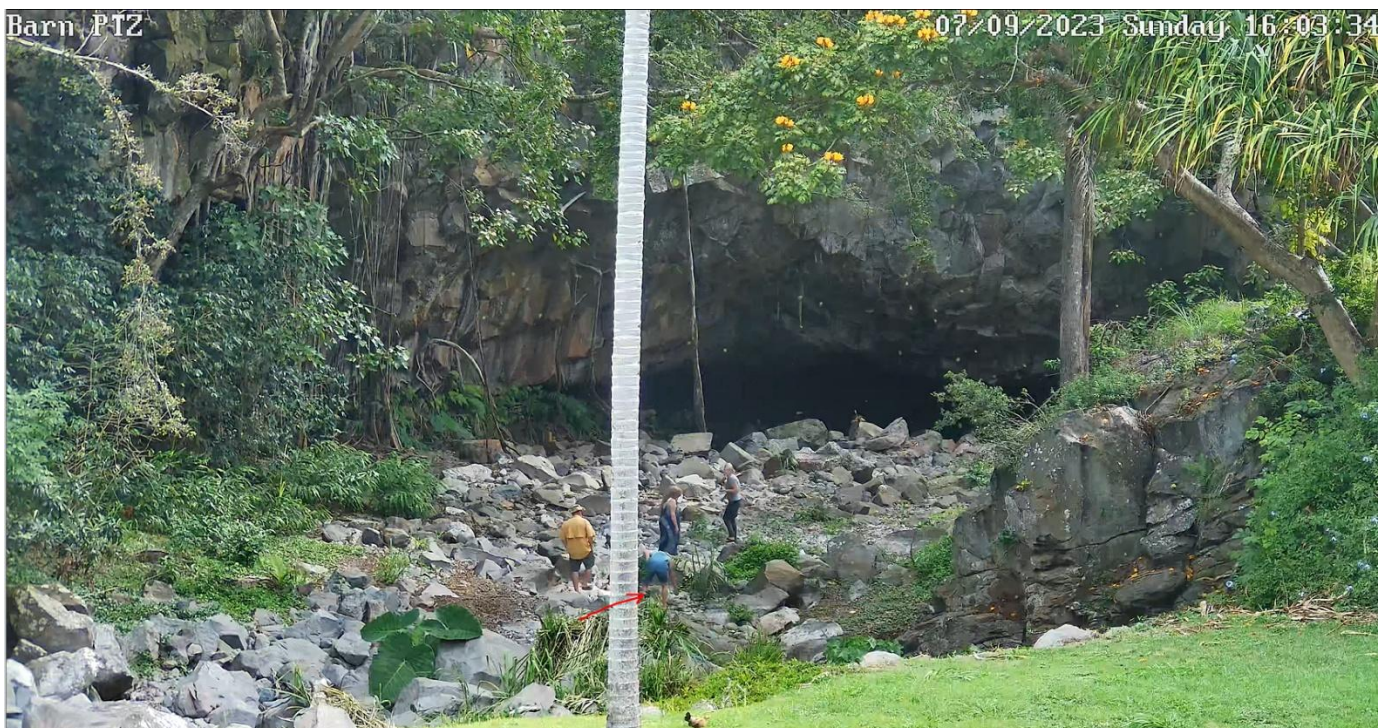
## Tourists Committing Agricultural Theft

Fruit picked directly off my trees



## Tourists Trespassing in the Streambed

Not only on my property — but on a neighboring parcel. I've seen children fall, elderly visitors struggle, and no system for flash flood warnings. **How is this safe? How are we protecting visitors — or ourselves — from tragedy?**



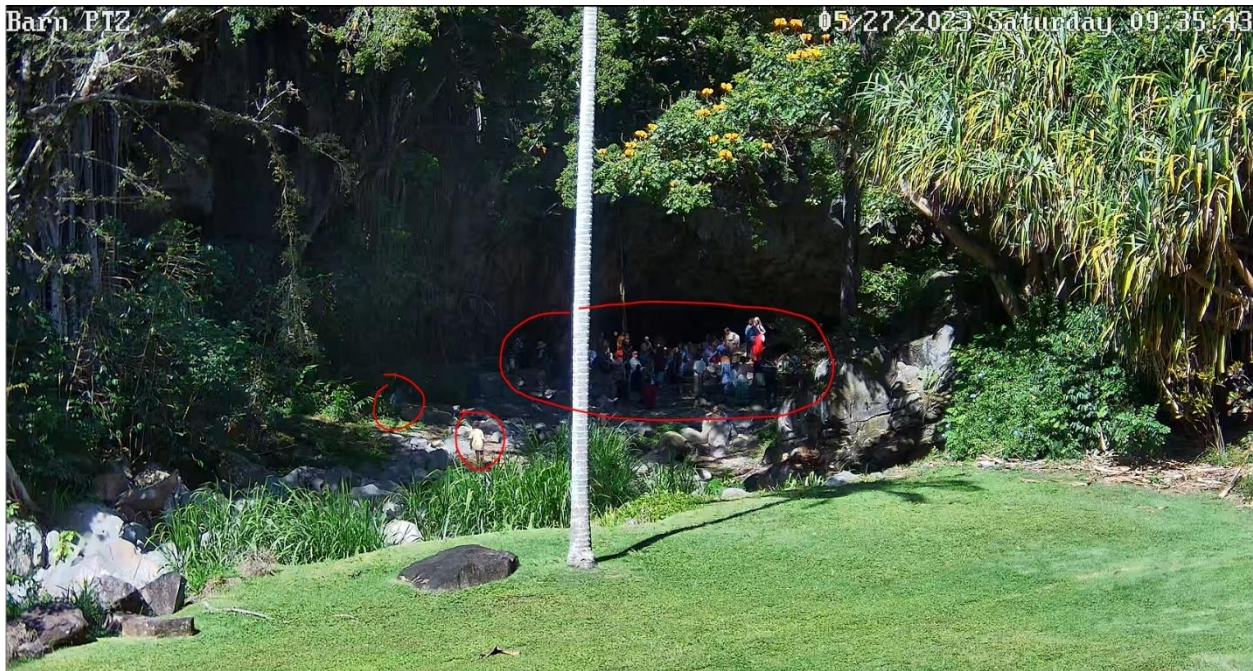






## 50+ Person "Event" trespassing and destroying the streambed

They didn't enter through my gate, but all exited through it. The security gate was left wide open all night.





**A Kitchen Knife Embedded in My Tree** - I discovered this minutes after the tour operator stopped in this exact spot. I have the footage. I took this as a death threat.



**A Dead Rat in My Mailbox** - The next morning, the tour operator's felon worker yelled at me from across the lawn: **"You f\*\*king rat."** This was retaliation for my reporting tourists that flying a drone that filmed me showering outdoors.



### **Closing Statement: Evidence of Harm**

These images are just a small sampling of what I've endured over the past 2.5 years. These bills (76 & 76) — as written — would effectively legalize tourism and food trucks on agricultural land. What I've shown here is not isolated. If left unchecked, this pattern will spread across Maui's rural communities.

What's happening to me is not farming — it's **commercial tourism masquerading as agriculture**, using County processes to gain legitimacy and avoid regulation, and **it undermines real farmers that need help**.

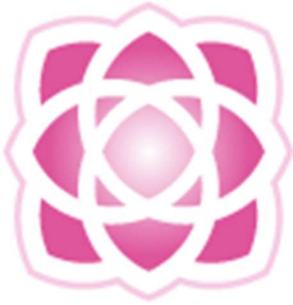
### **A Path Forward Exists**

We can support *true* farmers while protecting neighbors and sacred land.

A balanced solution is possible — one that helps agriculture thrive without sacrificing rural communities.

Mahalo for your kokua - Lauren Lipcon, Sacred Waialele Farm – [lauren@sacredwaialelefarm.com](mailto:lauren@sacredwaialelefarm.com)





# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

June 5, 2025

Maui County Council

Agriculture, Diversification, Environment, and Public Transportation Committee

Gabe Johnson, Chair

Shane M. Sinenci, Vice Chair

Members of the Agriculture, Diversification, Environment, and Public Transportation Committee

**(ADEPT-3) - BILL 75 (2025), AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM**

Aloha Chair Johnson, Vice Chair Sinenci and members of the Committee,

The Chamber notes that allowing food trucks on agricultural land presents a unique opportunity to support local farmers, small businesses, and the broader agricultural industry in Hawaii. The changes proposed in this bill align with countywide development policies that promote direct-to-consumer sales, creating new revenue streams for farmers and entrepreneurs while enhancing public access to locally grown and prepared foods.

Revitalizing agriculture is critical for both sustainability and economic resilience. By enabling food trucks to operate on agricultural land, farmers can diversify their income. Given the high costs and challenges of farming in Hawaii, integrating mobile food vendors into agricultural areas not only stimulates economic activity but also fosters synergy between the agricultural and visitor industries, further leveraging Hawaii's tourism market to sustain local food production.

While we appreciated the Maui Planning Commission's change to differentiate food trucks and farm stands, we are still concerned with the language that there cannot be food trucks within 500ft of each other and that is decided on a first come, first served basis. We understand the intent of this rule to not have food truck pods, but think 500ft is limiting. If there are two farm parcels next to each other who both want to have food trucks, one may lock the other out of the opportunity. This can also come down to placement of a truck where it may be best suited to be on one side of the property where it does not impact their farming activities, but that may be less than 500ft from their neighbor's truck. We believe changing the language to limit it to 1 food truck per parcel (or per farm operation, if it is a large, divided parcel) would achieve the same goal without causing unintended consequences.

For these reasons, the Maui Chamber of Commerce supports passing this bill with our suggested change.

Sincerely,

Pamela Tumpap  
President

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.

June 5, 2025, 9 a.m.  
Kalana O Maui Building

**To: Maui County Council Committee on Agriculture, Diversification, Environment and Public Transportation**  
**Gabe Johnson, Chair**  
**Shane Sinenci, Vice Chair**

**From: Grassroot Institute of Hawaii**  
**Jonathan Helton, Policy Researcher**

RE: Bill 76 (2025) — RELATING TO MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT

Aloha Chair Johnson, Vice Chair Sinenci and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [Bill 76 \(2025\)](#), which would allow mobile food trucks and trailers as a by-right accessory use in agricultural districts.

Grassroot believes this bill would enable Maui's farmers and ranchers to diversify their income sources and participate in the tourism industry.

Currently, anyone who wants to set up a food truck on agricultural-zoned land must apply for a special-use permit. This is a time-consuming and costly process that deters many would-be entrepreneurs from expanding their farm or ranch businesses. Meanwhile, agricultural food establishments and product stands are allowed as a by-right accessory use, yet there is no significant difference between these permanent structures and food trucks.

Finally, Grassroot supports the amendment suggested by the Maui Planning Commission: Food trucks and trailers should not face distance restrictions. If two farms want to set up food trucks within 500 feet of each other, they should be allowed to do so.

Thank you for the opportunity to testify.

Jonathan Helton  
Policy Analyst  
Grassroot Institute of Hawaii