



COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION  
HAWAII CHAPTER

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2021 MAY -7 AM 7: 56

OFFICE OF THE  
COUNTY CLERK

May 6, 2021

Chair Councilmember Alice Lee  
Vice-chair Councilmember Keani Rawlins-Fernandez  
Maui County Council

RE: **CC 21-210 - Veto of Bill No. 10 (2021), Draft 1, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.030, MAUI COUNTY CODE, RELATING TO RESIDENTIAL WORKFORCE HOUSING PROJECTS DEVELOPED UNDER CHAPTER 201H, HAWAII REVISED STATUTES".**

**Hearing date: May 7, 2021 at 9:00am**

Aloha Chair Lee and members of the Council,

Thank you for allowing NAIOP Hawaii to submit testimony in **STRONG OPPOSITION** to Bill 10—AMENDING SECTION 2.96.030, MAUI COUNTY CODE, RELATING TO RESIDENTIAL WORKFORCE HOUSING PROJECTS DEVELOPED UNDER CHAPTER 201H, HAWAII REVISED STATUTES. NAIOP Hawaii is the Hawaii chapter of the nation's leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders and other professionals.

Bill 10 requires projects created under HRS § 201H to provide a minimum of 75 percent of the of total dwelling units for very low, low, below-moderate, and moderate-income households, unless a percentage, which is greater than 50 percent is approved by council resolution. The measure is intended to change the way affordable housing is built to increase the production of workforce housing. However, this is simply not the case. The passage of Bill 10 contradicts the urgent need to expand housing opportunities for Maui County's workforce by further limiting the type of housing inventory and increasing the cost of the county's limited housing supply.

Maui is in dire need of more affordable housing for its residents, and Bill 10 will only make Maui's housing crisis worse. On its face 75 percent requirement appears to enable the creation of more affordable housing, however, drawing from previous policy it is apparent that additional regulations actually deter the development of new housing projects and new homes due to the causative financial infeasible effect. For example, in 2006 Maui enacted a similar requirement mandating 50 percent of units in residential development projects to be workforce housing. Since it's inception in 2006 only three workforce housing



COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION

HAWAII CHAPTER

projects were built until 2014 when affordability requirements were reduced. Additionally, construction permits and bid results heavily declined during that time span leading to construction employment falling by 53 percent and a loss of more than 3,000 jobs. The subsequent amendment reducing the requirements in 2014 resulted in hundreds of units becoming available to Maui's workforce.

Furthermore, this measure will severely reduce affordable housing availability for Maui's workforce as the county recovers from the impacts of COVID-19. Bill 10 will severely limit the type of housing inventory and increase the cost of housing at time where many residents are economically vulnerable and recovering from the impacts of the pandemic.

In sum, NAIOP supports the Mayor's veto of Bill 10 and **strongly opposes** the measure. Bill 10 will lead to less workforce housing contrary to the measure's intent. Increased regulation will deter the development of affordable housing and lead to a loss of jobs at a time which Maui residents are recovering from the economic impacts of the COVID-19 pandemic. The council should consider the impacts of similar policy passed in 2006 and work to find creative solutions that will incentivize the development of affordable units.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read "Catherine Camp", with a long, sweeping flourish extending to the right.

Catherine Camp, President  
NAIOP Hawaii





Mobile: 808.428.8717  
Email: lindaschatz@schatzcollaborative.com  
Schatzcollaborative.com

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OFFICE OF THE  
COUNTY CLERK

May 6, 2021

**Council of the County of Maui**

200 South High Street, 8<sup>th</sup> Floor

Wailuku, Hawaii

**SUBJECT: Bill 10 (2021)/CC21-210**

Aloha Council Chair and Members,

**I strongly oppose Bill 10 (2021)**

Please do not override the Mayor's veto by voting for this bill. The facts are clearly stated:

- In 2006, Maui County Council increased the affordable requirement from 25% to 50% and this ordinance went into effect from 2007 to 2014. **During that 8-year period only 13 housing units were produced.**
- In 2014, the Council changed the affordable workforce requirement from 50% to 25%. The following year, 56 affordable/workforce units were permitted and since then **an average of 220 affordable/workforce units have been permitted from 2015 to 2020.**
- 220 units per year is not enough to meet the increasing demand for housing in Maui County and it is also clear that reducing restrictions and requirements increases housing production based on the two previous facts.
- If this Bill is enacted, many housing developers will develop elsewhere on other islands where restrictions are not so stringent. The proponents of this bill act like there are developers lined up to build housing on Maui, there are not. You will just lose good developers, their skills, their money, their investors to other islands that do not have this high requirement. Hawaii Island, Oahu, Kauai does not have this requirement – they will overlook Maui.
- Non-profit developers – 100% affordable need subsidies they rely on tax credits and a trust fund that is taxpayer funded. They require an average of \$150K of subsidies per unit and there's not enough money to go around.

Increasing the 201H affordability requirement to 75% of the units will NOT PRODUCE more projects. And we have the benefit of experience in Maui County to show us that this policy, well intentioned as it may be, simply backfires. It will in fact stop projects from moving forward and



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result in the further gentrification of Maui. This is truly a bill that benefits market rate and high-end homeowners to keep Maui out of the hands of local families.

Thank you again for the opportunity to submit this testimony. If there are any questions, or if additional information is needed, please do not hesitate to contact me at (808)428-8717.

Warmest Regards,

A handwritten signature in black ink, appearing to read "Linda Schatz", written in a cursive style.

Linda Schatz  
Principal



*Maui Hotel & Lodging*  
ASSOCIATION

Testimony of  
Maui Hotel Lodging & Association

Maui County Council  
County Meeting

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COUNTY CLERK

CC 21-232: AMENDING THE BUILDING CODE TO ADD CHAPTER 40 RELATING TO A MORATORIUM ON  
BUILDING PERMITS FOR HOTELS

Chair Lee and members of the Maui County Council, Mahalo for the opportunity to submit testimony on behalf of the Maui Hotel & Lodging Association.

The Maui Hotel & Lodging Association (MHLA) is the legislative arm of the visitor industry. Our membership includes 195 property and allied business members in Maui County – all of whom have an interest in the visitor industry. Collectively, MHLA's membership employs over 25,000 residents and represents over 19,000 rooms. The visitor industry is the economic driver for Maui County. We are the largest employer of residents on the Island - directly employing approximately 40% of all residents (indirectly, the percentage increases to 75%).

It should be noted that the findings of this proposed measure cite tourism statistics from 2019 that do not take into account the pandemic. The industry will continue to face challenges to recover after a year-long depression in visitor arrival numbers.

Restricting construction, expansion, or renovation would only harm other sectors of our economy like construction and other trades that have survived the pandemic. Building permits of all types ultimately mean more projects and, by extension, more jobs for Maui residents. It would seem self-destructive to enact such limiting constraints on both the travel industry and the trades in Maui which is historically the county most reliant upon tourism for its economic well-being. This fact was made especially clear during and throughout a pandemic that has left Hawai'i with the highest unemployment rate in the nation.

In addition to opposing the bill itself, we strongly oppose its assumption that the moratorium will "lower carbon-emissions levels, mitigate climate-change impacts, and limit the rate of global warming by pausing visitor accommodation development". It is our position that the work to be accomplished as described in this bill falls under the Infrastructure & Transportation Committee whose duties have a long-term focus on construction, environment, sustainability, and utilities. These elements will ensure that future development is held accountable for growth and improving Maui's quality of life.

**For all these reasons, MHLA strongly opposes this bill and its proposed measure.**



Maui Hotel & Lodging  
ASSOCIATION

Thank You for the opportunity to offer this testimony.

Michael Pye  
Fairmont Kea Lani

Angela Vento  
Wailea Beach Resort

Gregg Nelson  
Napili Kai Beach Resort

Gregg Lundberg  
Westin Maui Resort & Spa

Michael Cuthbertson  
Destination Residences Hawaii

Aaron Placourakis  
Tri-Start Restaurant Group





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May 6, 2021

Councilmember Alice Lee, Chair  
Councilmember Keani Rawlins-Fernandez, Vice Chair  
Members of the Maui County Council

RE: **MORATORIUM ON VISITOR ACCOMMODATIONS DEVELOPMENT IN WEST MAUI AND SOUTH MAUI**

**Hearing date: Friday, May 7, 2021 at 9:00 AM**

Aloha Chair Lee and members of the Council,

Mahalo for the opportunity to submit testimony on behalf of Hawaii Hotel Association ("HHA") in **OPPOSITION** to the proposed bill in CC 21-232 relating to a Moratorium on Visitor Accommodations Development in West Maui and South Maui.

At the heart of this matter appears to be a desire to control the impact of tourism in Maui. While HHA supports responsible tourism, a moratorium on visitor accommodations development, as suggested in CC 21-232, is not the right approach for several reasons. First, the bill provides no evidence to suggest that a moratorium on building permits for visitor accommodations will provide any meaningful benefit to preserve Maui's environment or mitigate climate-change during the moratorium period. In fact, the number of hotel rooms in Maui have actually decreased in the past few decades. The presumption that preventing future construction of hotel rooms would promote climate change mitigation is entirely inaccurate.

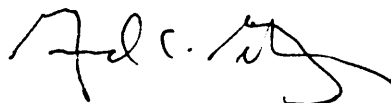
Second, instead of providing a better environment, the bill will negatively impact construction and tourism industries, and harm many Maui residents that rely on these jobs to provide for their families. The moratorium will eliminate hundreds of construction jobs during the two-year moratorium. In addition, the moratorium will also cause a substantial loss in good paying jobs and shutdown of local business in related industries which are critical to the recovery of Maui's economy. These job losses will further delay Maui's economic recovery and ultimately cause further outmigration of local families with generational roots.

Councilmember Alice Lee, Chair  
Councilmember Keani Rawlins-Fernandez, Vice Chair  
Members of the Maui County Council  
Page 2

Finally, the approach taken to implement a development moratorium seeks to circumvent due process and proper planning procedures. As with any other zoning or land use restrictions, a moratorium on development should be presented to the planning commission in order to be properly considered and vetted. CC 21-232 was not recommended or even considered by the planning commission, nor was there a period for public input prior to being introduced by the council. The public deserves the opportunity to provide input through proper planning procedures so that all affected have the chance to consider and provide input on the amendments. Circumventing the planning process in this manner would set a dangerous precedent for the moratorium being expanded to other geographic areas and to proper planning initiatives.

Simply put, HHA supports the need for responsible tourism and protection of Maui's precious resources. However, proper consideration should be given to the drastic consequences to Maui's community and economy caused by this measure. Accordingly, I respectfully ask that the council defer this measure.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read "Jerry Gibson", with a stylized flourish at the end.

Jerry Gibson, President  
Hawaii Hotel Association



## County Clerk

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**From:** Christopher Delaunay <cdelaunay@prp-hawaii.com>  
**Sent:** Thursday, May 06, 2021 7:02 PM  
**To:** County Clerk  
**Subject:** PRP Testimonies for Bill 10, Draft 1 and Communication No. 21-232  
**Attachments:** PRP Testimony\_Bill 10 Veto \_MAUI COUNCIL\_7 May 2021.pdf; PRP Testimony\_Communication 21-232\_Moratorium \_MAUI COUNCIL\_7 May 2021.pdf

**Importance:** High

Aloha,

Attached please find two testimonies from PRP for tomorrow's May 7, 2021: 1) Testimony regarding the Bill 10 veto; and 2) Testimony regarding Communication No. 21-232.

Thank you,

**Christopher Delaunay**

Government Relations Manager  
DIRECT 808.380.8838  
EMAIL [cdelaunay@prp-hawaii.com](mailto:cdelaunay@prp-hawaii.com)



**Pacific Resource Partnership**

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Honolulu, HI 96813  
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COUNTY CLERK

Testimony of  
Pacific Resource Partnership

City Council  
Council of the County of Maui  
Councilmember Alice L. Lee, Chair  
Councilmember Keani Rawlins-Fernandez, Vice Chair

Communication No. 21-232—Moratorium On Building Permits For Visitor Accommodations

Friday, May 7, 2021  
9:00 A.M.

Aloha Chair Lee, Vice Chair Rawlins-Fernandez, and Members of the Council.

Pacific Resource Partnership (PRP) is a non-profit market recovery trust fund which represents approximately 7,000 men and women union carpenters and 240 large and small contractors. With our expertise in research, compliance, marketing, and project advocacy, we are committed to building a stronger, more sustainable Hawaii in a way that promotes a vibrant economy, creates jobs, and enhances the quality of life for all residents of Hawaii.

PRP writes in **strong opposition** to Communication No. 21-232, a moratorium on building permits for visitor accommodations. Halting all building permits for new hotels, resorts, timeshares and other visitor accommodations will limit job opportunities for those who need them the most during these difficult economic times—Maui's local workforce.

Moreover, this bill would unfairly penalize Maui's visitor industry, including Maui's local workforce and businesses that depend on this industry to survive, in an attempt to mitigate the impacts of climate change. Climate change is a complex global issue with many contributing factors. This bill provides no documentation, scientific studies or evidence to suggest that a moratorium on building permits for new hotels, resorts, and other visitor accommodations will lower carbon emissions or mitigate climate-change impacts.

Instead of a moratorium on accommodations development, we recommend that this council defer this measure and consider policies that will significantly lower carbon emissions while protecting Maui's economy and workforce, such as supporting the development of renewable energy projects. The development of renewable energy projects provides a valuable opportunity to stimulate Maui's economy, both by creating new jobs and by creating infrastructure which can help lower energy costs to consumers and businesses.

Given the above, we respectfully request that you defer this measure. Thank you for the opportunity to submit written testimony.



Testimony of  
Pacific Resource Partnership

City Council  
Council of the County of Maui  
Councilmember Alice L. Lee, Chair  
Councilmember Keani Rawlins-Fernandez, Vice Chair

No. 21-210—Mayor, notifying of his veto of Bill 10 (2021), Draft 1

Friday, May 7, 2021  
9:00 A.M.

Aloha Chair Lee, Vice Chair Rawlins-Fernandez, and Members of the Council.

Pacific Resource Partnership (PRP) is a non-profit market recovery trust fund which represents approximately 7,000 men and women union carpenters and 240 large and small contractors. With our expertise in research, compliance, marketing, and project advocacy, we are committed to building a stronger, more sustainable Hawaii in a way that promotes a vibrant economy, creates jobs, and enhances the quality of life for all residents of Hawaii.

PRP writes in **strong opposition** to Bill 10, Draft 1 and the override of the Mayor's veto.

Contrary to Bill 10's intended purpose, an increase in the 201H affordability requirement threatens to halt the construction of new affordable housing projects in the County of Maui. Its impact on the creation of new housing would be significant, and cripple the county's potential for economic growth, especially as it works to overcome the effects of the pandemic.

Bill 10 will likely remove an important tool in the toolbox from developers who choose not to use government (state/county) funds to build affordable housing units. If this important tool is removed, projects may need to depend on public funds in order to pencil out. Housing projects on Maui that are 100% affordable have relied on government subsidies in order to make them work.

Historically, the implementation of ill-advised policies has resulted in sharp losses in construction jobs. In late 2006, the County of Maui enacted an ordinance requiring 50% of the units in residential development projects be workforce housing. A law enacted in 2007 required developers to provide proof projects had sufficient long-term sources of water, adding further burden and cost to the developer. These policies, along with the Great Recession, triggered a construction industry slow-down which wasn't reversed until the 50% requirement was lowered to 25% in 2014. Between December 2006 and January 2011, construction employment in the County of Maui construction employment fell by 53%, a direct loss of over 3,000 construction jobs. These are not jobs that the industry or Maui can afford to lose.

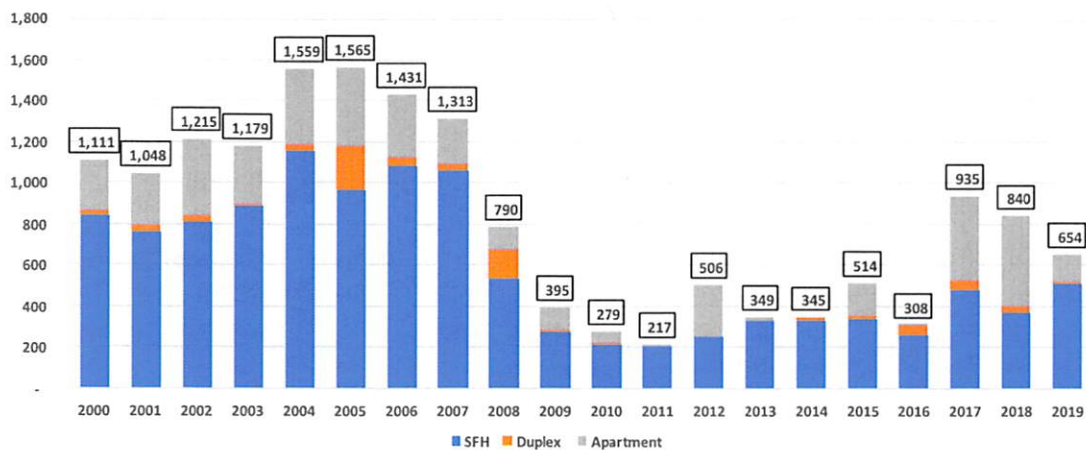
We also know that the imposition of a 50% workforce housing requirement failed to produce significant growth in housing construction, especially of affordable housing units. Maui sacrificed the needs of residents



**(Continued From Page 1)**

for an ill-considered policy that ignored market realities. We should learn from the mistakes of the past and not take Maui residents down the same road again.

## Maui County— new private residential unit authorizations 2000-2019



Sources: DBEDT (Data Book Table 21.07), PRP

Moreover, Maui's economy has been the hardest hit by the pandemic. Efforts to limit the one sector (construction industry) that has held up during the downturn are illogical and unwise. Bill 10 will not benefit housing supply, local families, or the local economy. Instead, it will limit housing and job opportunities for those who need them the most during these difficult economic times—the residents of Maui.

Given the above, we respectfully request that you uphold the Mayor's veto of Bill 10 (2021), Draft 1 and ensure that more affordable housing can be built on Maui.



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Hawai'i  
Construction  
Alliance

OFFICE OF THE  
COUNTY CLERK

P.O. Box 179441  
Honolulu, HI 96817  
(808) 220-8892

May 6, 2021

The Honorable Alice L. Lee, Chair  
The Honorable Keani Rawlins-Fernandez, Vice Chair  
and Members  
Maui County Council

**RE: OPPOSITION to County Communication 21-232 – Amending the Building Code to Add Chapter 40 Relating to a Moratorium on Building Permits for Visitor Accommodations**

Dear Chair Lee, Vice Chair Rawlins-Fernandez, and members:

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

We write in opposition to Council Communication 21-232 as the proposed bill would stop the issuance of new building permits and would halt a major portion of the construction jobs necessary to Maui County's recovery from the pandemic.

The broad scope of this moratorium falls squarely on the back of working families that are already struggling to survive in a county with the highest cost of living in the nation.

Growth in Maui's hotels lodging capacity ended 25 years ago, while the explosion of bed and breakfast and vacation rentals have directly contributed to over-crowding of beaches and other public spaces.

These short-term rentals sap critical housing supply from the local community and do not create the job growth and economic security that "traditional" hotels provide for the population of Maui.

Most importantly, while the visitor industry is still struggling to recover from COVID, this moratorium crushes any shovel ready projects that blue collar workers are relying upon to outlast the fiscal tsunami created from the pandemic.

In an era of staggering job losses, why would the council take up an item that would only exacerbate the depression?

What other jobs can the working class in Maui turn to, during this moratorium?

Therefore, we request your support to defer Council Communication 21-232.

Mahalo,

A handwritten signature in black ink, appearing to read "Nathaniel Kinney". The signature is fluid and cursive, with a large, stylized "K" at the end.

Nathaniel Kinney  
Executive Director  
Hawai'i Construction Alliance  
[execdir@hawaiiconstructionalliance.org](mailto:execdir@hawaiiconstructionalliance.org)

## County Clerk

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**From:** Susan Bradford <sbradfordmaui@gmail.com>  
**Sent:** Thursday, May 06, 2021 10:34 PM  
**To:** County Clerk  
**Subject:** County Communication 21-232

Hello.... I am providing testimony for the Bill for a moratorium for Visitor Accommodation Development. County Comm 21-232 I totally support this bill. We need to stop and think about the future of Maui County. To only focus on tourist development will ruin the experience for everyone.

Thus, I believe tht this bill should be referred to the CARE Committee for deeper consideration and a broader discussion concerning sustainable tourism.

Thanks, Susan Bradford

Kihei



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## County Clerk

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**From:** Laakea Poepoe <poepoe@hawaii.edu>  
**Sent:** Friday, May 07, 2021 6:22 AM  
**To:** County Clerk  
**Subject:** Testimony 5/7 Council Meeting

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OFFICE OF THE  
COUNTY CLERK

CC 21-212 "APPOINTMENT OF MEMBERS TO THE BOARD OF WATER  
SUPPLY FOR THE COUNTY OF MAUI";

Aloha council members,

Please accept this testimony as a plea to reserve a seat on the Board of Water Supply for a Molokai Resident. I put my full support behind applicant Juanita Colon, who is highly qualified and whose presence on the board will benefit the entire county. Maui residents currently occupy 7 and likely to be 8 or 9 seats on the Board. Is one seat for Molokai too much to ask? Molokai has been historically underrepresented on this critical board despite the fact that we have county water infrastructure, water issues, and an upcoming WUDP. I understand that you either approve or deny the names sent down by the Mayor, and if the Mayor won't prioritize Molokai, I hope that you will by holding a seat until a qualified Molokai candidate is put forth.

Mahalo  
La'a Poepoe  
Molokai Resident



I, Tanya Maile Naehu, a resident, community organizer and educator write this testimony to urge you to secure and prioritize a "Molokai" seat on the County Board of Water supply. Juanita Colon should fill this seat for this term. She is knowledgeable about Moloka'i's water systems both natural and man-made, she is from Moloka'i, she is a Kanaka Maoli raised in Ho'olehua on Hawaiian Homestead, and she has worked with water management for nearly her whole adult life. Truthfully, I was waiting for the day that Juanita would hold a position that she was meant to be in, like this one.

Moloka'i has it's own unique watershed and aquifer system that cannot be confined by the regulations and decisions made for Maui island watersheds, wells, reservoirs, etc. Ten years is far too long to continue with the lack of Moloka'i's voice on the Board. Please know that although I speak for myself and my keiki, I know that all of Moloka'i feels the same. Keep Moloka'i, Moloka'i. That means our experts from our island who love it as an 'ohana member need to have a seat at the table when we are discussing Moloka'i, that is just the pono thing to do. If you were completely able and competent enough to care for your own family members would you ask someone else to care for them?

Mahalo for hearing my kâhea, now I trust that the pono decisions will move us forward. As King Kamehameha said, "*Imua e nā poki'i a inu i ka wai 'awa'awa, 'a'ohe hope e ho'i mai ai.*" Which translates to: Forward my young brothers and drink of the bitter waters, there is no turning back.

Mahalo

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## County Clerk

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**From:** Kilia Purdy-Avelino <kpurdyavelino@gmail.com>  
**Sent:** Friday, May 07, 2021 8:25 AM  
**To:** mayors.office@co.maui.hi.us; County Clerk  
**Cc:** Keani N. Rawlins; Kelly King; Zhantell K. Lindo  
**Subject:** Maui County Board of Water Supply, Molokai Seat Appointee

> Aloha e Mayor Victorino and Maui County Council,

> My name is Kilia Purdy-Avelino from Ho'olehua, Molokai. I, along with my husband, Justin Avelino, and our 4 children, who are native beneficiaries of the Hawaiian Homes Commission Act 1920 (HHCA), understanding the value of our precious waters and native Hawaiian water rights as written in the HHCA, urge you to honor the voices and people of Molokai by placing Ms. Juanita Colon, Molokai-born and raised, highly qualified and knowledgeable in the area of water, to represent a seat on the Maui County Board of Water Supply for our island. It is long overdue and now that we finally have a qualified person to fulfill this kuleana, who has been appointed by our own people, it is now your kuleana to do your duty of listening to the people of our island. We don't see any reason for you not to do so.

> We believe she is the best person to keep Molokai informed and to advocate on our behalf on all Molokai water issues.

> Mahalo,

> Kilia Purdy-Avelino, Ho'olehua Homestead, Molokai

Sent from my iPhone

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## County Clerk

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**From:** Larry Stevens <lfstevens@earthlink.net>  
**Sent:** Friday, May 07, 2021 8:48 AM  
**To:** County Clerk  
**Subject:** CC 21-232

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COUNTY CLERK

Aloha Council

I support forwarding this item to the CARE committee. It is critical to consider the future of this important industry in the context of its impacts on our environment and our people.

Mahalo

Larry



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## County Clerk

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**From:** Frank "Bud" Pikrone <gm@wcamaui.com>  
**Sent:** Friday, May 07, 2021 9:32 AM  
**To:** County Clerk  
**Subject:** CC 21-232 Moratorium Bill

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OFFICE OF THE  
COUNTY CLERK

Aloha,

I am writing on behalf of the Wailea Community Association. This Council passed legislation to increase developer requirement for affordable housing to 75%, which since 2006 has shown not to help but only stall development. Now you have a bill that will stop the very development that is intended to pay for the affordable housing. Maybe that is the intention all along, to just stop all development.

So, what does this bill do for the people of Maui? Certainly not the things superfluously spread throughout the bill. Without development, the people of Maui will lose work/jobs. Without housing inventory, the people of Maui will see housing prices continue to soar.

This bill is flawed in it does not properly define "resorts" or "short-term rental homes", leaving that to the Councils whimsy. The bill also says it will automatically repeal itself after two year. But we all know it may take years to recover from it. Or not at all if this is intended to halt permits as the council morphs it into the community plan.

It is also completely irresponsible to not wait for your own study to be completed before any new legislation is considered.

I recommend you use common sense and not approve this bill.

Frank "Bud" Pikrone  
General Manager

**Wailea Community Association**

**Wailea Resort Association**

555 Kaunakahi Street  
Wailea, HI 96753  
808-874-6866  
gm@wcamaui.com





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2021 MAY -7 AM 9:42

OFFICE OF THE  
COUNTY CLERK

CC: Honorable Michael Victorino

County of Maui Council Members  
200 S. High Street  
Kalana O Maui Bldg 8th Floor  
Wailuku, HI 96793

May 6, 2021

Honorable County of Maui Council Members;

My name is Darla Palmer Ellison, and I am submitting this testimony on behalf of the Climate Action Advisory Committee, or CAAC, with data supplied by our EV/Energy subcommittee, Rob Weltman, and support from our Tourism subcommittee, Dr. Genesis Young.

The Climate Action Advisory Committee (CAAC) provides community input and proposals to the Maui County Council and Administration on issues related to the effects of the climate crisis on Maui County and actions to mitigate and adapt to them.

While the bill providing a MORATORIUM ON BUILDING PERMITS FOR VISITOR ACCOMMODATIONS may at first glance seem to primarily be about housing, the effects of increased tourism in worsening the climate crisis and eventually making Hawai'i unable to support human life are even more profound. The Hawaii State Legislature recognizes this urgency, declaring a climate crisis for the state. An increase in visitor lodging will inevitably result in an increase in visitor traffic and other environmental impacts. We therefore ask that this item be under the purview of the County of Maui Climate Action Resiliency and Environment (CARE) committee.

A 2010 study at UH Mānoa, published in Energy Economics, writes that "emission rates generated by visitor demand are estimated to be higher than that of residents by a factor of 4.3 for carbon, 3.2 for methane, and 4.8 for nitrous oxide." That is mostly due to the huge amounts of greenhouse gas emissions from trans-pacific flights and from intense use of rental ground transportation.

18M tons of CO2 equivalent emissions were generated by air travel in 2019 to and from Hawai'i. That can be compared to a total of 7.8M tons from all power plants and refineries, and 4M tons from all ground transportation.

Heroic efforts to speed up the transition to renewable energy and carbon-neutral ground transportation will continue to be dwarfed by the climate destroying effects of air tourism which is considerably beyond any remotely sustainable level. This data does not begin to address the impacts of tourism once visitors are on island, where tourist far outnumber residents and exceed community plans. Maui does not need more visitor accommodations and more visitor traffic. On the contrary, we desperately need to reduce them for both housing reasons and climate change reasons.

The CAAC urges the County Council to consider the potential climate crisis benefits of establishing a moratorium on building permits for hotels and to move forward the bill creating a MORATORIUM ON BUILDING PERMITS FOR VISITOR ACCOMMODATIONS through the CARE committee for further discussion and adoption. Over tourism is killing the environment and is going to kill tourism without action.

Respectfully,

Darla Palmer-Ellingson  
Climate Action Advisory Committee  
808-280-0949  
[360socialbiz@gmail.com](mailto:360socialbiz@gmail.com)

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**Mission**

*The Climate Action Advisory Committee serves to gather, assess and provide community input and resources to the Maui County Council, Maui County Administration, and others on climate emergency matters affecting Maui Nui.*



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

RECEIVED

2021 MAY -7 AM 10:28

OFFICE OF THE  
COUNTY CLERK

**Testimony on CC 21-232**  
**Amending the Building Code to Add Chapter 40**  
**Relating to a Moratorium on Building Permits for Hotels**  
**Friday, May 7, 2021**

Dear Chair Lee, Vice-Chair Rawlins-Fernandez and  
Members of the Maui County Council,

The Maui Chamber of Commerce opposes unilateral moratoriums because they are inflexible and opposes this proposed bill.

We opposed this moratorium previously when it only dealt with hotels and we are even more concerned about the rewrite to shift the purpose and broadening of this new proposal.

We are seeing many activities to chip away at our number one industry – the visitor industry – that we rely on heavily for our economic sustainability and jobs. Now is not the time to put in any inflexible measures that could further hurt the industry and add to the challenges created by eliminating funding for the Maui Visitors Bureau, the higher taxing hotels and hotel-zoned condominiums and a further tax increase for timeshares.

Additionally, the findings and purpose section of the bill was altered to present information on environmental impacts, with the stated purpose of this moratorium now “to lower carbon-emissions levels, mitigate climate-change impacts, and limit the rate of global warming by pausing the visitor accommodations development and the related increase in tourism.” While addressing climate issues are important and must be addressed, the original published intent was to keep West and South Maui the same until the community plan updates were completed. However, ultimately, this bill deals with building permits and development. Given this, we have significant questions about the process. It seems as if this would also change allowable zoning usage and we wonder if it should first go before the Planning Commission.

For these reasons, we do not support this measure, feel there are higher priorities to address and ask that this measure be deferred.

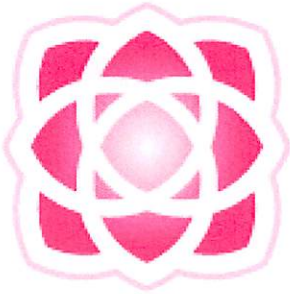
Mahalo for the opportunity to provide testimony.

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.





**MAUI**  
CHAMBER OF COMMERCE  
**VOICE OF BUSINESS**

RECEIVED

2021 MAY -7 AM 10: 28

OFFICE OF THE  
COUNTY CLERK

**Testimony on CC 21-210  
Override of Mayor's Veto of Bill 10  
Friday, May 7, 2021**

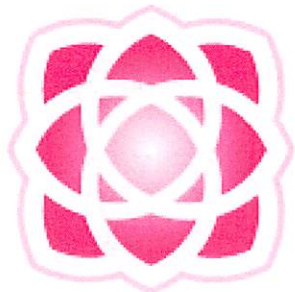
Aloha Chair Lee, Vice-Chair Rawlins-Fernandez and  
Members of the Maui County Council,

The Maui Chamber of Commerce is a strong advocate of affordable housing and rentals, which is why we have been so involved in testifying against Bill 10. We support the Mayor's veto of the bill and appreciate his thorough justification.

If we want affordable units built, we need all key players in the game. Given our crisis, we simply cannot bench important players at this critical time. We do not want to hurt our chances to maximize the number of units built, which is exactly what Bill 10 would do. As we have pointed out before, there are several aspects to Bill 10 that take away our key players:

- The increased rate may not pencil out for all builders and all projects, leaving projects that could be done at 50% +1 unit out of the game.
- While we understand that Council will consider projects between 50%-75%, the costs to even get a project to that point are extremely high and the home builder would be taking a big risk in the hopes that they would be approved at a lower rate.
- Many home builders build in Maui County because they are a part of our community and they genuinely care about building affordable homes and rentals. However, many also do projects throughout the state. If the regulations make it easier to build affordable units in another County, it incentivizes the home builder to build there instead. We feel this is a major issue with Bill 10, especially since 201H is a statewide process.

Additionally, as we and many others have pointed out several times, the Council has invested in the Hawaiian Community Assets plan, which is only about a month from their final report. We are excited by the draft presented, look forward to seeing the end results, and feel Bill 10 is premature based on the work they are doing.



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

Testimony on CC 21-210

Friday, May 7, 2021

Page 2.

After Bill 10 was passed, despite many negative comments directed at developers, Councilmember Molina shared that it was time to put down the gauntlet and work with the development community to get affordable housing and rentals units built. Given these comments, we are wondering if he reached out to and met with the home building community and if he learned any new information as a result that helps him, and the council better understand the challenges faced by some projects when the bar is raised to 75%. If this has not occurred, important work has not been done to mitigate our and other's significant concerns.

Therefore, we strongly urge you not to override the Mayor's veto of Bill 10. Let's not make the same mistakes of the past and instead push forward together to find winning solutions to boost our stock of affordable housing and rentals after hearing Hawaiian Community Assets plan.

Mahalo for the opportunity to provide testimony on this matter.

Sincerely,

Pamela Tumpap  
President

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