

County Clerk

From: candice tihada <kanake052474@gmail.com>
Sent: Friday, July 23, 2021 8:15 AM
To: County Clerk
Subject: NO 21-363 / Testimony - Supporting the Undivided Interest Awards Policy of the Department of Hawaiian Home Lands Homesteading Policy

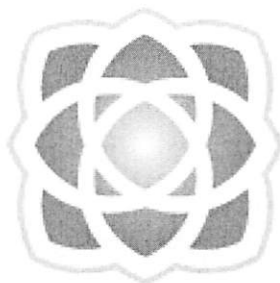
Aloha,

My name is Grace Tihada and I'm writing today to support Council Member Tamara Paltin's Resolution supporting the undivided interest awards policy of the Department of Hawaiian Homelands Homesteading Program.

Firstly, I have been on the DHHL Maui Agriculture waitlist since July 30, 1986, that's 35 years! I'm 78 years old and don't know if I'll be here in 2028 to possibly receive an award. I remember going to the first site visit many, many years ago and today it's still the same. We have this land for our people and supporting this resolution would give all of us on the waitlist the opportunity to pass something on to our children, grandchildren and great grandchildren.

The people of Lahaina can't afford the sky high housing prices and are having to leave to try and succeed. Imagine all the possibilities this will give many families here.....so please support this and give opportunities for us to stay in Lahaina, our home.

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MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

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CR 21-54

Reducing the Number of Short-Term Rental Home Permits Friday, July 23, 2021

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

We understand this bill is meant to address one area of managing tourism and we all agree that ways to better manage the visitor industry should be explored. Given this, we would like to share our thoughts and a few suggestions on this bill.

The Maui Planning Commission did not recommend changing the caps at the time. They suggested the County Council study the current demand in each community plan region and then set caps according to demand, which the Council is typically in favor of. With this recommendation and since the proposed numbers have consistently changed, we strongly suggest a public hearing on this matter be scheduled prior to the bill passing First Reading. This would give the communities a chance to vet the final numbers proposed and the Council to get community input.

A public hearing would also give those who purchased a home with the intent of getting a permit, who are still in the 5-year waiting period, a chance to ring in as well. We do not know how many homes have been purchased with this intent, some by local families, as there is not a waiting list for this purpose. We think it is important that the community understands that if these homeowners cannot obtain a short-term rental home (STRH) permit, these homes will likely not be affordable for local families and even if they are rented long-term, will likely not fall into affordable categories as they are primarily high-end properties with amenities that appeal to visitors.

That said, we appreciate the discussions had at the July 1st meeting on protecting those who are currently permitted and even when reducing the numbers in Hana and West Maui, guaranteeing that permits will not be taken away. However, we feel it is important to consider protecting local families who have an active permit and use their STRH as a business. We know some of these families plan to will their short-term rental house to their children or family members to continue the business. In these situations, we feel their permit should transfer to their heir and not jeopardize the permit.

Mahalo for the opportunity to provide testimony. We ask that you not pass this bill today, but instead schedule a public hearing to further engage the community in this discussion so they can review the new limits and rationale for why these are being proposed.

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.



Protecting the ocean through science and advocacy and inspiring environmental stewardship

Testimony on Restricting use of Disposable Body Boards

Testimony to the Maui County Council, Friday, July 23, 2021.

Committee Report 21-49 from the Climate Action, Resilience and Environment Committee.

I am testifying on behalf of Pacific Whale Foundation.

PWF supports the proposed restrictions on disposable bodyboards in the bill attached to CR 21-49.

We continue to support any restrictions on the use of products containing polystyrene.

Studies currently under way by our Research department, relating to the polystyrene ban, shows potential evidence that some polystyrene pieces found are from foam boards, therefore greater restrictions are appropriate. Studies have shown that microplastics, which can be the byproduct of a degraded bodyboard, can affect phytoplankton growth and can have toxic effects on zooplankton (Shen, 2020). As phytoplankton and zooplankton are the most important producers and consumers of the ocean (Banse, 1995), ensuring their health and longevity is ensuring the health of the ocean.

The results of PWF's study will be published in 2022.

Our request today is to seek tightening of the proposed bill by recommending minor revisions.

Section 20.18.010, Purpose, item B, states: "the sale and use of plastic bags, and sale and renting of disposable bodyboards must be regulated."

To tighten this provision, we might suggest using the language: "the sale and use of plastic bags and disposable bodyboards must be regulated."

Furthermore, Section 20.18.040, Subsection C, states: "Businesses are prohibited from selling or renting disposable bodyboards."

We might suggest stating: "Businesses are prohibited from the distribution of disposable bodyboards."

Removing references to "sale and renting" may assist with potential loopholes in the future.



PACIFIC WHALE FOUNDATION

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Such as, some tour operations may provide complimentary disposable bodyboards as a floatation devise while snorkeling.

Additionally, most hotels/resorts may currently rent disposable bodyboards, the proposed bill may allow the complimentary distribution of disposable bodyboards as an amenity.

Therefore, to prevent unintended consequences we request the removal of the use of "sale and renting".

Accordingly, if you incorporate the recommendations, the title of the proposed bill should be revised to read:

"A BILL FOR AN ORDINANCE AMENDING CHAPTER 20.18, MAUI COUNTY CODE, PROHIBITING THE DISTRIBUTION OF DISPOSABLE BODYBOARDS"

We offer these recommendations to strengthen this vitally important piece of legislation.

We thank Councilmember Paltin introducing the legislation and the Council for considering this proposal.

We also appreciate the opportunity to provide our comments.

Thank you for your consideration.

References

Shen, M., Ye, S., Zeng, G., Zhang, Y., Xing, L., Tang, W., Wen, X., & Liu, S. (2020). Can microplastics pose a threat to ocean carbon sequestration? *Marine Pollution Bulletin*, 150, 110712. <https://doi.org/10.1016/j.marpolbul.2019.110712>

Banase, K. (1995). Zooplankton: Pivotal role in the control of ocean production. *ICES Journal of Marine Science*, 52(3-4), 265-277. [https://doi.org/10.1016/1054-3139\(95\)80043-3](https://doi.org/10.1016/1054-3139(95)80043-3)

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TESTIMONY

Submitted by Kim Harter

July 23, 2021

RE: Relating to the preservation of and improvements to Baby Beach (Paia) including public safety and litigation issues

Aloha Maui County Council Chair Alice Lee, Vice Chair Keani Rawlins-Fernandez and Maui County Council Members,

I am testifying in reference to Item #21-362 on the July 23, 2021 Maui County Council Agenda. I support the County's acquisition of the 30 acres surrounding Baby Beach, including the current 'parking lot', and urge the County to begin maintenance of this very unique and treasured beach area on Maui.

The parking lot at Baby Beach is not necessary except for those unable to easily walk. It creates a dangerous and eroded entry to a beautiful County beach. While the County pools were closed due to COVID, I swam laps at Baby Beach in the early morning hours around 7 am. Before the parking lot was barricaded and closed, I'd often arrive to find several camper-style vehicles parked there, sometimes up to the edge of the shoreline. Clearly the vehicles had camped overnight. The parking lot often smelled of urine and we could see toilet paper in the surrounding bushes. It was unsanitary and troublesome to see the abuse of this beautiful area. *It felt unsafe.*

When the parking lot was shut down and barricaded, it was easy to find parking along the quiet streets. Walking to the beach was a nice way to meet other daily visitors and neighbors. The entry 'parking lot' area was open to the view of the beautiful shoreline and no longer being eroded by car traffic or housing transient visitors. *It felt safe.*

There are no toilets at Baby Beach. The area is regularly used by residents and visitors. Baby Beach is a protected and safe place to swim – for young and old and is regularly used by both. Many people walk the ½ mile long sandy shoreline beach that stretches from Baldwin Beach to Baby Beach – and swimmers and surf riders play in the waters along that stretch. But there is no bathroom except at Baldwin Beach, a ½ mile away from Baby Beach, and as a result, the ocean and surrounding dunes provide the only nearby 'toilet'. Making this improvement – providing toilets at Baby Beach - would protect the environment and public health and safety of Maui County and its visitors.

I believe that this area needs protection. I urge the County Council to move forward on purchasing the surrounding 30 acres through the Open Space Fund, so it can forever be protected as a Maui County public beach park.

I see that some improvements need to be made to protect this fragile area:

1. A gate should be installed at the entrance to the current parking site and locked each night to keep out overnight campers, and then opened each morning for beachgoers. This gate can be locked and opened each day by the same Parks and Rec Department employee responsible for opening and locking the gate at Baldwin Beach.
2. Portalets – or preferably a permanent bathroom – should be installed and maintained. The nearest bathroom is a half mile walk down Baldwin Beach. The bushes and dunes should not become a de facto bathroom area.
3. The shoreline should be protected. Professional environmental consultants should be hired to evaluate the value and significance of the area, the effects that the various uses of the area has on it, and create a management plan to protect the area.
4. The 'parking lot' area should be developed to create a safe, beautiful and easily accessible entrance to Baby Beach – the west end of Baldwin Beach Park – ideally that has showers, a bathroom, a drop-off area, garbage cans, dog-poop bags, handicap parking, and signage that describes the significance of the area and rules for use.
5. Street Parking should be provided. Homeowners in the streets adjoining and near Baby Beach should not be allowed to place boulders or other landscaping features to prevent legal street side parking by beachgoers. Rocks, fences and landscaping that block legal parking should be removed. Baby Beach is a public beach and the public has a right to legally park on the roadsides near the beach.
6. Other Parking Options should be provided. The County should consider adding other parking options for residents and visitors who wish to use this beach, such as purchasing the informal parking area at the corner of Paani Place and Nonohe Place, or investigating the feasibility of providing weekend parking at Kaunoa Senior Center with a free shuttle bus to/from Baby Beach.

Baby Beach is an important community resource and needs County protection to ensure that future children – and adults – are able to enjoy this unique and beautiful part of Maui. Please use the tools available to you as Councilmembers, including proceedings in eminent domain, to protect this valuable beach area.

Mahalo,
Sincerely,
Kim Harter

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County Clerk

From: Kelly King
Sent: Friday, July 23, 2021 10:03 AM
To: County Clerk
Subject: FW: Yes on Bill 62

Testimony for Bill 62

With Aloha,
Sarah Sexton
On behalf of Councilmember Kelly Takaya King

Office of Councilmember Kelly T. King
South Maui Residency
Office: 808.270.7108
200 South High Street, 8th Floor
Wailuku HI 96793
<http://mauicounty.us/>

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On 7/22/21, 11:54 AM, "Stephen Hynson" <schynson@icloud.com> wrote:

Councilperson King - I am writing to ask for your yes vote on Bill 62 - an ordinance relating to the regulation of canopy tours, ziplines, etc. Living in close proximity to North Shore Zipline, my neighbors and myself have borne the brunt of loud screams and other disruptive behaviors emanating from the zipline. Ziplines have no place in our neighborhoods. In addition, I am concerned about the liability exposure the County currently has with these unregulated activities. What impacts the County, impacts its citizens.

Thank you,
Stephen Hynson
87 Nohea Place
Haiku

Sent from my iPhone