

ADEPT Committee

From: Mapuana Kalaniopio-Cook <mapuana123@yahoo.com>
Sent: Thursday, June 5, 2025 10:04 AM
To: ADEPT Committee
Cc: Mavis I. Medeiros; Mapuana Kalaniopio-Cook
Subject: Bill 76 (2025) Amending the Comprehensive Zoning Ordinance on Mobile Food Trucks or Trailers in the Agricultural District
Attachments: Jun 5, Doc 1.pdf

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Aloha ADEPT Committee Chair, Gabe Johnson,

Here is my written testimony as mentioned in my live testimony this morning. Mahalo for all of your and the committee's hard work.

Aloha,
Mapuana

Sent from my iPhone

June 5, 2025

Gabe Johnson, Committee Chair
Council of the County of Maui
Agriculture, Diversification, Environment, & Public Transportation Committee (ADEPT)
200 South High Street
Wailuku, HI 96793-2155

Dear Committee Chair, Gabe Johnson, Committee Vice-Chair, Shane Sinenci and
Committee Members,

My name is Mapuana Kalaniopio-Cook, I am a lifetime resident of Hāna. I am writing to express my strong opposition to the proposed bill 76 (2025) Amending The Comprehensive Zoning Ordinance on Mobile Food Trucks or Trailers in the Agricultural District (ADEPT-4). This bill would permit food trucks or trailers to operate on agricultural land in our community. While I recognize the value of supporting local businesses, this legislation poses significant risks to the integrity of our agricultural zones and the well-being of our community.

Agricultural land is a vital resource dedicated to food production, environmental preservation, and sustainable land use. Allowing food trucks or trailers to operate on these lands could lead to several adverse effects, including:

1. **Environmental Impact:** Food trucks or trailers generate waste, such as food scraps, packaging, and potential spills, which could contaminate soil and water sources critical for farming. Increased traffic and parking may also compact soil, reducing its fertility and disrupting agricultural activities.
2. **Zoning Integrity:** Agricultural zones are designated to prioritize farming and related activities. Permitting commercial enterprises like food trucks and trailers risks undermining these protections, setting a precedent for further non-agricultural development that could erode our community's rural character and food security.
3. **Community Disruption:** Food truck & trailer operations may increase noise, traffic and litter, disturbing the tranquility of rural areas and potentially affecting nearby residents and livestock. These changes could also strain local infrastructure not designed for commercial traffic.
4. **Economic Concerns:** While food trucks and trailers may benefit some businesses, they could compete unfairly with established local restaurants and detract from the agricultural economy by diverting land use away from farming, which is a cornerstone of our community's identity and economy.

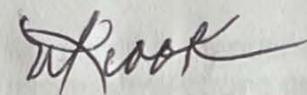
I urge you to consider the long-term implications of this bill and prioritize the preservation of our agricultural land for its intended purposes. Instead, I encourage exploring alternative locations for food trucks and trailers such as designated commercial zones or community events, to support small businesses without compromising our agricultural heritage and landscape.

Mahalo for your attention to this matter. I trust you will carefully weigh the concerns of our community and make a decision that safeguards our agricultural resources for future generations.

Thank you, 2025-2155

Mapuana Kalaniopio-Cook, Committee Vice-Chair, House District 1

Aloha,



Mapuana Kalaniopio-Cook
Hāna Resident

I am writing to you regarding the proposed HB 79 (2025) Amending The Code of Ordinances of the County of Maui to Permit Food Trucks or Trailers to Operate on Agricultural Land in an Community. While I recognize the value of supporting local businesses, this proposal poses significant risks to the integrity of our agricultural zones and the well-being of our community.

Agricultural land is a vital resource dedicated to food production, environmental preservation, and sustainable land use. Allowing food trucks or trailers to operate on these lands could lead to several adverse effects, including:

- Environmental Impact:** Food trucks or trailers generate waste, such as food scraps, packaging, and potential spills, which could contaminate soil and water sources crucial for farming. Increased traffic and parking may also compact soil, reducing its fertility and disrupting agricultural activities.
- Zoning Integrity:** Agricultural zones are designated to prioritize farming and related activities. Permitting commercial enterprises like food trucks and trailers risks undermining these protections, setting a precedent for further non-agricultural development that could erode our community's rural character and food security.
- Community Disruption:** Food truck and trailer operations may increase noise, traffic, and litter, disturbing the tranquility of rural areas and potentially affecting nearby residents and livestock. These changes could also strain local infrastructure not designed for commercial traffic.
- Economic Concerns:** While food trucks and trailers may benefit some businesses, they could compete unfairly with established local restaurants and detract from the agricultural economy by diverting land use away from farming, which is a cornerstone of our community's identity and economy.

My name is Eve Hogan, My husband and I are the owners of The Sacred Garden and I am a member of the Ag Working Group. I am testifying on behalf of myself and the farmers who weren't able to be here today.

I am testifying in favor of the Food Truck Bill 76

The Ag Working Group worked hard with Councilman Guzman years ago to make it legal to to sell food on Ag land. For years it has been legal. People invested in building businesses that serve our community and employ people. Every single one of us eats—not just tourists. The Food trucks and Farm stands feed locals too.... while supporting farming.

Now, suddenly, someone in planning decided to interpret the law differently and decimate small businesses and farms all over the island by prohibiting food trucks.

Let's keep in mind, the ability to sell food on Ag land is already allowed. The customers/visitors are already allowed. So the only difference with the allowance of food trucks is the structure that the food is sold out of—not the business itself.

Yet, in the event of a failed business-or death of the owner, or sale of a property, a food truck can easily be removed. A building cannot easily be removed, likely staying in place until it rots away, and it could also could easily be turned into an non-permitted dwelling.

In addition, to my knowledge, it is not illegal to park a Food Truck that is NOT in use on your property. You can have tractors, old cars, school busses....what ever...as a total eyesore. So outlawing them IN USE seems ridiculous.

I do not support the limitation of one only every 500 feet, The concern that everyone will get one, or even want one, is completely unfounded. It has already been legal for many years and that has not happened. The investment, the commitment, the skill set, the desire and the appropriate property are prohibitive and self-limiting in and of themselves. That is why I haven't done it myself in the last 10 years, even though we could have.

Thank you for your time and consideration in passing this bill and supporting farmers and agriculture on Maui.

June 5, 2025

Bill 76
Food Trucks and Trailers

Aloha and Good morning Chair Johnson and Council,

I'm testifying on the Food Truck and Trailer Bill #76, on behalf of myself, my 'ohana and the Ag Working Group. We all fully support this bill.

We were assured under the previous two administrations that Food Trucks and Trailers on a working farm or ranch were supported by the Planning Department. And that the definition of a Commercial Food Establishment, already defined in Title 16 that included food trucks and trailers, would be sufficient for the Planning Department and Zoning and Enforcement.

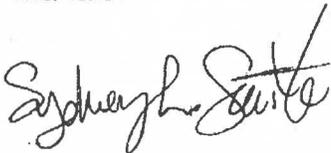
We at the Ag Working Group were shocked that Zoning and Enforcement was systematically shutting down our locally owned farm's and ranch's food trucks that we had worked to make allowable accessory uses back in 2015. This new unwritten policy was devastating to our producers that invested in these very expensive food trucks and had valued employees working the farm and the trucks. The income from the trucks often made the employment of farm workers possible. They were even registered with the Planning Department and operated for many years without issue. To help these families blindsided by this new policy, Ag Working Group, Councilmember Gabe Johnson and his staff worked quickly to clarify the language so that no one could shut down viable and allowable family farming businesses in the future.

As I testified on the previous bill, farming and ranching has never been more challenging than it is today. I don't think anyone in this room has any expectation that things will be easier in the future. So we need every tool we can get to keep our farms in local hands. This is just one thing that could help.

Ag Working Group supports the Planning Commission's recommendation to remove the 500 foot limitation. This could pit farmer against farmer and if two adjoining farms each want a food truck and they have the required parking and space, they should be able to have them. Food trucks and trailers are extremely expensive. The cost alone will limit their numbers. I was reminded recently by a farmer wanting to offer kosher selections that they would need two food trucks just to be kosher compliant.

I'd like to thank the farming families who trusted us at the Ag Working Group to fight for them rather than filing a class action suit. After discussing this with Council member Gabe Johnson and his hard working staff, we felt this was the fastest way to right the wrongs of an over zealous Zoning and Enforcement employee. And due to the disaster in West Maui and Upcountry in 2023 there was no oversight and no one to advocate for these farmers. We expedited these bills as fast as we could to help our farming families who have been adversely affected by these unwarranted policies.

Mahalo!



RECEIVED AT ADEPT MEETING ON 6/5/2025

Ag Working Group was formed in 2013 by the Ag Chair of Council who needed input from the Ag community. Members must be Farmers, Ranchers or Government representatives. We are comprised of neutral representatives from: Maui County Farm Bureau, Maui Farmers Union • Maui Coffee Association • Maui Cattleman's Association, Maui Flower Grower's Association • Hawaii Forest Association • Kula and Makawao Community Associations and include members from Hawaii State Department of Agriculture, Maui County Administration • East Maui Water Authority • Maui County Department of Environmental Management, Maui County Department of Water Supply, East Maui Water Authority, Hawaii Department of Land and Natural Resources and Maui County Council.



AG WORKING GROUP

⊘ 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



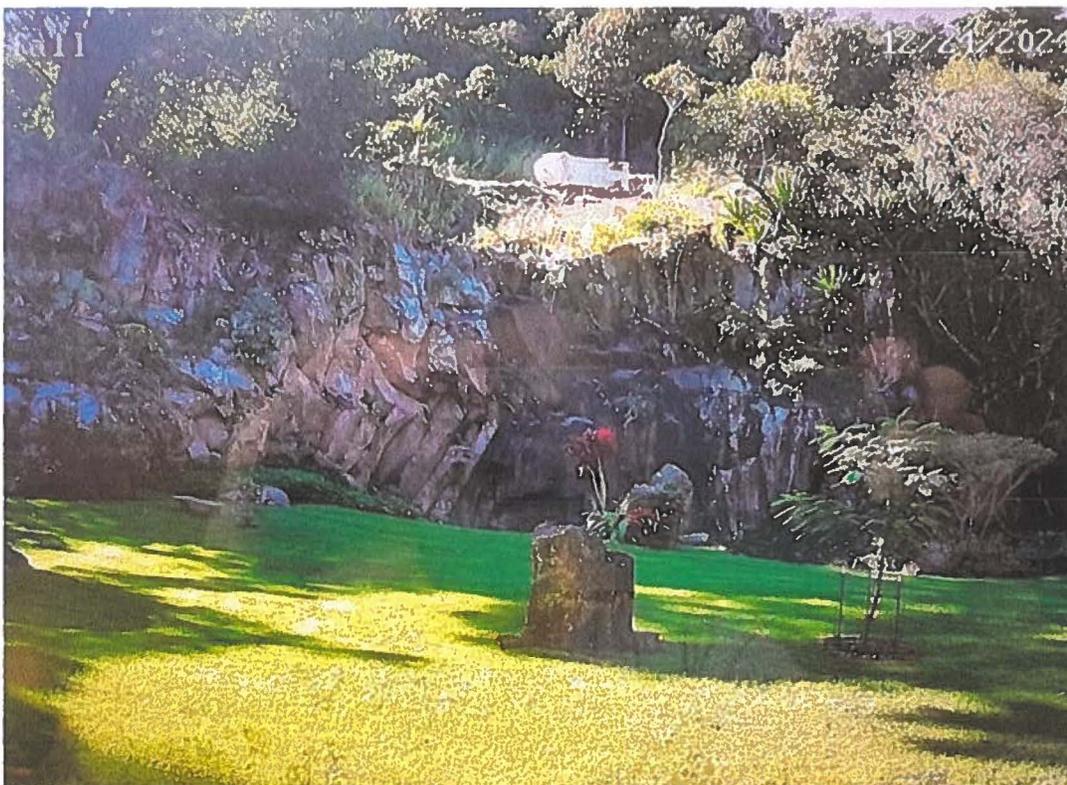
View of the waterfall (located within the farm's boundaries)



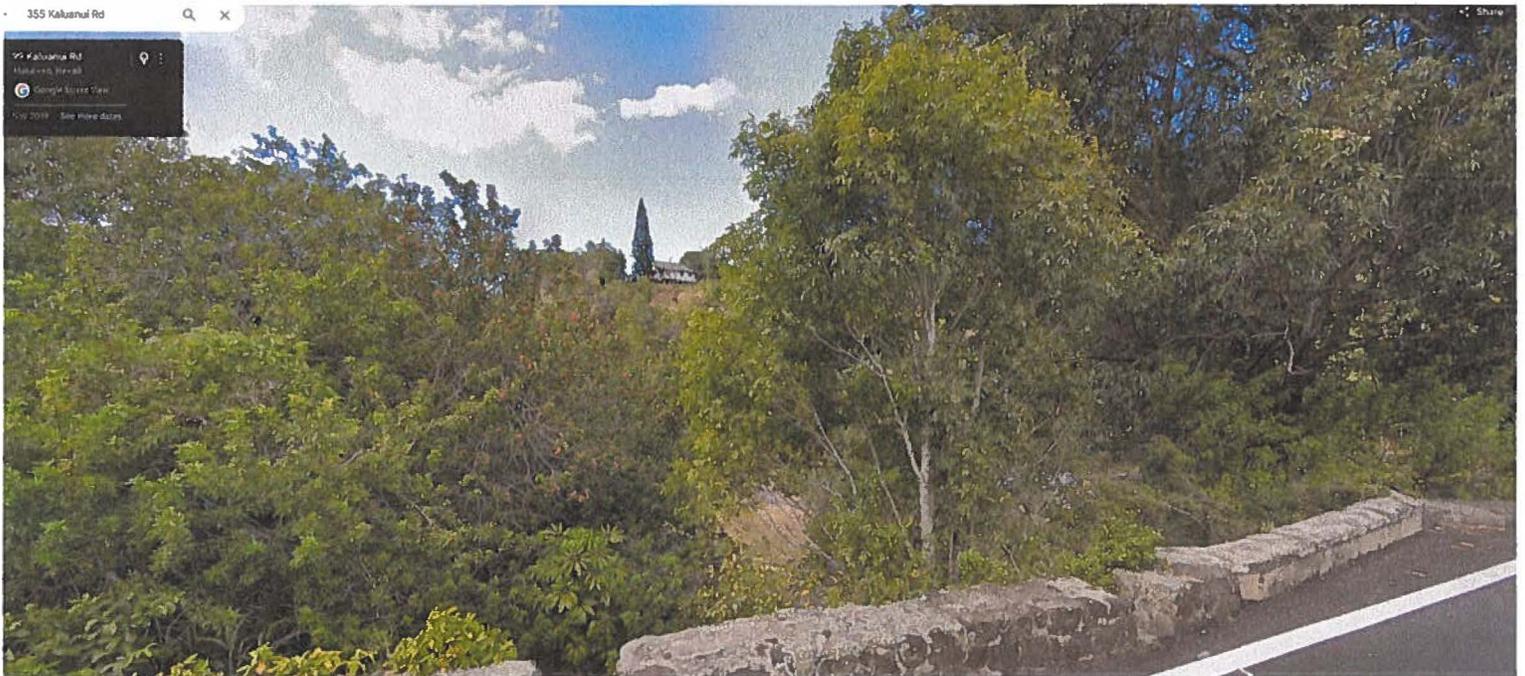
I purchased my farm as a private agricultural sanctuary — with no exposure to road traffic or tourism. It was meant to be a peaceful, healing space for both land and people.



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.

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.

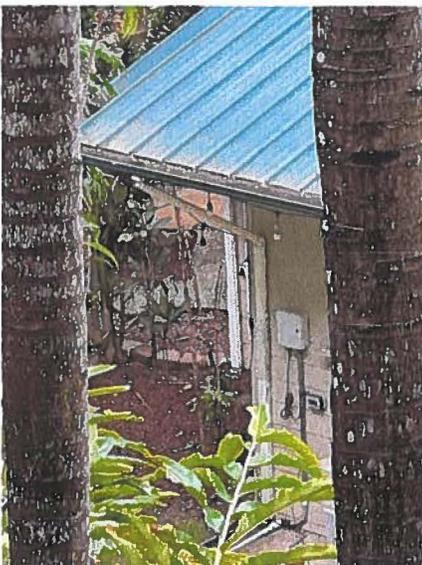
Before



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

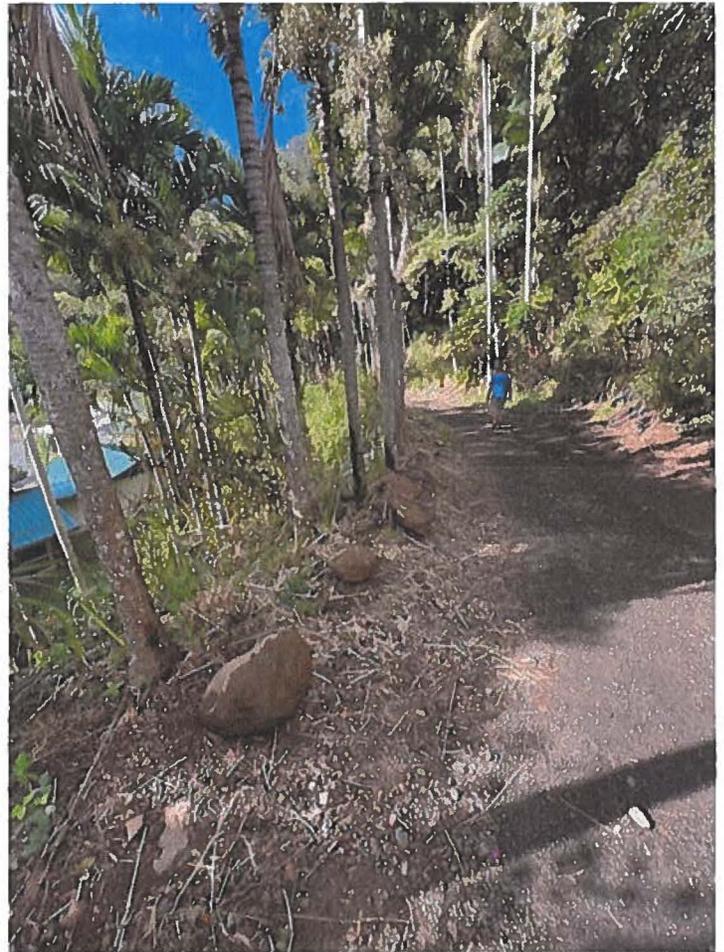


1998 Photo of the Restricted Easement

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.

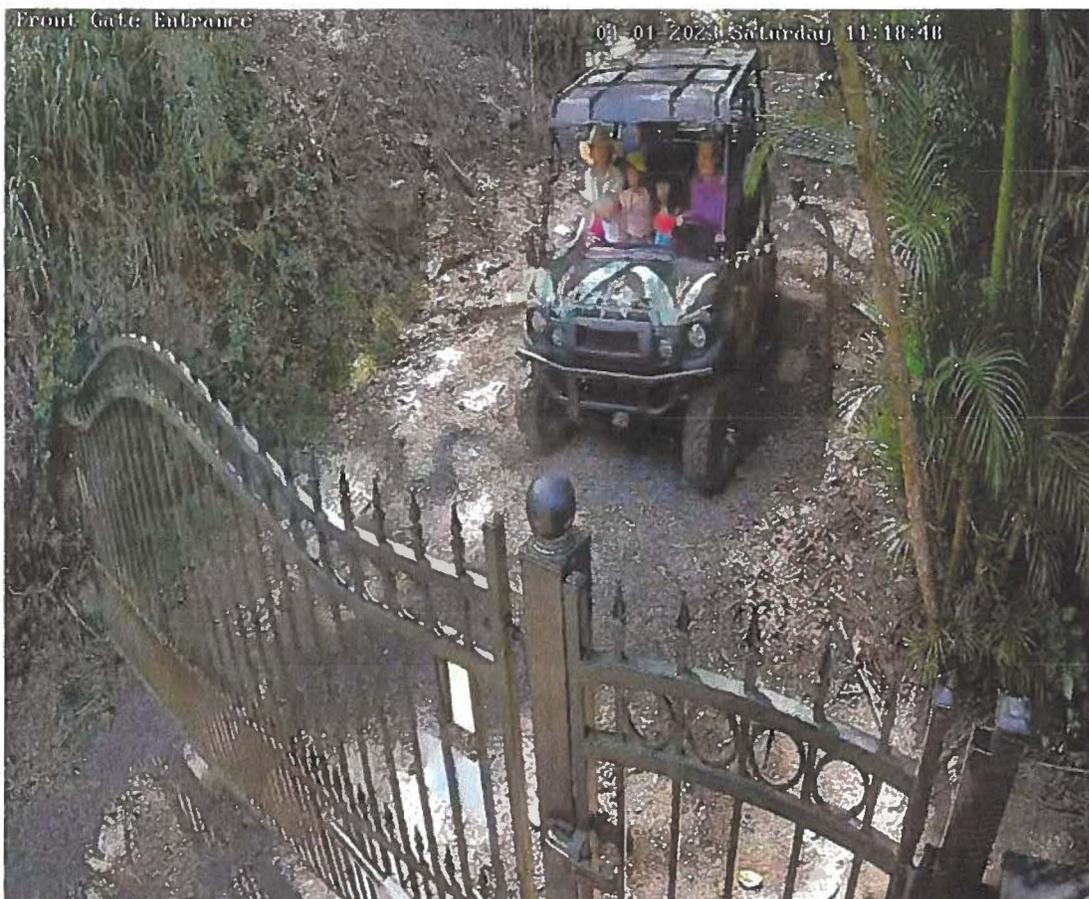
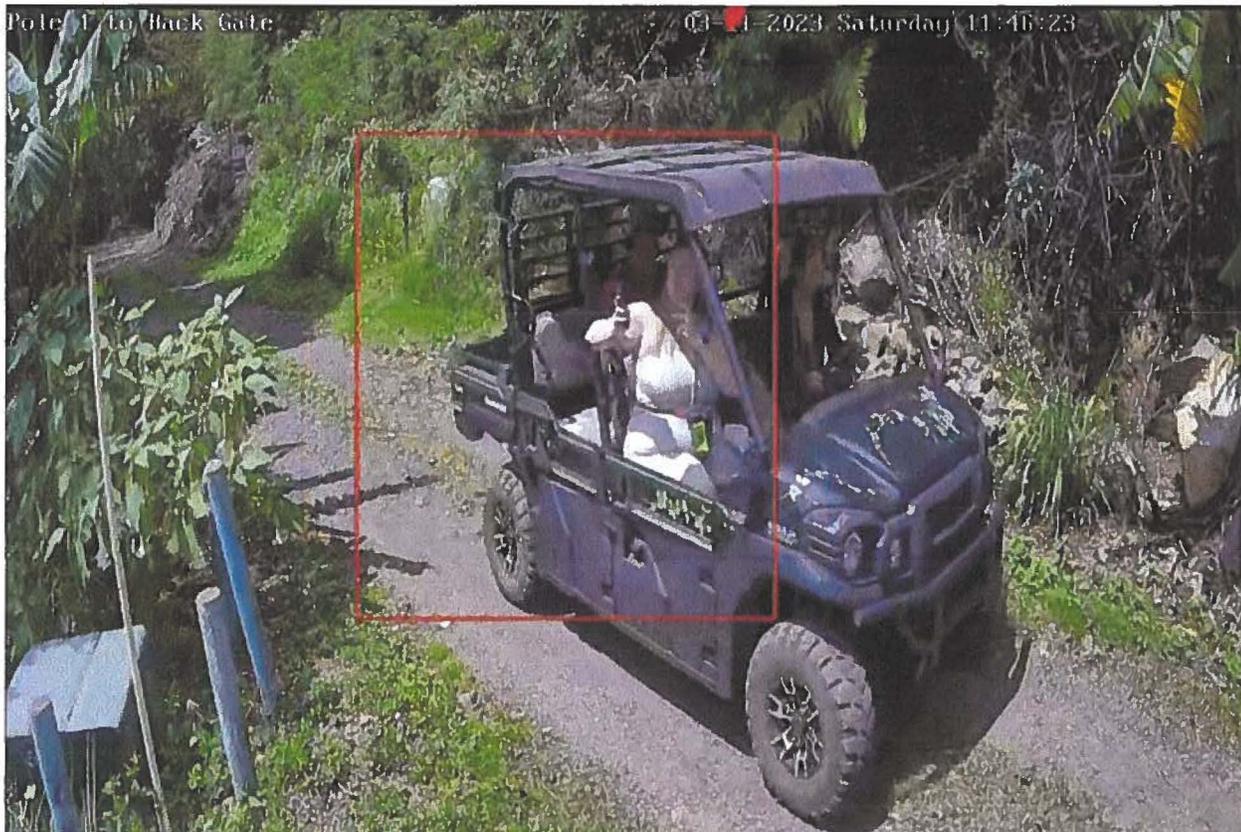


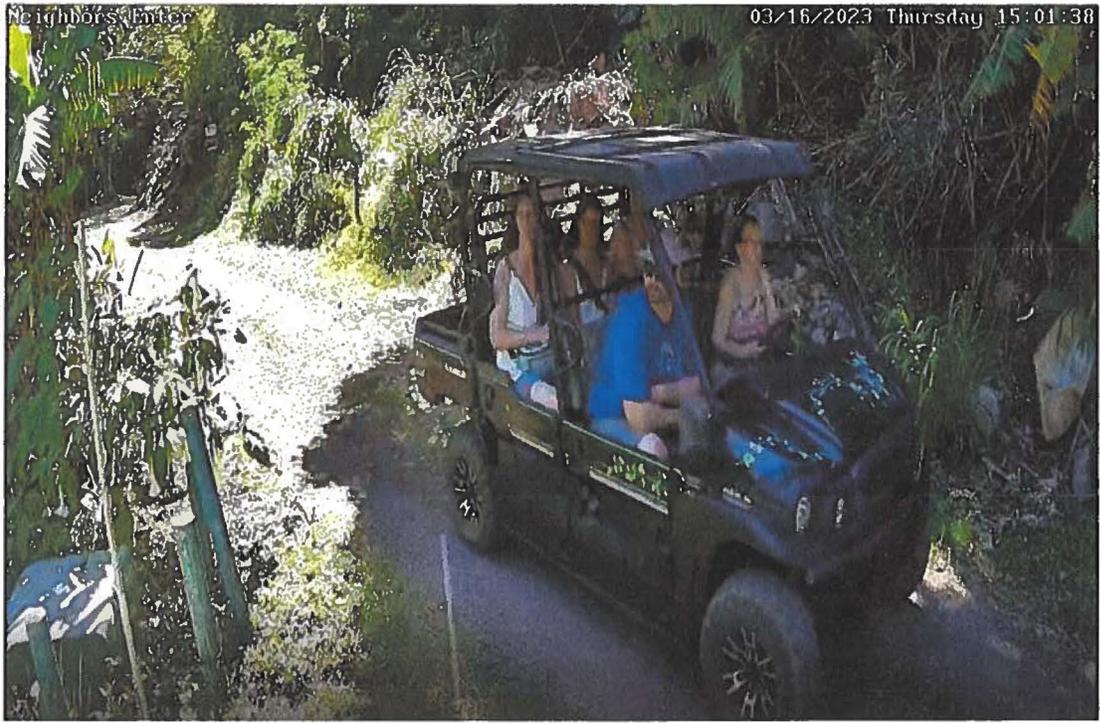
After removal of privacy hedge



A Small Sample of Tourists Flooding My Property

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





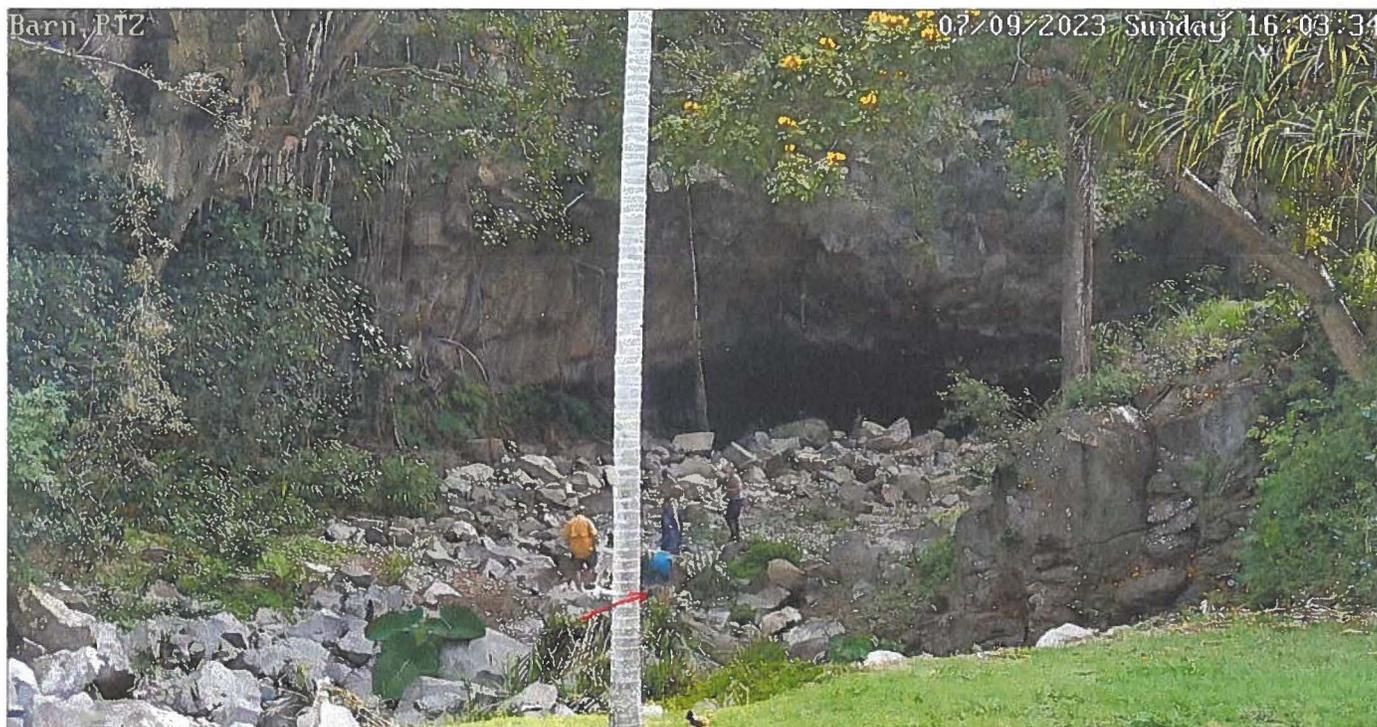
Tourists Committing Agricultural Theft

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@sacredwailelefarm.com