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Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
Richelle K. Kawasaki, Esq.

## COUNTY COUNCIL

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

April 17, 2024

Ms. Kate Blystone, Director  
Department of Planning  
County of Maui  
Wailuku, Hawaii 96793

Dear Ms. Blystone:

**SUBJECT: FISCAL YEAR (“FY”) 2025 BUDGET** (BFED-1) (PL-4)

In Appendix B to Bill 60 (2024), the Schedule of Fees, Rates, Assessments and Taxes for FY 2025, the authority for several fees under the Department of Planning, pages 30 through 34, in the Ramseyered version, appear to require updates.

1. May I please request you provide a mark-up of pages containing the updated citations and requested information for the following fees:
  - a. For “Other Fees (not subject to exceptions above)” starting at the bottom of page 31 to the top of page 32:
    - i. There is no paragraph 1. Are the three citations listed after “Other Fees” intended to be for a “Petition to Amend Rules”? That appears to be what the citation to the Maui Planning Commission rules is for.
    - ii. The rules for both Maui and Lanai refer to a fee of \$250. Should the fee be inserted here?
    - iii. There appears to be no amount in the Molokai rule, which refers to a public hearing and notice fee as set forth in the County budget. Please also advise if a \$250 fee is appropriate for Molokai or what the fee should be.
  - b. On page 32, “2. Petition to Intervene (non-SMA or Shoreline), the Molokai Planning Commission rule as cited does not

Ms. Kate Blystone  
April 17, 2024  
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- contain authority for a fee. Please provide the appropriate citation.
- c. On page 32, alongside “CHARGES FOR CURRENT SERVICES,” a “SPECIAL REVENUE/TRUST AND AGENCY FUND” is called out. What special fund is being referenced? Should the fees that are listed below the heading be deposited into the General Fund instead? Please explain.
  - d. The rules cited for the following fees do not contain authority for a fee. Please provide the appropriate citations:
    - i. Page 33 - Shoreline Setback Applications, Maui, Molokai, and Lanai;
    - ii. Page 33 - Special Management Area (SMA) Permits, Lanai;
    - iii. Page 33 - Special Management Area Appeal, Molokai and Lanai;
    - iv. Page 33 - Shoreline Setback Appeal – Molokai (should be corrected to 12-304-16) and Lanai; and
    - v. Pages 33-34 – Petition to Intervene (SMA or Shoreline), Molokai and Lanai.
2. In addition, I am anticipating making the following housekeeping revisions to your Department’s fees. Please advise if you have any concerns with these proposed revisions.
- a. Page 31. After “Flood Development Permit” insert “(until 9/30/2024)” with an Ordinance 5603 reference.
  - b. Page 32, paragraph 2. Petition to Intervene (non-SMA or Shoreline). It appears the Lanai Planning Commission rule should be changed to “12-401-40(b).”
  - c. Page 32. The citation for the Special Management Area (SMA) Permits (non-exempt) for Lanai should be changed to “12-402-15(a)(3).”

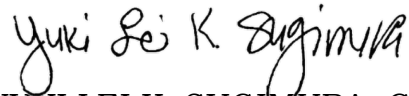
Finally, if any other citations for your Department’s fees require updates, please include that information in your response.

May I further request your written response by **April 22, 2024**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Ms. Kate Blystone  
April 17, 2024  
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Should you have any questions, please contact me or the Committee staff (James Krueger at ext. 7761, Kasie Apo Takayama at ext. 7665, or Yvette Bouthillier at ext. 7758).

Sincerely,



YUKI LEI K. SUGIMURA, Chair  
Budget Finance, and Economic  
Development Committee

bfed:2025bgt:240416apl01:cmn

cc: Mayor Richard T. Bissen, Jr.  
Acting Budget Director

## BFED Committee

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**From:** BFED Committee  
**Sent:** Wednesday, April 17, 2024 8:37 PM  
**To:** Kate Blystone  
**Cc:** BFED Committee; Ana Lillis; Michelle Santos; Zeke Kalua; Lesley Milner; Kristina Cabbat  
**Subject:** PLEASE READ attached letter re: FISCAL YEAR ("FY") 2025 BUDGET (BFED 1) (PL 4); reply by 04/22/2024  
**Attachments:** (PL-4) Correspondence to Planning 04-17-2024.pdf

**Ms. Blystone:** Please refer to the attached letter from the Budget, Finance, and Economic Development (BFED) Committee Chair, dated April 17, 2024. Please respond by **April 22, 2024**

**Mayor's Office (attention: Michelle Santos and Zeke Kalua):** Please forward the attached letter to Mayor Bissen for his information.

**Ms. Milner:** FYI

Thank you,  
Yvette Bouthillier, Senior Secretary  
BFED Committee

RICHARD T. BISSEN, JR.  
Mayor

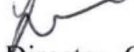
KATE L. K. BLYSTONE  
Director

ANA LILLIS  
Deputy Director



DEPARTMENT OF PLANNING  
COUNTY OF MAUI  
ONE MAIN PLAZA  
2200 MAIN STREET, SUITE 315  
WAILUKU, MAUI, HAWAI'I 96793

April 23, 2024

Lesley Milner   
Acting Budget Director, County of Maui  
200 South High Street  
Wailuku, Hawaii'i 96793

Honorable Richard T. Bissen Jr.  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii'i 96793

APPROVED FOR TRANSMITTAL

  
Mayor 4-23-24  
Date

For Transmittal to:

Honorable Yuki Lei Sugimura, Chair  
Budget, Finance, and Economic Development Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawaii'i 96793

Dear Chair Sugimura:

**SUBJECT: FISCAL YEAR ("FY") 2025 BUDGET (BFED-1) (PL-4)**

Thank for your April 9, 2024 letter. We offer the following responses to your questions.

1. *May I please request you provide a mark-up of pages containing the updated citations and requested information for the following fees:*
  - a. **For "Other Fees (not subject to exceptions above)" starting at the bottom of page 31 to the top of page 32:**
    - I. **There is no paragraph 1. Are the three citations listed after "Other Fees" intended to be for a "Petition to Amend Rules"? That appears to be what the citation to the Maui Planning Commission rules is for.**

Honorable Richard T. Bissen Jr  
For Transmittal to:  
Honorable Yuki Lei Sugimura  
April 23, 2024  
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Yes, the fees are for a petition to amend the rules. Page 30 of Appendix B in FY 2022 stated in part:

“Other Fees (not subject to exceptions above):

1. Adoption, Amendment or Repeal of Planning Commission and Rules and Regulations”

You may consider revising Appendix B to clarify the first paragraph.

**II. The rules for both Maui and Lanai refer to a fee of \$250. Should the fee be inserted here?**

Yes, however, the Matrix study suggests increasing this fee to \$2,609. If passed by Council, Planning will work with the Commissions to update rules. Excluding this information was an oversight.

**III. There appears to be no amount in the Molokai rule, which refers to a public hearing and notice fee as set forth in the County budget. Please also advise if a \$250 fee is appropriate for Molokai or what the fee should be.**

The fee should be \$2,609 per the Matrix fee study. If passed by Council, Planning will work with the Moloka‘i Commission to update rules.

**b. On page 32, “2. Petition to Intervene (non-SMA or Shoreline), the Molokai Planning Commission rule as cited does not contain authority for a fee. Please provide the appropriate citation.**

Corporation Counsel confirmed the authority does not need to be listed in the Commission’s rules. However, the Department will work with the Moloka‘i Planning Commission to clarify their fee authority and ensure consistency throughout the Commission rules

**c. On page 32, alongside “CHARGES FOR CURRENT SERVICES,” a “SPECIAL REVENUE/TRUST AND AGENCY FUND” is called out. What special fund is being referenced? Should the fees that are listed below the heading be deposited into the General Fund instead? Please explain.**

The Special Management Area Revolving Fund is being referenced. Section 3.49.010, Maui County Code, states in part: “Application fees for

Honorable Richard T. Bissen Jr  
For Transmittal to:  
Honorable Yuki Lei Sugimura  
April 23, 2024  
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special management area assessments and permits, and shoreline setback variances, collected by the department of planning shall also be deposited into the fund.” Therefore, the funds are deposited into the Special Management Area Revolving Fund.

- d. **The rules cited for the following fees do not contain authority for a fee. Please provide the appropriate citations:**
- i. **Page 33 - Shoreline Setback Applications, Maui, Molokai, and Lanai;**
  - ii. **Page 33 - Special Management Area (SMA) Permits, Lanai;**
  - iii. **Page 33 - Special Management Area Appeal, Molokai and Lanai;**
  - iv. **Page 33 - Shoreline Setback Appeal – Molokai (should be corrected to 12-304-16) and Lanai; and**
  - v. **Pages 33-34 – Petition to Intervene (SMA or Shoreline), Molokai and Lanai.**

Section 205A-29a, Hawai‘i Revised Statutes.

2. **In addition, I am anticipating making the following housekeeping revisions to your Department’s fees. Please advise if you have any concerns with these proposed revisions.**
- a. **Page 31. After “Flood Development Permit” insert “(until 9/30/2024)” with an Ordinance 5603 reference.**
  - b. **Page 32, paragraph 2. Petition to Intervene (non-SMA or Shoreline). It appears the Lanai Planning Commission rule should be changed to “12-401-40(b).”**
  - c. **Page 32. The citation for the Special Management Area (SMA) Permits (non-exempt) for Lanai should be changed to “12-402-15(a)(3).”**

No objections.

Mahalo for allowing us to respond to your requests.

Sincerely,



KATE L. K. BLYSTONE  
Planning Director

## BFED Committee

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**From:** Lesley Milner <Lesley.J.Milner@co.maui.hi.us>  
**Sent:** Tuesday, April 23, 2024 5:51 PM  
**To:** BFED Committee  
**Cc:** Janina Agapay  
**Subject:** (BFED-1)(PL-4)  
**Attachments:** (BFED-1)(PL-4).pdf

Aloha,  
Please see attached correspondence from the Department of Planning. Thank you!  
-Lesley

Lesley Milner  
Acting Budget Director  
County of Maui  
200 S. High Street  
Wailuku, HI 96793  
808-270-8239