

**County Clerk**

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**From:** Dean Stelow <dstelow@nordev.net>  
**Sent:** Sunday, June 27, 2021 1:27 PM  
**To:** County Clerk  
**Subject:** Proposed 2 year hotel building ... moratorium

RECEIVED  
2021 JUN 28 AM 7:48

Aloha, my name is Dean Stelow and I am a resident of Kihei. I am asking you to please help pass the proposed 2 year hotel building and transient housing moratorium. Tourism visitor levels are out of control.

- thanks, Dean  
Dean Stelow | 920-217-5754

## County Clerk

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**From:** judith carroll <silkangelmaui@me.com>  
**Sent:** Sunday, June 27, 2021 6:37 AM  
**To:** County Clerk; maurice Jean pierre; Carroll Judith  
**Subject:** Measure #60

RECEIVED

2021 JUN 28 AM 7: 48

OFFICE OF THE  
COUNTY CLERK

Aloha

We are a couple, but twenty seven year Maui residents, prior homeowners, current business owners. We have lived in a rental house in Maui Meadows for the past 11 years. We are excellent tenants, senior citizens who paid rent on time even through the pandemic. Our home has been sold to some California "house flippers" who gave three households here 45 days notice to vacate. None of the three households are able to find a place to move. This is ALREADY a housing crisis on Maui. This bill is SO OVERDUE. If you folks do not start to take action Maui will not have any workers to serve the thousands of tourist you insist on bringing here because they will not have an affordable place to live. The fabric of our community is being torn apart. This bill is a big step in the right direction but it will not solve the bigger problem you folks have on your hands. Maui USED TO BE SPECIAL but it is quickly changing into a tourist trap. Over tourism with a race for accommodations, a race for a rent a car, a race for a dinner reservation, a bunch of cheap visitors who have never visited Hawaii racing around causing traffic jams, accidents, trampling on , and in general not respecting the host culture or any rules and regulations. If you don't switch lanes from your golden goose tourist economy to a more sustainable agricultural economy Maui will be nothing more than hotel after hotel on every beach, paid parking lots, limited if not charged for beach parking, with constant traffic jams. The real estate will be only for ultra rich non residents who come a couple of times a year. The lights on, water running and nobody home. Meanwhile Hawaiians and residents will be forced out as rentals skyrocket making it impossible to live here if you are not ultra rich. Maui is slipping off the number one island in the world list fast. This over tourism track you are on is a fast track to Maui becoming just another place on the list of "used to be beautiful but now trashed" yes trashed that is what is happening trashed! You will be remembered at this crossroads as leaders having the where with all to take BOLD ACTION to stop the trajectory of the tourism apocalypse or just the ones selling out Maui to the highest bidder. NEWS FLASH!! Maui residents are having to abandon their animals during a pandemic because they are being displaced by rentals being bought and sold to highest bidders from the mainland. Rental prices are untenable, and the Humane Society is at capacity meaning hard working residents are having to abandon their pets just to survive living on Maui. Please do the right thing and pass this bill or take a lot of photos now.

Mahalo to whomever reads this and may be moved to take action to pass Bill #60.

Judith Carroll RN.

Sent from my iPhone



RECEIVED

2021 JUN 28 AM 7:48

June 22, 2021

OFFICE OF THE  
COUNTY CLERK

Maui County Council Members

Re: Opposition to CR21-39

Aloha Council Members:

As a resident and business owner on Maui, I wholeheartedly embrace malama 'aina, and I concur with the Chamber of Commerce's letter to the Board. We are all responsible for perpetuating our State's motto - Ua Mau ke Ea o ka 'Āina i ka Pono. This includes providing a stable and prosperous environment for Maui residents - our ohana.

The moratoriums being considered will do more harm than good, and I am steadfast in my opposition against them.

Ms. Rawlins-Fernandez suggested the issue at hand is similar to someone wounded and bleeding out. While that overly dramatic analogy is far from accurate, without the local jobs, income, and stability that tourism, hospitality and construction provides (not to mention the county jobs associated with each of those industries), there would be no life-blood in our body to begin with! The wound she alludes to cannot be healed by stopping the heart from beating. It can only be attended to by capable and responsible physicians - in this case, the Maui County Council. It is their responsibility to create and approve appropriate community plans. Asking our residents to suffer while they do so is detrimental to the overall health of our community.

Current plans should be honored and kept in place until new ones are voted on and implemented. Halting progress so the Council can consider the way ahead would simply highlight its inability to fulfill its roles and responsibilities - all at the expense of Maui residents and businesses. Asking for this 'time out' only adds insult to injury and demonstrates a complete disregard for the economic duress of the people you are meant to serve.

According to DBEDT (<https://dbedt.hawaii.gov/economic/qser/construction/>) Hawaii lost 1300 construction jobs last year, and in the first quarter of this year Maui building authorizations are down nearly 30 percent compared to last year! How much more does the council need? What you are proposing is kicking us while we're already down.

The proposed moratoriums will have devastating and negative consequences on our ohana. A temporary 'solution' is not the answer. I encourage the council to vote NO on this proposal, and instead to use your time in developing the long-term solutions which can be found in an updated community plan.

Respectfully,

Frederic Steineck  
President

**County Clerk**

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RECEIVED

**From:** Bette Belanger <belangerblue@gmail.com>  
**Sent:** Monday, June 28, 2021 9:49 AM  
**To:** County Clerk  
**Subject:** Bill No. 60

2021 JUN 28 AM 9: 59

OFFICE OF THE  
COUNTY CLERK

I fully support a moratorium on building any more new hotels and vacation rentals. We need to preserve what green space still remains on Maui. We do not need to attract more tourists. In fact, we must do something to control the over tourism that we are currently experiencing. Please take action before it is too late.

Bette Belanger  
Kihei, HI

## County Clerk

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**From:** Garden of Eden Arboretum <info@mauigardenofeden.com>  
**Sent:** Monday, June 28, 2021 9:53 AM  
**To:** County Clerk  
**Subject:** Testimony for Hana Highway Traffic Management

RECEIVED

2021 JUN 28 AM 9:59

OFFICE OF THE  
COUNTY CLERK

June 28th, 2021

To Whom This May Concern,

We're grateful that the community and council members are coming together to discuss this important matter. Traffic on the Hana Hwy has escalated since the spring, with this summer being unprecedented.

At the Garden of Eden Arboretum and Botanical Garden (mile marker 10.5) we're doing our part to educate visitors, provide restrooms, and an experiential and educational experience with 2.5 miles of walking trails and waterfall overlooks, and a cafe. We are a small family run business that has been publicly operating since 96' and growing in popularity over the years. Our attraction breaks up much of the road congestion during the busy first half of the day.

Having the road shut down last year was detrimental for our business. At the time we were working to diversify into a plant nursery since tourism dropped off and the National Guard would not let customers through to pick up or buy their plant orders. We were happy to work with the DOT or the Mayor's office in creating a better solution or moving the check point to our location or just before Ke'anae, but we were not given an opportunity to be heard last year, despite our numerous calls, letters, and meeting requests.

We want to be clear that we **do not** support another closure of the federally funded highway, nor do we support a highway reservation system at this time. We need the income to continue operating with the increased costs of doing business. We cannot rely on tour buses. We have put in 30 years of blood sweat and tears and considerable resources into making our attraction what it is today. Our business model is founded around individual parties visiting. We contribute substantially in state tax dollars and community donations. If there is an anticipated closure or limit, we ask that you please work with us and implement it at or after our location. We're 26 miles from Hana and 6 miles before Ke'anae.

With our strategic location, we are happy to work with the community, to better inform our guests through additional signage, pamphlets, etc. It is our thought that if travel guide books and Road to Hana Apps update their content with updated information on what is private property and considered trespassing, what attractions require reservations, and proper road etiquette, this would be a big first step as well as targeting popular travel blogs or companies such as AAA that are frequently doing articles on the Road to Hana. It would also be helpful for hotels to educate their concierge so that the concierges can also address this with visitors. The rental car companies should include a small pamphlet for each season stating the road work that is occurring, available restrooms, road etiquette for the Road to Hana, and public and accessible stops along the Road to Hana. It would also be beneficial to have someone specifically posting these updates in the incoming traveler facebook groups such as "Maui Bound."

Once the general sentiment is that most popular stops along the road require reservations or have capacity restrictions, individuals will plan their trips to Hana differently which should help substantially.

While the new parking ticket signs have not alleviated the issues they have helped, especially with MPD enforcement. It is our recommendation that more signs are put in, where tourists are now parking just further up the road away from the signs (just past Waikamoi heading towards Hana.) It feels good to see more MPD

presence on the highway, which will encourage locals who at times drive recklessly, to slow down, and it will help in limiting overall crime.

What we're seeing right now with visitors is a lack of awareness and conscientiousness. Having been cooped up for a lot of last year likely contributes to this behavior. It would be wonderful if the airlines/ cruise ships could distribute something like the agricultural form everyone is required to fill out, but in the form of an agreement that they will minimize their environmental impact. An agreement that talks about many of the local issues and concerns and that the guest is committed to not being a part of the problem. Many of our guests do care and want to do right, they just feel uninformed. Visitor education is imperative.

Thank you and we look forward to working together.

Bradbury Family  
Garden of Eden Arboretum LLC

10600 Hana Hwy  
Haiku HI 96708



RECEIVED

2021 JUN 28 PM 12: 28

OFFICE OF THE  
COUNTY CLERK

Maui County Council Meeting

July 2, 9AM

Testimony provided by Nick Drance

Bill 60 Relating to a Moratorium on Building Permits for Visitor Accommodations

Chair Lee, you noted, in your objection to this Bill, that other solutions exist, and they can be found. You're right but they are few. Reducing the number of visitor accommodations was specifically mentioned in a recent University of Hawaii recent report. The additional reports and studies emphasize the need to respond to resident input. My oral testimony is a condensed from a more complete written testimony which includes citations and links to the reports.

**The official HTA Destination Management Plan for 2021-2023** cited significant declining resident sentiment toward tourism development. It cited 6 Objectives:

- Create positive contributions to the quality of life for Maui County's residents.
- Protection of Maui County's natural resources.
- Ensure the authentic Hawaiian culture is perpetuated
- Increase communication and understanding between the residents and the visitor industry. Receive input from their respective communities

**Destination Management Action Plan 2021-3**

**Hawaii Tourism Authority Report**

Noted Declining resident sentiment cited. It indicated that residents must have a voice in tourism development

Six objectives

- Create positive contributions to the quality of life for Maui County's residents.
- Protection of Maui County's natural resources.
- Ensure the authentic Hawaiian culture is perpetuated
- Increase communication and understanding between the residents and the visitor industry. Receive input from their respective communities

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Residents felt crowded out because 3-in-10 persons walking around Maui were visitors. Maui residents felt that tourism created traffic problems and increased the cost of living on island.

Pg. 12

The second greatest threat to Maui's tourism is Climate Change

Pg. 13

Maui Destination Management Actions

mentioned limiting the number of visitors to the island, as well as the number of rental cars.

## **Charting a new course for Hawaii Tourism**

U of Hawaii Economic Research Organization

February 14, 2019

Page 2

### **Economic Contributions.**

In real dollar terms, over the last 30 years, real tourist expenditures peaked in 1989 and likely fell short of the most recent peak in 2018. Increasing the number of tourists is in some respects, like a cat chasing its tail.

It noted the need for an entirely new management model and fresh new thinking.

Increasing costs for visitors

Reduce the number of visitor accommodations we have available

Targeted taxation

### **Additional information**

- Has Maui Reached its Tourism Limit- Maui News Letter to the Editor from Dick Mayer, Sept 9, 2018
- 18 Articles primarily from the Maui News from the last two years
- Rethinking Hawaii Tourism “Time to shift from Marketing to managing Tourism” Dated May 2018 University of Hawaii Economic Research Organization Reports

Note: Updated Visitor Industry Data is available here:

[https://data.uhero.hawaii.edu/#/category?id=36&data\\_list\\_id=52&sa=true&geo=MAU&freq=M](https://data.uhero.hawaii.edu/#/category?id=36&data_list_id=52&sa=true&geo=MAU&freq=M)

In summary, the moratorium is the main tool we have to attempt and degree of control over excessive tourism. The Countywide Plan is actually, and law and we must follow it. It's right to listen to the needs of residents. Please vote yes on this Bill.

Mahalo nui,

Nick

### **References and Citations follow**

#### **Destination Management Action Plan 2021-3**

Hawaii Tourism Authority Report

<https://www.hawaiitourismauthority.org/media/6860/hta-maui-action-plan.pdf>



Pg. 7

#### **Resident Sentiment**

- **The 2019 RSS report showed that resident sentiment had generally weakened** compared to the previous year.
- **Providing residents with a voice in tourism development**, creating jobs with opportunities for advancement, and creating shopping, dining and entertainment opportunities are key to improving resident sentiment

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#### **IV. Objectives**

There are six objectives to achieve the goals and vision of the DMAP for Maui Nui.

**OBJECTIVE 1** Create positive contributions to the **quality of life for Maui County's residents.**

**OBJECTIVE 2** Support the maintenance, enhancement, and **protection of Maui County's natural resources.**

**OBJECTIVE 3** Ensure the authentic Hawaiian culture is perpetuated and accurately presented in experiences for residents and visitors, materials and marketing efforts.

**OBJECTIVE 4** Maintain and improve visitor satisfaction of their experience in Maui County.

**OBJECTIVE 5** Strengthen the economic contribution of Maui County's visitor industry.

**OBJECTIVE 6** Increase communication and understanding between the residents and the visitor industry. Each island within Maui Nui has its unique personality, community, strengths and challenges. To capture these distinctions, and the input from their respective communities and steering committees, each island DMAP is presented separately in the following three sections: Maui, Moloka'i and Lāna'i.

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#### **V. Action Plan for Maui**

Visitor behavior may also be a cause for concern

- High number of repeat visitors (71%) who are usually independent travelers (81%).
- 83% do self-guided tours or drive around the island.
- Only 21% of visitors go to historic sites and 19% go to museums or art galleries

**The community's perspective on Maui's visitor industry in 2019 was not as positive. Residents felt crowded out because 3-in-10 persons walking around Maui were visitors. Maui residents felt that tourism created traffic problems and increased the cost of living on island. They also felt that visitors did not have respect for local culture or the 'aina, and their activities damaged the environment. However, specific quantitative metrics for resident sentiment of Maui residents are not published by HTA.**

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#### **Situational Analysis Summary for Maui**

The second greatest threat to Maui's tourism is *Climate Change*

Pg. 13

#### **Maui Destination Management Actions**

*The community also mentioned limiting the number of visitors to the island, as well as the number of rental cars.*

**NOTE:** The HTA is not structured to perform the tasks it is charged with

**DLNR Chairwoman Suzanne Case** points to a social media campaign run by the Hawaii Convention and Visitors Bureau, one of HTA's marketing partners.

"I have to throw my colleagues at HTA under the bus, and I really like working with them and they're trying, but their catchphrase (is) '*Let Hawaii Happen.*' I don't know how many times I've looked at that and said, '**Seriously? The implied consent to do whatever and 'Let Hawaii Happen.'**'

"And that's a branded, big time, multimillion-dollar funded slogan traveling the world right now. And we're dealing with the fruits of that perception. It's happening all right."

## **Charting a new course for Hawaii Tourism**

U of Hawaii Economic Research Organization

**February 14, 2019**

<https://uhero.hawaii.edu/wp-content/uploads/2019/08/ChartingANewCourseForHawaiiTourism.pdf>

### **Page 2**

#### **Economic Contributions.**

The economic contributions of tourism have not kept pace with explosive growth in visitor arrivals. Despite the fact that Hawai'i received 2.8 million more visitors in 2017 than in 1989, real (inflation-adjusted) receipts were \$1.1 billion less in 2017 than in 1989. **Real expenditures** in 2017 dollars **peaked at \$17.9B in 1989** and then fell and rose with economic cycles, but **likely still fell short of the peak again in 2018**. This means that Hawai'i tourism is a smaller overall contributor to the state's economy than in 1989.

### **Page 5**

#### **Opportunities for improving the existing model**

The ultimate solution for visitor industry sustainability will require developing a *new model* that overcomes this distribution of authority and significantly expands the resources available to effect change.

Significant improvements in tourism management will require a *new management model* that specifically addresses current structural deficiencies.

#### **What's the solution?**

**Increasing costs** for visitors to arrive here appears to be the most effective method in reducing their numbers. The airlines won't cooperate because they need and want the revenue. The best we can do is **reduce the number of visitor accommodations we have available**. The Bill before us is the very best we can do, at this moment.

#### **Necessary Changes that are Difficult or Impossible to Implement Using the Current Management Model**

Significant improvements in tourism management will require a *new management model* that specifically addresses current structural deficiencies

The volume of tourism in Hawai'i has reached a point where the management of tourism will require **fresh thinking regarding restrictions**, fees, or new management technology – including higher or better targeted taxation to increase the resources available for tourism management.

### Marion Joppe

Professor in the School of Hospitality, Food and Tourism Management; Graduate Faculty, University of Waterloo  
**17 The roles of policy, planning and governance in preventing and managing over tourism**

#### **Pg. 7 Governance**

“Governance determines who has power, who makes decisions, how other players make their voice heard and how account is rendered” (Institute on Governance, n. d.).

#### **Pg. 7. The need for planning**

Almost all the destinations suffering from over tourism have lost much of whatever power they had to control development and/or determine tourist flows to exogenous sources of capital (e.g. cruise lines, low-cost airlines and international hotel chains).

#### **Pg. 9 Conclusion**

**Over tourism starts with short-term thinking** on the part of politicians too focused on reelection and who have bought into the notion of unrestrained free-market capitalism, and is fostered by the ignorance of bureaucrats and *the lack of courage to confront politicians about long term consequences*, as well as by greed on the part of businesses, which are more concerned with grabbing as much as possible of the shared resources for their own profit while externalizing as many of the costs as possible. The backlash to tourism did not happen overnight: it has built up slowly over decades (see, for example, Doxey, 1975).

(Boztas, 2017). Addressing the issue of over tourism requires a transformation in how the capitalistic forces driving tourism's growth are harnessed. The focus must shift from raising tourist numbers and receipts to **improving the quality of resident life** and of tourism experiences, with a planning horizon that is at least 20 years into the future to anticipate the infrastructure, facilities and services needed by increasing local populations and visitor numbers. These include: “conscious capitalism”, which proposes to “elevate humanity through business” (Conscious Capitalism, n.d.); social enterprises or cause-driven businesses, which aim to maximise improvements in social and environmental wellbeing; Bcorporations (a certification), which “consider the impact of their decisions on their workers, customers, suppliers, community, and the environment” (Bcorporation, n.d.); a “circular economy”, which proponents say will “redefine growth, focusing on positive society-wide benefits. It entails **gradually decoupling economic activity from the consumption of finite resources, and designing waste out of the system**” (Ellen Macarthur Foundation, n.d.); and the “Economy for the Common Good”, which “advocates a more ethical economic model, in which the wellbeing of people and the environment become the ultimate goal of business” (Economy for the Common Good, n.d.). All of these approaches challenge the short-term, profit motivated approach to business that has greatly enriched humanity and driven the growth of the middle classes, but has been accompanied by environmental destruction, social stress and market failures.

#### **Destination trouble: Can over tourism be stopped in its tracks?**

<https://www.cnn.com/travel/article/how-to-stop-overtourism/index.html>

Bali “More does not always mean better”

### **Additional information**

- Has Maui Reached its Tourism Limit- Maui News Letter to the Editor from Dick Mayer, Sept 9, 2018
- 18 Articles primarily from the Maui News from the last two years
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Note: Updated Visitor Industry Data is available here:

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RECEIVED

2021 JUL -1 AM 8:05

OFFICE OF THE  
COUNTY CLERK

July 1 2021

TO: Maui County Council Chair Alice Lee  
Vice Chair Keani Rawlins Fernandez  
Council Members

SUBJECT: Support FOR Bill 60 "A BILL FOR AN ORDINANCE AMENDING THE BUILDING CODE TO ADD CHAPTER 40 RELATING TO A MORATORIUM ON BUILDING PERMITS FOR VISITOR ACCOMMODATIONS"

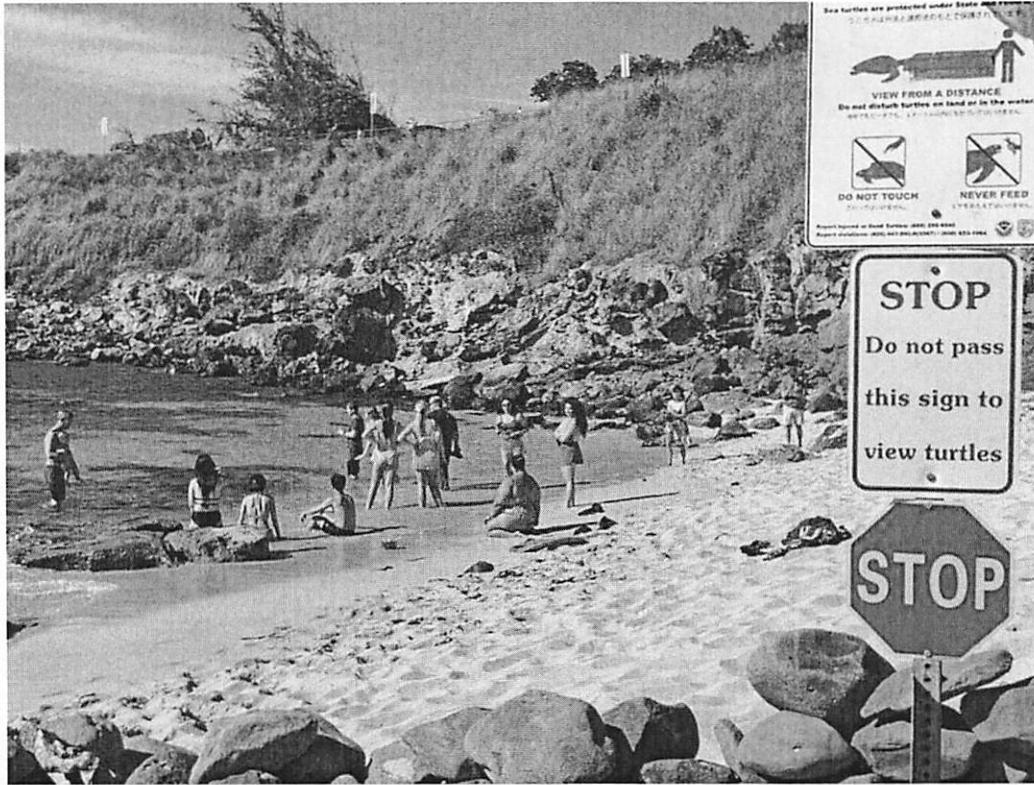
Aloha Chair Lee, Vice Chair Rawlins-Fernandez, and members of the Council,

My name is Hannah Bernard and I am Executive Director and Co-Founder of Hawai'i Wildlife Fund.

Mahalo nui loa, thank you for the opportunity to submit our support for Bill 60 (2021) 60 "A BILL FOR AN ORDINANCE AMENDING THE BUILDING CODE TO ADD CHAPTER 40 RELATING TO A MORATORIUM ON BUILDING PERMITS FOR VISITOR ACCOMMODATIONS"

This proposed moratorium on new development is a very important first step in redefining our relationship with tourism here in Hawai'i nei. The reduction in visitors in 2020 caused by COVID-19 gave us an extraordinary opportunity to experience our home in a way that was both poignant and breathtaking. Our nearshore marine resources thrived in the absence of so many people in the water; and also cast a light on our own local usage patterns that we might want to address.

Hawai'i Wildlife Fund is deeply committed to the management of our tourism-based economy, since the impacts of so many visitors to Hawai'i (~10 million in 2019, and expected to match or exceed that in 2021) has negative effects on nearshore marine life. These effects include sea turtle disturbance and outright harassment as well as displacement of our own community from favorite sites. See for example this recent article: on KITV <https://www.kitv.com/story/44090398/maui-sea-turtle-photo-causes-uproar-on-social-media>



*A picture posted on social media is making its rounds and turning some heads. A large group of people at Ho'okipa Beach is seen in the water near two turtles—bypassing a sign reading 'Stop do not pass this sign to view the turtles'. Jennie Montijo*

We have engaged the tourism industry since our inception in 1996 in order to help manage the impacts on our environment, but we desperately need the County's help in managing the carrying capacity of Maui. Please allow this bill to move forward to begin to formulate a better way of life for residents and to better support the environment upon which we all depend, especially the tourism industry.

Mahalo for your consideration and continued progress in protecting our environment,

Hannah Bernard  
Executive Director  
Hawai'i Wildlife Fund

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2021 JUL -1 AM 8:05

OFFICE OF THE  
COUNTY CLERK



July 1, 2021

Council of the County of Maui

RE: MORATORIUM ON BUILDING PERMITS FOR VISITOR ACCOMMODATIONS (Bill 60)

Hearing date and time: Friday, July 2, 2021 at 9:00 a.m.

Aloha Chair and Council Members,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **strongly supports** the proposed moratorium on building permits for visitor accommodations. This proposed bill would amend the building code to place a moratorium on visitor accommodations development in West and South Maui, an action which would help ensure the County stays on track to implement critical plan action items relating to the visitor-industry impact on the County's environment. By doing so, this bill would help preserve the County's environment and efforts towards climate change mitigation and resilience-building.

Earlier this year the State Legislature followed Maui County's lead and officially declared a Climate Emergency for Hawaii. But it is not enough to acknowledge the crisis we face, meaningful actions to address the climate crisis must be taken. This moratorium would do just that by providing the County with clear policy direction to mitigate climate change and work toward resilience.

Mahalo for the opportunity to testify in support of the proposed moratorium on building permits for visitor accommodations.

Sherry Pollack, Co-Founder, 350Hawaii.org

**From:** pomai stone <pomaistone@gmail.com>  
**Sent:** Wednesday, June 30, 2021 11:59 PM  
**To:** County Clerk  
**Subject:** support of bill 60

**2021 JUL -1 AM 8:05**

**OFFICE OF THE  
COUNTY CLERK**

Aloha mai kua,

I am writing to you as a Native Hawaiian and Hawaii resident who supports bill 60. This is an important initiative which would pause visitor accommodation expansion and development in South and West Maui while communities reevaluate what they would like their relationship to tourism to be.

This moratorium would help ensure the County stays on track to implement critical plan action items relating to the visitor-industry impact on the County's environment. By doing so, this bill would help preserve the County's environment and efforts towards climate change mitigation and resilience-building.

Mahalo nui for passing this message along and for standing for what is right for our people and aina.

--

na-u me ke aloha  
na Johanna Kapōmaika'i Stone  
.:me he lau no ke Ko'olau ke aloha:.



RECEIVED

6/30/2021

2021 JUL -1 AM 8:05

Aloha Maui County Council Chair

OFFICE OF THE  
COUNTY CLERK

I am submitting written testimony re: Maui County Council member Kelly King's final reading of Bill 60, the Visitor Accommodation Moratorium bill. The visitor resident ratio has exceeded the level outlined in the Maui Island Plan, which must be enforced. Halting building permits for new hotels, resorts, timeshares, short-term rental homes, bed and breakfast homes, and transient vacation rental units for an interim period is a commonsense approach to limiting tourism in Maui.

Over tourism is a real crisis. It is not only taking its toll on our environment but impacting the quality of life for residents. Our infrastructure can barely accommodate its residents, let alone that of up to 8,000 daily visitors.

Travel companies and resorts in Maui will continue to further capitalize on Maui, treating it as an untapped resource to be mined and its assets funneled away with few benefits for residents. Local people are priced out of areas of interest by tourism induced gentrification.

Tourism must be professionally managed, and best practices adopted to minimize or even discourage mass tourism thereby mitigating the worst of its negative aspects.

The Visitor Accommodation Moratorium bill exemplifies best practices in addressing over tourism in Maui.

Thank you, Ann Pitcaithley, Wailuku, HI  
808 250-2280

**County Clerk**

RECEIVED

**From:** Allen Tom - NOAA Federal <allen.tom@noaa.gov>  
**Sent:** Wednesday, June 30, 2021 5:25 PM  
**To:** County Clerk; Kelly King  
**Subject:** Testimony in support of No. 21-308 - Establishing a sister-city relationship with San Cristobal Island, Galapagos

2021 JUL -1 AM 8:05

OFFICE OF THE  
COUNTY CLERK

On behalf of the Hawaiian Islands Humpback Whale National Marine Sanctuary (the Sanctuary), I would like to provide testimony in support of the Resolution establishing a sister-city relationship with San Cristobal, located entirely within the Galapagos National Park.

The Sanctuary is part of the National Oceanic and Atmospheric Administration (NOAA) and NOAA has a larger overarching partnership with the Galapagos National Park. Over the past 25 years, the Sanctuary has exchanged scientists, educators and staff with the Galapagos National Park. In early 2000, we hosted at our Kihei office, the superintendent of the Galapagos National Park. The Park superintendent met with staff, volunteers and went out on our Sanctuary boat. He was also provided the opportunity to meet with the Kaho'olawe Island Reserve Commission staff. The superintendent remarked on how much the islands of Kaho'olawe and Maui were similar biologically and cultural to the Galapagos. He mentioned the similarities of our native flora and fauna being under the threat of extinction, but also how tourism can play a role in shaping our island's economy.

The Sanctuary would be a willing partner in any sister-city relationship. We can offer meeting and office space, as well as access to our research staff and research boat if warranted. I could easily see the Sanctuary assisting with a sharing of staff, students and other members of the public, that in the end will help increase

awareness of the unique island communities that exist both on Maui and on the Galapagos islands.

This resolution, if passed, will go a long way towards showing the world how serious the County of Maui is about a partnership with a World Heritage site, the Galapagos islands (San Cristobal).

Sincerely:

--

Allen Tom  
Superintendent  
Office of National Marine Sanctuaries  
726 South Kihei Road  
Kihei (Maui), Hawaii 96753  
808-879-2818 ext 225

County Clerk

RECEIVED

**From:** Ryan Sakuda <ryan@gcahawaii.org>  
**Sent:** Thursday, July 1, 2021 9:17 AM  
**To:** County Clerk  
**Subject:** Testimony on Bill 60 for Maui County Council July 2 at 9 AM  
**Attachments:** Testimony on Maui Council Visitor Accomodation Moratorium.docx

2021 JUL -1 AM 9:28

OFFICE OF THE  
COUNTY CLERK

Aloha,

I'd like to provide written testimony on Bill 60 for the Council meeting tomorrow at 9 AM. I will not be providing oral testimony.

Mahalo,

*Ryan Sakuda*  
Director of Government Relations  
(808) 286-9338



**GCA of Hawaii**  
GENERAL CONTRACTORS ASSOCIATION OF HAWAII  
Quality People. Quality Projects.

General Contractors Association of Hawaii  
1065 Ahua Street, Honolulu, HI 96819  
PHONE: 808-833-1681  
FAX: 808-839-4167  
Website: [www.gcahawaii.org](http://www.gcahawaii.org)

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Honolulu, HI 96819  
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Website: [www.gcahawaii.org](http://www.gcahawaii.org)



**GCA of Hawaii**

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

## Testimony on Legislation for Visitor Accommodation Moratoriums

July 2, 2021

The General Contractors Association of Hawaii (GCA) is an organization comprised of approximately five hundred (500) general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. Our mission is to elevate Hawaii's construction industry and strengthen the foundation of our community.

At time of this writing, the GCA is aware of the two Moratoriums currently being discussed by the Maui County Council which propose an immediate halt on new developments servicing the visitor industry. It is our understanding that new developments which do not have an active and issued building permit would be immediately ceased if this moratorium passes. GCA understands the good intent of this moratorium, and in some instances, agree with the goals of the Moratorium proposals.

However, we believe the proposed sequencing of these moratoriums will negatively impact our economy further. If we are to diversify our economy to reduce the visitor population, then that plan should be made, invested in and rolled out prior to impacting visitor and building industries – the two only economic drivers in our community.

We all support sustainable tourism, but we do not believe that a shutdown on the construction of new visitor accommodations in appropriately zoned and planned hotel and resort areas is the answer. The bills will shut down opportunities for investment in our economy at a time when we are trying to recover from the effects of the global pandemic. It is important to remember the industry is recovering and had huge losses so now is not the time to do this. According to leading state economic Paul Brewbaker the opportunity cost of shutting down lodging construction for two years would be about \$200 million per year. These bills will have the wrong effect at precisely the wrong time. In creating legislation, in particular a moratorium, both the positive and negative impacts must be weighed. **We urge you to defer these measures** to seriously consider the unintended consequences and devastating economic impact that measures like these will have on Maui's people and fragile economy.

**From:** Mark Hyde <hydem001@hawaii.rr.com>  
**Sent:** Thursday, July 1, 2021 9:43 AM  
**To:** County Clerk  
**Subject:** 7/2/21 County Council Meeting, Agenda Item Bill 60

2021 JUL -1 AM 9:51

OFFICE OF THE  
COUNTY CLERK

I support Agenda Item Bill 60 (Moratorium) in addition to the comments made by Dick Mayer, summarized as follows:

- Require every vacation rental and bed and breakfast to have a license number.
- Require the license for all the short-term rentals and also for all units covered by the Montoya decision, mostly condos.
- All advertising for short-term rental units must include the license number with appropriate penalties for non-compliance with the license requirement.
- Utilize a license number system that identifies the community plan district. For example all licenses in South Maui would begin with the letter **S**, UpCountry units would begin with **U**, West Maui with **W**, Central Maui with **C**, North Maui with **N**, East Maui with **E**, Lanai with a **L**, and Molokai with a **M**. This requirement would make it much easier to conform with district short-term vacation rental limits.

The moratorium will give the executive branch of government time to develop new measures to manage the number of tourists in Maui County consistent with the General Plan. Should the mayor fail to act appropriately and effectively, the people will then have an opportunity to elect a new mayor in 2022, one who can and will.

Mark Hyde  
4320 E. Waiola Loop  
Kihei, HI 96753

## County Clerk

---

**From:** Vivien Lee <leereppun@gmail.com>  
**Sent:** Thursday, July 1, 2021 10:58 AM  
**To:** County Clerk  
**Subject:** Bill 60

This bill is an important step in dealing with Climate Change, the issue that affects and is affecting everyone's life right now. Thank you, Charles Reppun

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2021 JUL -1 AM 11: 11  
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COUNTY CLERK

**From:** louiselambert1@gmail.com  
**Sent:** Thursday, July 1, 2021 12:46 PM  
**To:** County Clerk  
**Subject:** Support Moratorium Bill 60

2021 JUL -1 PM 12: 49

OFFICE OF THE  
COUNTY CLERK

Re: Bill 60

Aloha

I am a 24 year Resident of Maui County and support the moratorium Bill 60, on building new Tourist accommodation. We don't need more. We do need truly affordable housing for people who live and work here and serve the tourist business, service industry, sustainable agriculture, health, education and local businesses.

Mahalo,

Louise Lambert

Maui Meadows

Sent from my iPad



**County Clerk**

RECEIVED

**From:** Mike J. Molina  
**Sent:** Thursday, July 1, 2021 1:16 PM  
**To:** County Clerk  
**Subject:** FW: Zip line ordinance, please pass bill.

2021 JUL -1 PM 1:19

OFFICE OF THE  
COUNTY CLERK

**From:** R&J Friedlander  
**Sent:** Tuesday, June 29, 2021 2:15 PM  
**To:** R&J Friedlander  
**Cc:** Alice L. Lee; Gabe Johnson; Keani N. Rawlins; Kelly King; Mike J. Molina; Shane M. Sinenci; Tamara A. Paltin; Tasha A. Kama; Yukilei Sugimura  
**Subject:** Zip line ordinance, please pass bill.

Aloha all County Council members,  
We are asking for you to help with passing the bill relating to ziplines. (Bill 62)

The whole Waipio stream valley is disturbed every day by the noise from the Jungle Zip operating 50feet from our house, in the lovely Haiku/Huelo area. The Waipio Stream Valley is narrow, and the zip line is located in a very narrow strip of land, between houses.

We are urgently awaiting the bill for an ordinance amending the comprehensive zoning ordinance relating to zip line tours etc. ,

Jungle zip were reported years ago, and we, the folks living here, were told to wait till the North Shore Zip was dealt with. Now, can we please have help to stop this noise.  
Tourists have so many other opportunities to ride and scream on legal zip lines that are not close to where local families live, and are on larger plots of land.

Jungle zip now has another alias they run their zip line under: Aloha Eco Adventures.  
Which includes riding on the Jungle zip line!

The zip line started up their business again immediately on October 17th 2020, as soon as tours were allowed. Now they are busy every single day.

We have lived on and cultivated this land for over 20years. We obtained proper permits. The zip line bulldozed SMA land, and built the zip line without permits.

We appreciate your help,  
thank you.

mahalo  
Robert Friedlander  
Jennifer Friedlander

Jungle Zip line, Lothar Kuster, 50 E. Waipio Rd, Haiku, HI 96708

(only about 12 acres total)

TMK: (2)290050400000 , (2)290050260000 , (2)290050390000

now also; Aloha Eco Adventures , which includes Jungle zip, also based : 50 E. Waipio Rd.

We live on Property on W. Waipio Rd.

280 W. Waipio Rd, Haiku, HI 96708. our TMK: (2)290050690000

(W. Waipio Rd, and E. Waipio Rd are no longer connected by road)

---

Robert Friedlander

Jenn Friedlander,

Po. box 791597,

Paia , HI, 96779.

USA.

Ph: 808-573-8154

New email: R&J Friedlander : [waipio2021@gmail.com](mailto:waipio2021@gmail.com)

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2021 JUL -1 PM 1:38

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII

JOSH GREEN  
LT. GOVERNOR  
STATE OF HAWAII

OFFICE OF THE  
COUNTY CLERK



WILLIAM J. AILA JR.  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

COMMISSIONERS  
DAVID B. KAAPU, WEST HAWAII  
VICE-CHAIR  
RANDY K. AWO, MAUI  
ZACHARY HELM, MOLOKAI  
PAULINE N. NAMUO, O'AHU  
DENNIS L. NEVES, KAUAI  
PATTY TERUYA, O'AHU  
RUSSELL KAUPU, O'AHU  
MICHAEL KALEIKINI, EAST HAWAII

STATE OF HAWAII  
HAWAIIAN HOMES COMMISSION

P. O. BOX 1879  
HONOLULU, HAWAII 96805

July 1, 2021

TESTIMONY OF RANDY AWO IN SUPPORT OF THE COUNTY OF MAUI'S  
RESOLUTION RECOGNIZING THE CENTENNIAL CELEBRATION OF THE  
HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED

Aloha Chairwoman Lee and members of the Maui County Council. I am Randy Awo and I serve as the Maui Commissioner for the Hawaiian Homes Commission. I write in strong support of the afore-mentioned resolution celebrating the Centennial of the Hawaiians Homes Commission Act of 1920, as amended. As you know, this July 9<sup>th</sup> will mark the 100th anniversary of the signing of the HHCA into law by then-U.S. President Warren G. Harding. The passing of this Act was the culmination of several years of hard work by the Ahahui Puuhonua o Na Hawaii and the Territorial Legislature to address the poor living conditions of many native Hawaiians disenfranchised from their lands after the Great Mahele and the overthrow of the Kingdom of Hawaii. Since that time, the Hawaiian Homes Commission has awarded nearly 10,000 leases to residential, agriculture and pastoral lands despite decades of insufficient funding to develop adequate infrastructure or programming to address native Hawaiian rehabilitation. We thank Council Vice-Chair Keani N.W. Rawlins-Fernandez for introducing this important resolution honoring the hard work of our Prince, Jonah Kuhio Kalaniana'ole, and strongly urge its passing.



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July 2, 2021

TO: Councilmember Alice L. Lee, Chair  
Councilmember Keani Rawlins- Fernandez, Vice- Chair  
Members for the Maui County Council

FR: AMERICAN RESORT DEVELOPMENT ASSOCIATION – HAWAII (ARDA-Hawaii)

RE: Opposition to CC 21-298 (Relating to a proposed amendment to Bill 60 (2021) relating to a moratorium on building permits for visitor accommodations)

(Sent via e-mail to county.clerk@mauicounty.us)

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

I am writing in **STRONG OPPOSITION** to CC 21-298 proposing an amendment to Bill 60 (2021) relating to a moratorium on building permits for visitor accommodations in south and west Maui.

Specifically, the amendment incorporates a new subsection to Maui County Code Section 4000.5 which creates an exemption to the moratorium if the development of new visitor accommodations includes housing units to be built that are: 1) affordable to very low income or low income residents; 2) made available for occupancy prior to or concurrent with the new visitor accommodations; and 3) located in the same community plan area. Under this amendment the Maui County is attempting to leverage the hotel industry to build affordable housing in exchange for the ability to develop their own transient units during the moratorium.

ARDA-Hawaii supports that the intent of this amendment is to incentivize the development of affordable housing for Maui residents. However, ARDA Hawaii opposes the amendment in CC 21-298 as it is unduly burdensome and will NOT result in any additional affordable housing units. The cost of constructing an equal amount of affordable housing units is excessive and unreasonable, making construction of new visitor accommodations impossible. Hotel owners would be required to absorb the costs of obtaining new land and construction of the affordable units. This form of exaction is unfair, unjustified, and disproportional to impose on hotel owners looking to add additional units to maintain their competitiveness.

Moreover, NO new affordable housing units will be built due to the costs and timeframe associated with utilizing the amendment. It would be illogical for hotel owners to absorb the additional costs of constructing affordable units. The construction of the new visitor accommodations will not pencil out; therefore, no new affordable units will be created. The

proposed amendment would also require the affordable units be "made available for occupancy prior to or concurrent with the new visitor accommodations" during the 2-year moratorium. The reality of obtaining land, installing necessary infrastructure, obtaining necessary entitlements, and actually constructing the affordable housing project will be substantially longer than the 2-year window. The amendment would essentially be ineffective because hotel owners would not be able to construct the necessary affordable units that would enable them to build their additional accommodations under the exemption. Due to the above consideration, CC 21-298 will NOT result in additional affordable units as intended.

Furthermore, ARDA Hawaii is concerned with the manner in which Bill 60 and CC 21-298 are being pushed through the Council. CC 21-298 amends Bill 60 which will be heard on second and final reading later in the same agenda. Accordingly, the proposed amendment will immediately become law in the same hearing that it is introduced. Typically, there would be another hearing after an amendment is made to provide additional opportunity for the public to weigh in. This process appears rushed and lacks transparency without adequate time to analyze the impacts of the amendment prior to becoming binding law.

I respectfully ask that you defer CC 21-298. Thank you for your consideration of my comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryan Nobriga".

Ryan Nobriga  
Maui Task Force Chair  
ARDA Hawaii

Testimony of  
Pacific Resource Partnership

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

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2021 JUL -1 PM 4: 22

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COUNTY CLERK

Bill 60 (2021)—RELATING TO A MORATORIUM ON BUILDING PERMITS FOR VISITOR ACCOMMODATIONS

Friday, July 2, 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.

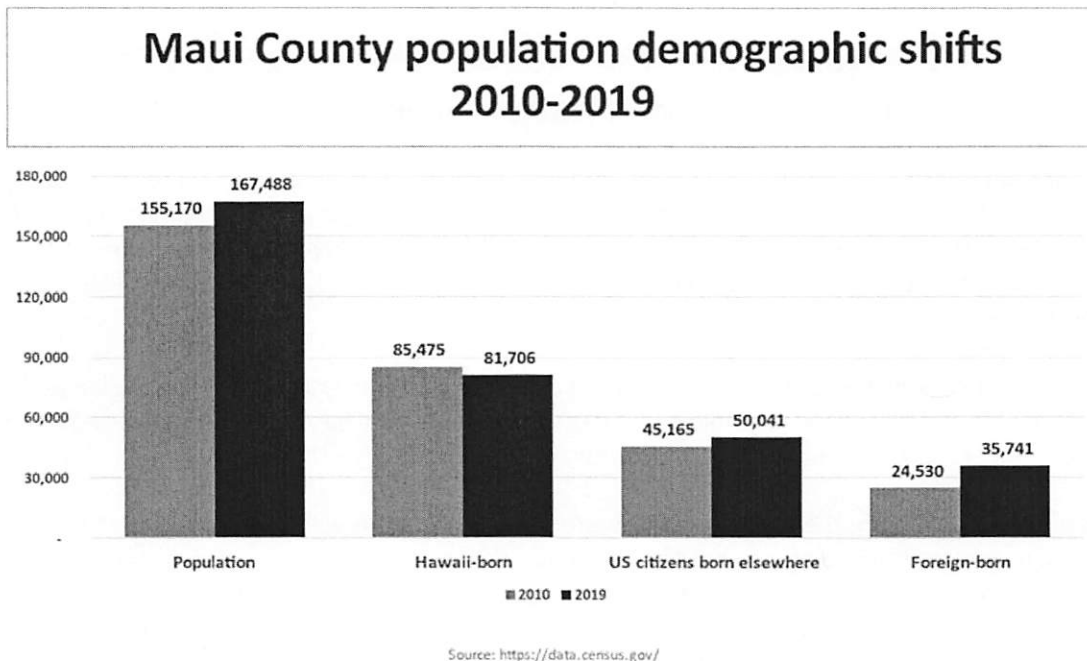
Our state has the highest cost of living in the nation and COVID-19 only exasperated the challenges for many of our residents at a time when unemployment has skyrocketed. Maui has taken a larger hit with higher unemployment rates than the state and a slower economic recovery.

Imposing a moratorium on the construction of visitor accommodations will only further hurt Maui's economic recovery. Maui's economy benefits tremendously from the visitor industry. Between 2020 and 2021, 77% of Maui's property tax contribution came from visitor-use property. Prior to the pandemic, accommodations were the largest employer for the county employing 12,900 residents, which dropped 60 percent and has yet to rebound. Limiting visitor accommodations through a moratorium will also limit the growth of other industries like construction, retail, restaurants, and many of our small businesses. These industries provide important employment opportunities for local residents who depend on these jobs to survive and raise a family on Maui.

From 2010 – 2019, there has been a decline in Hawaii-born residents and an increase in US citizen born and foreign-born residents on Maui. A moratorium will likely accelerate this trend causing Hawaii-born residents and their families to leave Maui for more job opportunities and a better life elsewhere.



**(Continued From Page 1)**



Bill 60 would unfairly penalize Maui’s visitor industry 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 visitor accommodations will lower carbon emissions or mitigate climate-change impacts. Furthermore, there is no evidence supporting the assumption that a moratorium will limit the number of visitors coming to Maui. Instead, a moratorium will likely keep visitors out of hotel districts, causing them to seek accommodations in residential neighborhoods. This would unnecessarily harm the quality of life of local communities.

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

**County Clerk**

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**From:** Sara DiGrazia <birthandearth@hotmail.com>  
**Sent:** Thursday, July 1, 2021 4:27 PM  
**To:** County Clerk  
**Subject:** Bill 60

2021 JUL -1 PM 4: 27

OFFICE OF THE  
COUNTY CLERK

Dear Maui County Council,

Please continue the efforts in balancing Maui's tourism and environmental concerns by supporting this initiative.

Thank you,

Sara DiGrazia (concerned Hawai'i citizen)

808 295 3525

Kailua, O'ahu