

County Clerk

RECEIVED

From: Victoria Napua Puaoi <napuapuaoilmt@gmail.com>
Sent: Saturday, October 16, 2021 8:19 AM
To: County Clerk
Subject: 'Āina kūpuna bill CR 21-95

2021 OCT 18 AM 7: 54

OFFICE OF THE
COUNTY CLERK

You don't often get email from napuapuaoilmt@gmail.com. [Learn why this is important](#)

To whom it may concern,

I am writing to you today in strong **support of the 'āina kūpuna bill CR 21-95.**

Aloha, my name is Victoria Napuaakeali'iamo'ili'ili Kuloloio Puaoi and I am a descendent of John and Kamaka Kukahiko, I fall under their daughter Moloa.

My 'Ohana Connection - John Kukahiko and Kamaka Kūhaulua had 10 children

- ☐ 5 kāne = Ka'ahanui, Māhele, Kauwekāne, Lu'uwai, Halelau
- ☐ 5 wahine = Keolakai, Ha'eha'e, Moloa, Ka'aipuni, Annie

1883 - Hawai'i was its own nation governed under the Hawaiian monarchy. John Kukahiko bought 2 parcels of land in Makena for which the Kukahiko 'ohana has lived and cared for over 138 years.

1973 – The land was partitioned and the Kukahiko Corporation was formed by our kūpuna to keep the land in the 'ohana with 59 original 'ohana shareholders.

1999 – The 'ohana has struggled for many years to hold on to our 'āina kūpuna. 2 parcels were sold to pay back taxes and build the current Kukahiko house that is located along side our Kukahiko gravesite - .811 acres.

2020-2021 - Property tax - \$73,192.11 (2020) and \$83,311.80 (2021)

- ☐ Back taxes are now \$177,495.11 including penalties
- ☐ Kukahiko hale is rented primarily for weddings to pay property taxes and upkeep.
Why? Short term usage and minimal damage to property.
- ☐ The Kukahiko Hale has had very few weddings over the last year and a half due to the COVID pandemic hence the large back taxes.

Taxes keep rising and will continue to rise due to high end speculation and specialty houses built for the very wealthy. These owners are not residents of Hawai'i and the assessment value of these homes drive the property taxes way beyond affordable for the local island families. Kukahiko hale is located between 2 very high-end speculation/specialty homes:

- The house to the left just sold for \$20 million
- <https://www.youtube.com/watch?v=tbbCr75KMsc>
- The house on the right on the market for \$25 million -
<https://www.youtube.com/watch?v=K5uR6uatCKQ>

Makena is home! It is where we are from and at the core of our family identity, history and genealogy. It's important to the Kukahiko 'ohana to have a place where their multi-generation families can continue to gather and pass on their family knowledge of Makena to the younger generations. To do that it must have a way to pay the taxes and upkeep our 'āina kūpuna. Taxes will surely go up again next year! How will we pay those additional taxes?

County Clerk

RECEIVED

From: Deashia Lei Chang <deashialeichang@gmail.com>
Sent: Saturday, October 16, 2021 8:51 AM
To: County Clerk
Subject: 'Āina Kūpuna CR 21-95 Testimony

2021 OCT 18 AM 7: 54

OFFICE OF THE
COUNTY CLERK

[You don't often get email from deashialeichang@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

My name is Deashia Lei Chang and I STRONGLY support the 'Āina Kūpuna CR 21-95 bill.

It has been far too long that the people of Hawai'i have been getting pushed out of their homes due to rising property taxes. No local family is able to afford these rising prices, forcing them to move from their land and home. How much longer will it take for this State to realize that Hawai'i is not Hawai'i without Hawaiians? There is so much development of multi million dollar real estate, luxury hotels and vacation homes causing local people to eat the cost for someone's vacation. Most of those people don't even live in Hawai'i full time. Why would we continue this genocide by gentrification? Please, listen to the PEOPLE OF HAWAI'I. Keep this place home to the many 'ohana who are struggling to stay here! Make it right!


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County Clerk

2021 OCT 18 AM 7: 54

From: Napualani Kitashima <napua1217@gmail.com>
Sent: Saturday, October 16, 2021 11:01 AM
To: County Clerk
Subject: CR 21-95

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Aloha! I am in strong support of the 'āina kūpuna bill CR 21-95. Please pass this soon as possible. It would greatly benefit my ohana. Mahalo! Sincerely, Napualani Kitashima

James Opio Kuloloio
PO Box 1787
Wailuku, HI 96793
10-16-2021

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Aloha Council Chair and Council members

OFFICE OF THE
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I am submitting testimony on CR 21-95

My name is James Opio Kuloloio. I am the great - great - great grandson of John and Kamaka Kukahiko. My father is Wallace Eldon Kuloloio, Grandfather Wallace Aipalena Kuloloio, Great grandparents Kekia Auwelo married to Aipalena Kuloloia, Great - great grandparents Moloa the daughter of John and Kamaka Kukahiko married to Auwelo.

"I strongly support the 'āina kūpuna bill CR 21-95."

I strongly support the 'āina kūpuna bill CR 21-95 as amended by councilmember Keani Rawlins-Fernandez as it provides a vehicle for the Kukahiko Corporation whose land has been in our ohana for 138 years to continue to rent the subject property in order to pay off large back taxes and to continue to care for the 'āina and hale.

My grandfather Wallace Aipalena Kuloloio was the first president of the Kukahiko Corporation which was established by several ohana and his cousins in 1973 to keep the land in the 'ohana with 59 original' ohana shareholders that was up for land speculation.

Property taxes keeps rising and will continue to do so as wealthy non-residents build their beachfront mansions as vacation homes. The assessment values of these mansions drive the property taxes way beyond affordable for local island families. How can our local families compete. The Kukahiko ohana hale is located along side our Kukahiko gravesite between 2 very high-end speculation/specialty homes.

- o The house to the left just sold for \$20 million - [5050 Makena Road - LUXURY HOME ON MAUI HAWAII - YouTube](#)
- o The house on the right on the market for \$25 million - [Makena 1.5 Acre Direct Oceanfront New Construction Resort Style Home | 5022 Makena Road - YouTube](#)

2020-2021 - Property tax - \$73,192.11 (2020) and \$83,311.80 (2021)

- Back taxes are now \$177,495.11 including penalties
- Kukahiko hale is rented primarily for weddings to pay property taxes and upkeep. Why? Short term usage and minimal damage to property.
- The Kukahiko Hale has had very few weddings over the last year and a half due to the COVID pandemic hence the large back taxes

It is important to me and my ohana to pass this bill as it not only allows us the opportunity to continue to retain this land which has been passed down several generations but it also allows local families across Maui to do the same. Please be fair and don't allow another local family to succumb to bankruptcy or worse to be forced to sell because of land speculation. This is our families legacy. And I hope and pray that it remains to be that way as it was intended in to perpetuity by our kupuna.

Mahalo Nui Loa,

James Opio Kuloloio

County Clerk

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From: LL Tanner <adicma@msn.com>
Sent: Sunday, October 17, 2021 2:26 PM
To: County Clerk
Subject: Agenda Item CR 12-95 Written Testimony

2021 OCT 18 AM 7: 54

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COUNTY CLERK

You don't often get email from adicma@msn.com. [Learn why this is important](#)

This testimony to Chairperson Lee and the County Council is sent with heartfelt concern that fairness and pono will prevail for the AINA KUPUNA BILL, amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section relating to taxes on parcels DEDICATED AS AINA KUPUNA.

Long-Term Members of my Hawaiian Congregational Church in Makena are in dire circumstances due to the outrageous high-end speculation of real estate and specialty houses built for the 1%, the very wealthy. How can any family, any individual (widows and widowers), any resident whose home has been land bequeathed through generations beginning 1883, pay tens of thousands of dollars every year in taxes on their ancestral lands??? We could not; could you?

Our beloved County and State MUST protect island families from destitution and landlessness through no fault of their own. The unbelievable costs of taxes in our Makena aina and other Maui locations (which are nothing for the 1% very rich) being passed along to normal 99% of people is unconscionable and against all that Hawaii Nei values stand for.

PLEASE vote YES to protect the land's true generational ownership, the Native Hawaiian people and its values. DO NOT LET 2021 real estate taxes force people into destitution and suffering by not being able to pay such high-end annual fees; PROTECT our 'Ohana from current and future back taxes no 'real person' could ever pay. The amounts of \$ are extreme. Our Kupuna, church and aina need your leadership and common sense to save it.

Please contact us (below) should you doubt the sincerity of our plea for our church members, for those who hold decades of knowledge about Makena through their family ties and religious upbringing, and to decrease the extraordinary losses that Hawaii Nei will endure due to commerce, rather than conscience.

**MAHALO FOR YOUR EFFORTS AS COUNTY COUNCIL MEMBERS,
LITERALLY PROTECTING LIFE AND AINA with an amendment to Chapter 3.48,
known as "Aina Kupuna".**

Kahu Dennis Barger (Reverend, Ret.) and Mrs. Laurie Barger (Ret. Maui public school teacher)
283 Palanehe St.
Kihei, HI 96753
Tel: 808.874.1998



1001 Bishop Street | Suite 625 | Honolulu, HI 96813-2830
1-866-295-7282 | Fax: 808-536-2882
aarp.org/hi | aarphi@aarp.org | twitter.com/AARPHawaii
facebook.com/AARPHawaii

**Maui County Council
Regular Meeting on October 22, 2021
9:00 a.m.**

TO: The Honorable Alice Lee, Chair,
Maui County Council

RE: Relating to AINA KUPUNA LANDS (CR-21-95)

Aloha Chair Lee and Members of the Council:

My name is Keali'ilalanikulani Lopez and I am the State Director for AARP Hawai'i. AARP is a membership organization of people age fifty and over, with nearly 140,000 members in Hawai'i and 36,860 in Maui County.

AARP Hawai'i supports CR-21-95 which would protect Native Hawaiians and other long-time Maui families from steeply escalating property taxes on ancestral lands. Too often, these increases are caused by adjacent development and speculation—factors that our kūpuna cannot control.

Because of inordinate tax increases on these ancestral lands, owners have had to sell off portions or covert them to other uses. Too often, this has diminished the cultural value of those lands. Moreover, it has also denied our kūpuna the option to age in place in familiar settings of their choice.

This bill will fix those shortcomings. However, CR-21-95 is more than a vehicle for correcting a taxation inequity. It speaks to the value of our kūpuna and our respect for Hawaii's host culture. AARP Hawaii strongly recommends that this bill be passed by the Maui County Council and signed into law by the Mayor of Maui County.

Sincerely,

Keali'i Lopez, State Director

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County Clerk

From: TOM JULIANO <haliipua2@aol.com>
Sent: Monday, October 18, 2021 12:37 PM
To: County Clerk
Subject: CR 21-95

 You don't often get email from haliipua2@aol.com. [Learn why this is important](#)

Our Kukahiko family has been in Makena for over 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once our 'ohana was one of the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. We strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end speculation homes. For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes. Pick a side and represent what you believe.

Sent from my iPad

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2021 OCT 18 PM 1:37
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County Clerk

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From: Kayla Annen <kuu.annen@gmail.com>
Sent: Monday, October 18, 2021 2:10 PM
To: County Clerk
Subject: 'Āina Kūpuna Bill

2021 OCT 18 PM 2:17

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COUNTY CLERK**

 You don't often get email from kuu.annen@gmail.com. [Learn why this is important](#)

Aloha,

Sending an email regarding the 'Āina Kūpuna in Makena.

I strongly **support** the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Mahalo for your time,
Kayla Annen

County Clerk

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From: Jack Smith <jtsmithjr@gmail.com>
Sent: Monday, October 18, 2021 3:23 PM
To: County Clerk
Subject: Comment CR 21-95

2021 OCT 18 PM 4:31

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My comment is to support the first reading of CR 21-95 with the proposed additions, and look forward to its final passage.

Aloha, Jack Smith



From: Kalani Wilmington <khw461@gmail.com>
Sent: Monday, October 18, 2021 4:25 PM
To: County Clerk
Subject: Written Testimony for CR 21-95, 'Aina Kupuna Land Dedication

2021 OCT 18 PM 4:31

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You don't often get email from khw461@gmail.com. [Learn why this is important](#)

I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication.

Our Kukahiko family has been in Makena for over 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once our 'ohana was one of the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. We strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end speculation homes. For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes.

Thank you for the opportunity to provide my testimony.

Kalani H Wilmington

County Clerk**RECEIVED**

From: Sue Pavelka <spavelka@charter.net>
Sent: Monday, October 18, 2021 6:15 PM
To: County Clerk
Subject: In reference to Aina Kupuna bill CR 21-95

2021 OCT 19 AM 7: 54**OFFICE OF THE
COUNTY CLERK**

 You don't often get email from spavelka@charter.net. [Learn why this is important](#)

My name is Sue Pavelka. I was born on Oahu, but my family came from Maui. Makawao section!! My family was of the Copp and Hardy families!! I support Aina Kupuna bill CR 21-95!!! The Hawaiian people have already lost a lot of their lands, and those who want to hand their properties down to their families, should NOT have such high taxes that they lose their properties!! My great-grandmother's estate at Makawao was lost because no one could pay the taxes!!! Such ashame!!! I have a second cousin who wrote to me, and wanted my help in supporting this bill, and I gladly support it. He and his wife could lose their land, if this bill is not passed, so please pass this bill. My ohana would appreciate it!!! Mahalo!!! Great-grandaughter of Ellen Copp Hardy, Sue E. Pavelka

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Testimony of Leinā‘ala Kuloloio Vedder
County of Maui
October 18, 2021

2021 OCT 19 AM 7: 54

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COUNTY CLERK

Aloha Budget, Finance, and Economic Development Committee
Chair Keani Rawlins-Fernandez and Maui County Council Members. My
name is Leinā‘ala Kuloloio Vedder and I strongly support **CR 21-95 ‘Āina
Kūpuna Land Dedication** and other additions to the bill that will help
families maintain and sustain their ‘āina kūpuna through an ancestral land
dedication.

Lineal descendants continue to maintain lands that have been in their family
for generations. Our ‘āina kūpuna lands are our pu‘uhonua, our place of
refuge, peace, solace, and safety. Our places of refuge are surrounded by
outlandish structures and imported landscapes. Many ‘ohana have been
displaced over the years with only a few who continue to live on ancestral
lands struggling to pay sky-rocketed taxes in a system that does not
empower us. Places like Mākena, Palauea, Keone‘o‘io, Hāna, and Olowalu,
to name a few, continue to encounter gentrification. There are also lineal
descendents, like myself, who have inherited ‘āina kūpuna and continue to
financially make ends meet to pay taxes in an unbalanced capitalist system.

Once again, I ask for your support to pass CR 21-95 ‘Āina Kūpuna Land
Dedication and other additions to the bill.

Me ka ha‘aha‘a,

Leinā‘ala Kuloloio Vedder
Kuloloi‘a Lineage: I Ke Kai o Kuloloia

From: Karen Noland <kaukini@maui.net>
Sent: Monday, October 18, 2021 11:10 PM
To: County Clerk
Subject: CR 21-95 – BFED Committee Report for 'Āina Kūpuna Bill

2021 OCT 19 AM 7: 54

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COUNTY CLERK

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Date: Oct. 18th, 2021

RE: Maui County Council Meeting: October 22, 2021 at 9:00 AM

CR 21-95 – BFED Committee Report for 'Āina Kūpuna Bill

Written Testimony

Dear Council members,

Mahalo for your consideration in passing this bill for local families who have lived on their land for many generations.

Maui is becoming a place where only the rich can live and afford to buy homes and pay their taxes. Where will we go if we cannot afford the taxes alone, on ancestral

lands, that have otherwise been paid in full for a century or more? In Makena, where our Ohana owns their ancestral land, our annual property taxes cost more than many local people make in one years time.

How are we expected to survive and to pass this gift from our Kupuna to the next generation. This is our home. We want to save it for our Keiki and their Keiki as well. We feel as if we are being forced out of

our ancestral lands due to the tax burden. We cannot even build homes on it in the fear that the taxes will rise to a new level and we will be forced out. We want to live on our land, farm it, and save it for

future generations to enjoy.

In Makena there are so few of us left who can claim these ties to the Aina. Please help us to keep our property. We do not want to lose it. Fight for local families and

aid them in retaining their ancestral lands. We would be deeply indebted to you for helping us win this battle.

Sincerely,

Karen Lei Noland

County Clerk**RECEIVED**

From: Gaylene Nikora <gaylene@dreamnav.com>
Sent: Tuesday, October 19, 2021 5:45 AM
To: County Clerk
Subject: CR 21-95, Aina Kupuna Land Dedication

2021 OCT 19 AM 7: 54**OFFICE OF THE
COUNTY CLERK**

 You don't often get email from gaylene@dreamnav.com. [Learn why this is important](#)

Dear Members of the County Council,

Mahalo Nui for taking the time to review this bill. My name is Gaylene Kulamanu Chang Nikora Lolofie and I am in strong support of this bill.

Our Kukahiko family has lived in Makena for nearly 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels of 'āina remaining.

Once our 'ohana was one of the largest in Makena, today we have only a few remaining families who are still struggling to keep our 'āina in the family. Makena has become a community of wealthy homeowners, many non-residents who continue to buy high-end speculation homes that raise the property tax to an unreasonable and unaffordable amount for local families.

For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena, we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with amended changes.

With Aloha,
Gaylene

Helping our People Navigate Towards a Brighter Future

County Clerk**RECEIVED**

From: Kenneth Chang <crzhwn@hotmail.com>
Sent: Tuesday, October 19, 2021 7:07 AM
To: County Clerk
Subject: CR 12-95

2021 OCT 19 AM 7: 54**OFFICE OF THE
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I am Kenneth Chang Jr, son of Kenneth Chang and eldest grandson of Samuel B Chang whom was born on the Makena family land. I was 12 years old when I first experience the beauty of the Makena. I am 60 now. Back then there was Keawe trees and Panini cactus. All of that has given way to hotels and very expensive homes. Developer's have been trying to push out our ohana through taxes. Another example of PRICING OUT OUR PEOPLE! SO WRONG! So i strongly support the aina kupuna bill CR 21-95 and

other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Our Kukahiko family has lived in Makena for nearly 140 years.

County Clerk

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From: Maryann Barros <ohanalomi@gmail.com>
Sent: Tuesday, October 19, 2021 8:10 AM
To: County Clerk
Subject: Bill CR21-95 , 'Aina Kupuna Land Dedication testimony

2021 OCT 19 AM 8:11

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Our Kukahiko family has been in Makena for over 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once our 'ohana was one of the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. We strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

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3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end speculation homes. For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. We are a family who is trying to abide by the law while struggling to keep our lands. As the community has become unaffordable for locals to continue to stay in Makena we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes.

Maryann Nakoa Barros
Decendant of Moloka Nakoa Kukahiko
808-359-1335

RE: Testimony in support of the CR 21-95, 'Aina Kupuna Land
Dedication

Our kupuna lived and taught us to aloha the 'āina that sustained our 'ohana for generations. They made many sacrifices and lived simply to hold on to our 'āina so that it would be there for us and the mo'opuna to come. It's our turn now to make sure that that legacy continues. I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Mahalo nui loa,



Herman Nakoa Jr.
Descendent- Moloa Kukahiko

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2021 OCT 19 AM 8:12
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From: Wyman Chang <mistahchang77@gmail.com>
Sent: Tuesday, October 19, 2021 8:16 AM
To: County Clerk

2021 OCT 19 AM 8:33

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You don't often get email from mistahchang77@gmail.com. [Learn why this is important](#)

Aloha! My name is Wyman Chang. I am the son of Kenneth K. Chang and grandson of Samuel B Chang. Samuel was born and raised in Makena, Maui. Unfortunately I was too young to witness the natural beauty of Makena because it was taken then bought and sold to the highest bidder and is now a land of resorts and tourists. I was blessed to hear the stories from my grandfather, father and older brother of the land and the Kukahikp family gatherings. This is why I strongly support the aina kupuna bill CR 21-95 and

other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Our Kukahiko family

Sincerely,
Wyman Pono'ola Chang

County Clerk

RECEIVED

From: Bob <mowll@tampabay.rr.com>
Sent: Tuesday, October 19, 2021 8:51 AM
To: County Clerk
Subject: Makena Tax

2021 OCT 19 AM 9:55

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 You don't often get email from mowll@tampabay.rr.com. [Learn why this is important](#)

I'm in full agreement that the ohana should receive/continue the tax break while living on the land and producing crops thereon.

Robert Mowll, long- time Kailua, Oahu resident

Sent from [Mail](#) for Windows



Avast

This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: h.ann.es@t-online.de
Sent: Tuesday, October 19, 2021 9:09 AM
To: County Clerk
Subject: Aina Kupuna bill CR 21-95, with proposed additions

2021 OCT 19 AM 9:55

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COUNTY CLERK

 You don't often get email from h.ann.es@t-online.de. [Learn why this is important](#)

I am a lineal descendent of Charles Copp, who purchased property in Huelo, Maui, in 1862. I am now the owner of the land that my ancestors lived on and worked. Some of them are buried there. Now it has become my kuleana to preserve this land for my children and their children. At the same time, I am being deluged with offers from realtors and developers to buy the property.

I have no intention of turning my ancestral land into profit, but, when neighboring parcels were sold and developed, my property taxes increased exponentially. My children would like to keep the land but have no wish to struggle to pay property taxes, as I am doing. One day, the graves of my ancestors may be razed to build a hotel with golf course where my family raised pia, pineapple, and, later, cattle.

My hope is that the Aina Kupuna bill, CR 21-95, with the proposed additions, may alleviate this critical situation, and Maui will remain as we know it.

Ann Ralston Bauer

From: Kekane Ruidas <kekaneruidas@gmail.com>
Sent: Tuesday, October 19, 2021 9:27 AM
To: County Clerk
Subject: 'Aina Kupuna Bill CR21-95 support

2021 OCT 19 AM 9:55

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You don't often get email from kekaneruidas@gmail.com. [Learn why this is important](#)
I strongly support 'aina kupuna bill CR 21-95.

Our Kukahiko family has been in Makena for over 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once our 'ohana was one of the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. We strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end homes. For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes.

I was raised by my tutu Alice Ka'ohiki Akuna Kuloloio and father Leslie Apiu Aipalena Kuloloio along with our other cousins Lu'uwai, Ferreira, Peters, and Kuloloia 'ohana camping, down in Makena at her property of "Beverly Hills" overlooking Makena Landing. I take pride and feel very privileged to have shares in the Kukahiko Estate. I do the cleaning of the house before and after each wedding without pay just so that my family can earn enough money to pay the property tax. With covid our family has fallen behind with our bill. As I was told by my dad, "tell me what Hawaiian family has this privilege of being on fine linens on a beach front property, be proud!" Please help the people of Hawaii, help my 'ohana.

Kekane Kuloloio

County Clerk

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From: Stanley Raymond, II <kiope@hawaii.edu>
Sent: Tuesday, October 19, 2021 11:05 AM
To: County Clerk
Subject: Support for CR 21-95

2021 OCT 19 PM 12:35

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Aloha,

My name is Stanley Kī'ope Raymond; a resident of Maui residing at 740 Copp Road, Kula 96790.

I support bill CR 21-95, the 'āina kūpuna bill - with proposed additions - that provides tax relief for lineal descents who continue to live and care for their ancestral lands.

It will be unconscionable for you to not pass this bill. The tourism industry, among others, by enticing the very rich have fueled a metaphorical - out of control "Hawai'i is for sale - get yours now!" fire. It threatens to engulf anyone living on 'āina that an affluent mil/bil-lionaire wants to build on but not - necessarily - live on. Then, the ostentatious and unaffordable mansions are flipped to others of the same ilk who also have to disburse their excess capital. And, what happens to the kānaka that have been living and working the land for generations; living on the 'āina out of necessity? They are property-taxed out of their homes. Shame on you if you do not pass this bill!

Mahalo!

--

S. Kī'ope Raymond
Professor, HWST (retired)
UH Maui College
(808) 280-5149

"O ko kakou makemake io no ia o ka loaa o kekahi mea oiaio loa." J. H. Kānepu'u


County Clerk

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From: pjtazzzz@aol.com
Sent: Tuesday, October 19, 2021 12:19 PM
To: County Clerk
Subject: CR 21-95

2021 OCT 19 PM 12: 35

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Good Morning,

My family is in total support of this bill. Families who have inherited this land for generations should not be penalized with the taxation that is and has been occurring. Big money built around them and caused this issue. These are hard working people who love the land and have to take 2 or 3 jobs to keep them on their birthright. Some could not keep up and in turn lost what they loved and sweated over. My hope is that you seriously consider doing what is right for these families.

Regards, P.Ingram

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From: Bo Kim <bojeongkim@gmail.com>
Sent: Tuesday, October 19, 2021 12:37 PM
To: County Clerk
Subject: Aina Kupuna Bill CR 21-95

2021 OCT 19 PM 12: 51

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Aloha,

I would like to voice my support for Bill CR 21-95. I am a local resident and have friends that are affected by this bill. The property value does not match, not even closely match, the median income of our local residents. Because Maui is a favorite market for out of state wealthy buyers, how are hawaii residents able to compete when Maui doesn't even have the capacity or available jobs that can afford million dollar properties? It just doesn't make sense.

Please take into consideration the families that have owned these lands for generations know how to take care of the land and not demo or build an investment property. They solely wish to be able to afford to live on the land and hold onto their generational wealth that their ancestors have put their hearts and souls into. Honestly, these lands should be considered historical, therefore, 100% unethical to put such high property taxes when their neighbors have been bought out by the wealthy.

Best regards,
Bo-Kim

County Clerk

From: Yvette Simoes <ysimoes@bmwhawaii.com>
Sent: Tuesday, October 19, 2021 12:55 PM
To: County Clerk
Subject: Bill # CR 21-95. Aina Kupuna Land Dedication

You don't often get email from ysimoes@bmwhawaii.com. [Learn why this is important](#)

I "Strongly Support" the Aina Kupuna Land Dedication and other additions to the bill that will help families maintain and sustain their 'aina kupuna through our ancestral land. Bill # CR 21-95 is Very Important for many of us as we inherited our land from 4-5 generations back. We are from a long line of descendants who are normal working people and would like to keep our undeveloped properties and developed ones in our families.

For me personally, I have two parcels that are undeveloped and have no access roads or water ways. It has always been zoned as agriculture and has now been changed. Which has caused the yearly property tax to increase to a exuberant amount. My situation is now harder due to how many generations have passed down there portions of the parcel's to there moopuna. I have one parcel with over 50 names attached to it and do not now know . any of them personally, except that we are from the same Great, Great, Great Grandparents. Only once in my inheriting this land for over 30 years was there one person wanting to sell. It did not happen. I am connected to my Mother, Grandmother, Great Grandmother and my Tutu Ha'eha'e who I am named after because of this land. I have only seen it from the top side of Ulupalakua. I have never walked on it. But still it's in me and grounds me to that Island. I live and work on O'ahu but have always known Makena is where my roots are. Please for the sake of our Parents and there Parents and so forth who worked hard to claim the lands and where kind enough to pass it on. Let Us hold onto it and not price us out that we have to give it up.

Mahalo for taking the time hear us.

Yvette Ha'eha'e Simoes (Kukahiko blood line from Makena)

523 Kapaia Street
Honolulu, Hawaii 96825
yhsimoes@yahoo.com
(808) 388-6869

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County Clerk

From: Bob Nelson <bobnorma@me.com>
Sent: Tuesday, October 19, 2021 1:02 PM
To: County Clerk
Subject: CR-21-95

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Aloha Councilmembers,

I very strongly support the `aina kupuna bill CR-21-95. Being acquainted with a number of individuals and families and worshipping at Keawala'i Congregational church for many years, I truly believe that it is extremely important to the Kukahiko `Ohana be able to retain their place in Makena. It is not their fault that speculators have come into Makena and increased the assessments and the resultant taxes on their ancestral lands. It is not their fault that their wedding business has fallen off as a result of the Covid pandemic. Without this legislation, ownership and the resulting taxes will be horrendous! Ho`opono and pass CR-21-95.

Rev. Dr. Robert W. Nelson
93 Laukahi Street
Kihei, Maui, HI 96753
808-276-8803

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TO: The Honorable Alice Lee, Chair, Maui County Council

SUBJECT: 'Āina Kūpuna Bill, CR 21-95

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Aloha Chair Lee and Members of the Council,

My name is Edward Chang, and I would like to thank you for the opportunity to testify in favor of the Aina Kupuna Bill, CR 21-95, that would provide much needed tax relief to families who own ancestral lands.

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My family has lived and owned land in Mākena since the 1870s, being one of the original occupants of this region, which served as home to many native Hawaiian families for more than a century. However, government and private sector influences in the 1950s and 1960s, led to the uncontrolled development of Mākena, forever changing the landscape and leading to the displacement of many native Hawaiian families. The resulting developments created a haven for speculation, ultimately turning southwest Maui into a playground for resorts and individuals with the means to build extravagant homes, driving real estate values through the roof. This activity pressured many local families to sell their ancestral lands and move out of Mākena.

My father's generation, my generation, and now my children's generation are in a constant struggle to keep this land in our family. Developments and speculation have driven property taxes to all-time highs! This year, my property tax is \$13,639. However, in 2019 my taxes reached a high of \$22,000. That is an increase of 425% over previous years. These property taxes are mainly for an 11,000 square foot parcel where my primary home resides. Please understand that my home is only 75% completed, and my decision to finish this project is largely affected by the significant increases in my property taxes. My wife and I presently live in a small structure on the property, which has become more difficult to sustain due to my age and my wife's declining health. I have appealed my taxes for the past four years. Yet, in each of those years, the reduced tax is still more than I can afford as an 89 year old man living mainly on Social Security. I have had to ask my children for help with the taxes so that we can keep our land. This shouldn't happen to families who lived here long before the developers came! They should not cause us to be forced out!

The 'Āina Kūpuna Bill will correct this wrong and enable families to keep their ancestral lands so they can pass it on to future generations. Land has a very special meaning to native Hawaiians, and ancestral lands even more so. Many of us hold these lands in the highest regard, as if they were a member of our family. The tax relief provided by this bill will help people like us to keep our lands – "our family" - together for many generations to come.

I humbly ask the Council to approve bill CR 21-95. This bill will serve to correct injustices that have occurred in the past, and pave the way for future generations to perpetuate the legacy that was bestowed upon them by their ancestors.

This concludes my testimony, and again, thank you for the opportunity to address the Council on this important matter. Mahalo.

Sincerely,

Edward (Ed) Y. Chang Jr.
4800 Makena Alanui St.
Kihei, HI 96753
(808) 874-6475

County Clerk

From: Lee Chamberlain <Lee@ridesmartmaui.com>
Sent: Tuesday, October 19, 2021 1:41 PM
To: County Clerk
Cc: Donna Clayton; Tamara A. Paltin; Jennifer Maydan; planning@mauicounty.gov; Pam Eaton; lauren@hiphi.org; Maui MPO; Mayors.Office@co.maui.hi.us
<Mayors.Office@co.maui.hi.us>
Subject: West Maui Community Plan amendment' Section 2 under goal 2.2-- testimony submission for hearing October 22, 2021
Attachments: WMG_GreenwayValue.docx; WMG_Options.docx

. The policy should include in : "Require new development, redevelopment and Chapter 201H, HRS and Chapter 2.97, MCC housing projects to incorporate the planned West Maui Greenway into their project and provide rights of way for the greenway if the alignment crosses the property."

This is further supported by the recent signing of State of Hawaii Bill SB 1402.

Purpose of this Act is to modernize Hawaii's ground transportation infrastructure by providing additional metrics, considerations, and assistance to the department of transportation in order to move Hawaii forward into the twenty-first century.

The shift away from automobile dependency due, in part, to increased cost of living and transportation expenses. For instance, buying or leasing a car also includes other expenses such as auto insurance premiums, fuel costs, and vehicle maintenance, which make owning a car an expensive means of transportation. A recent report by AAA noted that, on average, these additional expenses cost each car owner \$8,849 per year. However, utilizing public transportation, biking, walking, and living close to work instead of owning or leasing a car can significantly reduce the cost of transportation and measurably improve public health. Yet, in those communities in which there is no infrastructure available to travel except by car, residents are forced to pay higher cost of living expenses and enjoy fewer options to improve their qualities of life.

The legislature found that over the last century, Hawaii's ground transportation was built as a car-centric system, with little attention to alternatives, which has raised the cost of living in the islands, impacted the quality of life, and resulted in some of the highest transportation-related fatality rates in the nation. Merely adding lanes to reduce traffic does not address Hawaii's most pressing traffic, safety, health, and other issues. In fact, it can often make them worse. Studies show that the traffic benefits of spending tens of millions of dollars adding lanes to accommodate more cars are often eliminated in just a few years by additional cars incentivized to fill that space. Those funds could have had a more significant and longer-lasting benefit if they were expended to address other issues, such as expanding options for people to commute by

public transportation, biking, or walking, especially for those in low-income communities.

§264- Ground transportation facilities. (a) The Department of transportation shall develop and implement a plan for the establishment of the following:

(1) A contiguous network of motor vehicle highways connecting communities throughout each island, in which intersections with other modes of transportation shall be minimized and a priority and preference for access shall be given to public mass transportation;

(2) A contiguous network of bicycle and electric bicycle highways or pathways connecting communities throughout each island, in which intersections with other modes of transportation shall be minimized; provided that the bicycle and electric bicycle highways and pathways shall be separated and protected from vehicular traffic by physical or natural barriers or by meaningful distance or elevation; and

(3) A contiguous network of pedestrian highways or pathways connecting communities throughout each island, in which intersections with other modes of transportation shall be minimized; provided that the pedestrian highways and pathways shall be separated and protected from vehicular and bicycle traffic by physical or natural barriers, or by meaningful distance or elevation.

Within each community or communities, the department of Transportation shall coordinate with the applicable county to develop a comprehensive plan for the establishment of any portion of the following within the department or county's jurisdiction, as applicable:

(1) A contiguous network of bicycle and pedestrian pathways connecting all public schools and libraries in each school complex area to one another, and to its respective state and county transportation infrastructure, in which intersections with other modes of transportation shall be minimized; provided that the pathway network shall be separated and protected from vehicular traffic by physical or natural barriers, or by meaningful distance or elevation;

(2) A contiguous network of bicycle and pedestrian pathways connecting commercial business and shopping hubs to residential areas, and to its respective state and county transportation infrastructure, in which intersections with other modes of transportation shall be minimized; provided that the pathway network shall be separated and protected from vehicular traffic by physical or natural barriers, or by meaningful distance or elevation; and

(3) Pedestrian exercise and active health pathways of meaningful length in which intersections with other modes of transportation shall be minimized; provided that these pathways shall be

separated and protected from vehicular traffic by physical or natural barriers, or by meaningful distance or elevation, and easily accessible to residential and high density communities where appropriate.

Please see attachments for the West Maui Greenway:

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West Maui Greenway

Overview

The West Maui Greenway is a proposed 25-mile, multi-use trail that uses and transforms the abandoned cane haul road into a recreational ribbon connecting residents and visitors alike to the outdoors and community destinations. The trail is intended to provide a safe and family friendly place to enjoy the outdoors away from the heavy traffic on Honoapiilani Highway and connect communities and destinations, while offering alternative transportation.

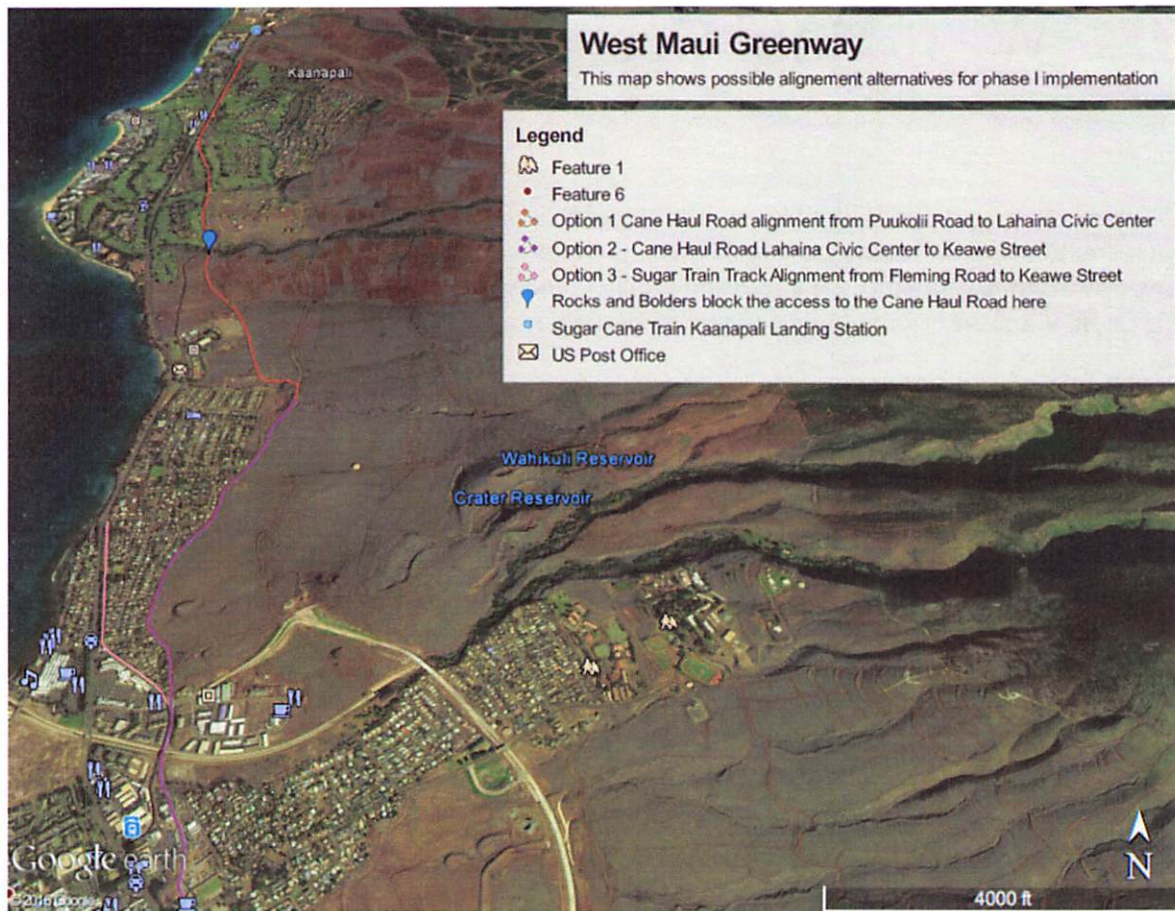
This document presents the big picture, with suggestions for options that can be considered for the first phase of the project. One of the goals of this first phase is to provide a facility that can be appreciated and used by residents and visitors. It should allow people to understand the potential of a connected greenway system that would allow both recreation and transportation options for users. The West Maui Greenway Alliance recommends that the first phase of the project consist of an option that allows for a pilot, one in which users can test it out to build understanding, use, and support for implementation of the entire route. It should also be the option that provides a connection with cost and time in mind. In other words, a route that requires the reasonable land acquisition, easements or leases and one that allows for the involvement of community and partnerships to facilitate a cost effective solution for the first phase.

Options for Consideration

The County is contracting with a consultant to complete the design work for this first phase. This document outlines route options for the first phase. We recommend that a simple check list be developed for the consultant to review the options, and then use the alignment that best meets the needs as the preferred alternative. This would provide a level of analysis that can allow the County to pursue the option that is most likely to be successful in reaching the ultimate goal of the full West Maui Greenway. Once the preferred option is defined, the design work can continue within the contract (e.g. \$300,000). There are basically two options for alignment, with options for start and terminus for the phase I project. The West Maui Greenway within the 2003 State of Hawaii Master Bike Plan recommends a separated bike path along the existing cane haul road as a [Priority 1 project](#). The plan recognizes the need to work between County and State agencies to make the project a reality. The other option is to combine the cane haul road with the sugar train track alignment as either a rail with a trail adjacent to it or a rail trail, meaning the tracks are converted into a paved path.

The following map provides a range of alternatives. It seems that the first step in the scope of work (SOW) for a consultant would be to do preliminary investigations on the most cost and time effective option for the first phase. This could be done by a simple check list that considers factors that would allow for a timely and cost-efficient option for Phase I. Once this is determined, a further design could be pursued on the preferred option.

Map 1 Overview Map



Option I - Cane Haul Road alignment: from Puukolii Road to Civic Center

This alignment would follow the existing cane haul road from Puukolii Road to the Civic Center. Much of the land in this alignment is owned by Kaanapali Land Management Corporation. The [2020 Plan](#) includes a greenway concept, and there are several scenarios that could be developed to either have the cane haul road right-of-way deeded over to the County, or a long term lease of the land to allow the County to improve and maintain the property. The best case scenario would be for the Kaanapali Land Management Corporation to gift the land (Greenway ROW) to the County, in exchange for the improvements, access, and maintenance of the Greenway. This gift of land could result in in-kind matching funds that the county could use with federal funds. This scenario would require careful negotiations with Kaanapali with clear benefits that they would gain, such as increased property values for the company. For more information on basic requirements for matching funds see: [2 CFR 200.300\(d\) & \(g\) - Cost Sharing or Matching](#).

Option 2 - Cane Haul Road alignment from Puukolii Road to Lahainaluna (smoke stack)

This option could include a shorter alignment, should the cost to go to Lahainaluna Road be too far. This option includes lands that are owned by the state. It appears that much of the land up until Keawe Street may be state

owned, thus making the shorter option a possibility, as it would still bring people to destinations within the path. Ideally it would be good to connect to Lahainaluna, given the population and connections it could provide.

Option 3 - Cane Haul Road plus Sugar Train alignment from Fleming Road to Keawe Street (DPW Suggested Alignment)

This alignment could be an option, however, if the alignment is going to require land acquisition, a conversion from rail lines to pavement, and has any historic significance or proponents of the train tracks that feel that it is significant from a historical perspectives, this could cause significant delays. This position is based on the difficulties that the State Department of Transportation (HDOT) has experienced on Oahu with the project on the OR&L alignment that was deeded over to the state. This project, without land acquisition needs, has been in the works since 1980, when the agreement instructed HDOT to convert the alignment to a multi-use trail. It seems that the greenway alignment that is within the State Bike Plan and that already has an existing road (in various conditions), should be a consideration, in the event that this alternative has too many land complications. However, this option does offer a nice alignment, and should be considered through the first check list phase as there may be reasons this is preferred.

Benefits of a Greenway

Greenways for America defines a greenway as a linear open space established along either a natural corridor, such as a riverfront, stream valley, or ridgeline, or overland along a railroad or abandoned road right-of-way converted to recreational use, a canal, scenic road, or other route. It is any natural or landscaped course for pedestrian and bicycle passage. An open-space connector linking parks, nature reserves, cultural features or historic sites with each other and with populated areas. The West Maui Greenway would connect people to many destinations and provide stunning views. It will be a resource for locals and visitors alike if it can connect people safely to destinations. It can address traffic congestion by getting people off the road for short trips. There are many different types of standards for a greenway. For design guidelines, planning suggestions and Federal Highway Administration general guidelines, please find the following:

- [Separated Bike Lane Planning and Design Guide](#)
- [General Guidance with access to multiple FHWA guidelines and practices](#)
- [Compliance related to Bicycle and Pedestrian Provisions of Federal Transportation Legislation](#)
- [Context Sensitive Solutions](#)

Previously Discussed Management/Ownership/Liability Considerations

The following is from our design charrette meeting that took place in March 2016.

1. Preferred by the County is that the cane haul road stays in County ownership where that currently exists, and that easements are granted over to the County for areas that are currently under private land ownership.
2. Maintenance:
 - a. County maintenance was suggested as a way to keep the maintenance standard high, and have a way of enforcing the maintenance. It was suggested that there would have to be funding for the position so that it could be managed over the long term

- b. There could be a partnership and friends group that worked with messaging, support, community engagement- similar to the Kauai PATH model.
- c. Bikeway: recommended that it go to Public Works for the long term management and maintenance. Responsible for the position and long term responsibility.

Back up for the Public Works EP position would be an option to pay an organization to do the role. Contract and include performance requirements. Kalima O Maui is an example of how it has worked for their organization and provided training and labor for Maui's young people

Appendix A Federal Highway Administration Guidance: Bicycle and Pedestrian Provisions of Federal Transportation Legislation: Streamlining Procedures

Bicycling, walking, and enhancing accessibility embody the goals and objectives of Federal surface transportation law: they quietly, cleanly, efficiently, and effectively serve local transportation needs, providing access to jobs, education, health care, and other essential services. They are also critical to ensuring that people can get to and from transit services. Because of that, FHWA has provided maximum opportunities for States to streamline the approval and implementation of bicycle and pedestrian projects and programs. It is unnecessary for activities such as crosswalk striping, bicycle parking installation, and bike lane marking — which usually require no additional right-of-way and cause no negative environmental impact — to have the same approval process as a multi-lane highway construction project. States and MPOs are encouraged to take advantage of the following streamlining measures and to take any additional steps they can to speed up the implementation of projects that improve conditions for bicycling and walking.

Environmental Review Streamlining

- Construction of bicycle and pedestrian facilities have the potential to impact the environment, although by experience, these impacts are normally trivial or minor and the requirements of the [National Environmental Policy Act](#) (NEPA) may be easily satisfied. Thus, except in unusual circumstances, sponsors of bicycle and pedestrian projects are excluded from the requirement to prepare either an environmental impact statement or an environmental assessment. Nevertheless, project sponsors must consider impacts of construction of pedestrian access routes and bicycle and pedestrian lanes, paths, and facilities in order to verify that making a "Categorical Exclusion (CE)" determination is appropriate. FHWA has long recognized that building bicycle and pedestrian facilities is an action that does not result in any significant impacts on the environment and identifies this action in its regulations ([23 CFR 771.117\(c\)\(3\)](#)). This action normally does not require any individual NEPA approval by the FHWA. Project sponsors may apply this CE regardless of whether or not their specific project requires new right-of-way or project total cost.
- Bicycle and pedestrian facility projects should be defined as standalone projects and not be inappropriately segmented from larger highway projects in order to simplify their environmental review.
- Bicycle and pedestrian facility project sponsors should work closely with their State DOTs and FHWA division staff to understand how to consider the impacts of these projects and record any resulting impacts that demonstrate that a CE determination is appropriate.
- For multimodal projects, under certain conditions, one U.S. Department of Transportation operating administration or agency may use the CE authority of another operating administration or agency. (49 U.S.C. 304) See FHWA [Q & A on MAP-21 Multimodal Projects and Eligibility to Use the 49 U.S.C. §304 Process](#).
- Except in unusual circumstances, bicycle and pedestrian projects are not normally required to undergo a Section 4(f) evaluation. ([FHWA Memo, May 23, 1977](#)) See [Section 4\(f\) Policy Paper, Part II, Section 15](#).
- Stand-alone bicycle and pedestrian facilities are exempt from transportation conformity requirements. However, bicycle and pedestrian projects that are incidental elements of larger transportation projects may be subject to transportation conformity as part of a larger project.
- Many projects not located within highway right-of-way may be procured using State procedures and do not need to follow Federal procurement procedures. See [Procurement Memo](#). However, TAP projects must be treated as projects on Federal-aid highways. (23 U.S.C. 213(e)).

Funding

- There are flexibilities for the Federal share for bicycle and pedestrian projects using [RTP](#) funds (see link).
- States may allow in-kind contributions such as volunteer labor, land donations, and in-kind services to count towards State matching costs provided that reasonable cash value can be attributed to the donated time, resource or product. See [Donations](#).
- Bicycle and pedestrian projects of a similar nature may be grouped together for the purposes of funding without each project having to be approved individually.



West Maui Greenway

Overview

The West Maui Greenway is a proposed 25-mile, multi-use trail that uses and transforms the abandoned cane haul road into a recreational ribbon connecting residents and visitors alike to the outdoors and community destinations. The trail is intended to provide a safe and family friendly place to enjoy the outdoors away from the heavy traffic on Honoapiilani Highway and connect communities and destinations, while offering alternative transportation.

Benefits of a Greenway

*Greenways for America*¹ defines a greenway as a linear open space established along either a natural corridor, such as a riverfront, stream valley, or ridgeline, or overland along a railroad or abandoned road right-of-way converted to recreational use, a canal, scenic road, or other route. It is any natural or landscaped course for pedestrian and bicycle passage. An open-space connector linking parks, nature reserves, cultural features or historic sites with each other and with populated areas. The West Maui Greenway would connect people to many destinations and provide stunning views. It will be a resource for locals and visitors alike if it can connect people safely to destinations. It can address traffic congestion by getting people off the road for short trips. It could support a bike share system if planned with the County and visitor industry.

Economic Benefits

Benefits of a greenway and infrastructure that supports active transportation have been quantified in different ways. A scenic greenway can attract tourists and visitors and become a destination², it increases property values to those properties that have access to the greenway, it can increase the frequency of visits with spending per visit equivalent to vehicle trips³, and it can help to spur new local businesses that address a new service or need from the greenway and its users. It can be found to increase economic benefits to a city. In Sydney, Australia a study was conducted that found that in adding 200 kilometers of cycling infrastructure to the city would yield a return of \$500 million, or \$3.88, for every dollar spent in wider benefits⁴.

Greenway corridors provide a variety of amenities such as scenic views, open space preservation, and convenient recreation and transportation opportunities. People value these amenities. It has also been found that real property values can rise as a result of having a greenway near property, and there is an increased marketability for property located near open space. Realtor associations have been increasingly interested and investing in partnerships that support rail trails and greenways. One reason is that trails have been found to increase property value with recent home buyers ranking proximity to a trail second in importance out of 18 possible neighborhood amenities when shopping for a new home (Rails to Trails Conservancy). In Europe, where

¹ Flink, Charles A. and Robert M. Searns. *Greenways: A Guide to Planning, Design, and Development*. Island Press. 1993

² See New Zealand Transportation Agency Report: National Business Case for Investing in Making Cycling a safer and more attractive Transportation Choice. Referenced found at: <https://www.nzta.govt.nz/assets/resources/cycling-strategic-assessment/docs/cycling-strategic-assessment.pdf>

³ See Consumer Behavior and Travel Choices: A focus on Cyclists and Pedestrians (USA) Reference found at: http://nacto.org/wp-content/uploads/2015/04/consumer_behavior_and_travel_choices_clifton.pdf

⁴ See Cycling equals big financial benefits plus fewer cars, says new study. Reference found at: <http://www.sydneymedia.com.au/4256-cycling-equals-big-financial-benefits-plus-fewer-cars-says-new-study/>

bicycling infrastructure and use is much higher than in the US, house prices rise when in close proximity to low traffic volumes, as well as walkable and cycle-friendly infrastructure⁵. Today bike trails, bike lanes, bike share systems, and other forms of active transportation infrastructure are helping spur a new generation of “trail oriented development” states a recently released report by the Urban Land Institute that profiles 10 such developments. The report, “Active Transportation and Real Estate: The Next Frontier”, cites a considerable statistic: on a national scale, the values of homes in areas with “above-average” access to active transportation are higher than those of comparable properties by as much as \$34,000. Homes in proximity to the bike-able Indianapolis Cultural Trail, for instance, have seen an astronomical rise in value since the trail’s opening six years ago – 148%, the report states. In Radnor Township, PA., the Radnor Trail has raised the values of properties within a quarter mile by an average approaching \$70,000. Similar trends have also emerged in Atlanta and Dallas⁶.

A study in Ohio found that the Little Miami Scenic Trail positively impacted single-family residential property values, with sale prices increasing by \$7.05 for every foot closer a property is located to the trail. The study looked at how the trail affects the sale prices of single-family residential properties using structural, neighborhood and environmental variables, and a hedonic price model⁷. A 2014 survey commissioned by Transportation for America and conducted by Global Strategy Group⁸ found that more than 80% of millennials said it is important for their city to offer opportunities to live and work without relying on a car. More than half would consider moving to another city if it offered a wider, better range of transportation options. And two-thirds said access to good transportation is one of their top three criteria when choosing a place to live.

Natural open space and trails are prime attractions for potential home buyers. A study of property values near greenbelts in Boulder Colorado in the 1990s noted that housing prices declined an average of \$4.20 for each foot of distance from a greenbelt up to 3,200 feet. In one neighborhood, this figure was \$10.20 for each foot of distance. The same study determine that, other variables being equal, the average value of property adjacent to the greenbelt would be 32% higher than those 3,200 feet away (Correll, Lillydahl, and Singell, 1978)⁹. The Burke-Gilman Trail in Seattle increased the value of properties. Homes near trail sold for 6.5% more and were easier to sell. Homes on the trail showed no effect. (1987 survey of local real estate agents). Mountain Bay Trail in Wisconsin found that the property lots adjacent the trail sold faster and for 9% more. (1998 study). Trails were also ranked as the 2nd most important community amenity out of a list of 18 choices. (2002 survey of recent home buyers by NAR and NAHB). All of these studies point to the same conclusion: greenways can boost property values and are desired by people.

There are other economic values that can be placed on active transportation. In 2009, the most recent year for which national data is available, Rails to Trails Conservancy estimated the annual [value of walking and biking](#) at:

- ▶ \$4 billion in gasoline not purchased

⁵ Reference found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/509587/value-of-cycling.pdf

⁶ Referenced from Wheel Estate: Bike Paths Lift Home Values: Suzanne De Vita, April 13, 2016 found at <http://blog.rismedia.com/2016/wheel-estate-bike-paths-lift-home-values/>

⁷ [Download the complete thesis](#) by Duygu Karadeniz, *The Impact of the Little Miami Scenic Trail on Single Family Residential Property Values* (pdf 1.0 mb)

⁸ Referenced from **Alternative Transportation Spurs Development**, Joan Mooney, National Association of Realtors

⁹ Referenced from **Economic Impacts of Protecting Rivers, Trails and Greenway Corridors**, National Park service

- ▶ 14 million tons of carbon dioxide not emitted (conservatively worth \$147 million)
- ▶ \$235 billion saved due to the health benefits from active transportation that result in the prevention of premature deaths

Added together, the monetary value of these savings is \$239 billion per year. Depending on how quickly active-transportation use increases, these benefits will reach a value of between \$300 billion to \$400 billion per year just by 2020. Moreover, not all benefits are quantified nationally, such as local economic and private development; therefore, the benefits may be even higher. When the transportation, health, environmental and social benefits of active transportation are [monetized](#), the economic incentives become clear, giving decision-makers the leverage they need to justify further investment. West Maui should recognize the trends, the benefits, and make the West Maui Greenway a reality. The current congestion, infrastructure constraints, and community concerns make the greenway a smart investment. Below are options that are being considered for the planning and implementation of the first phase of the project.

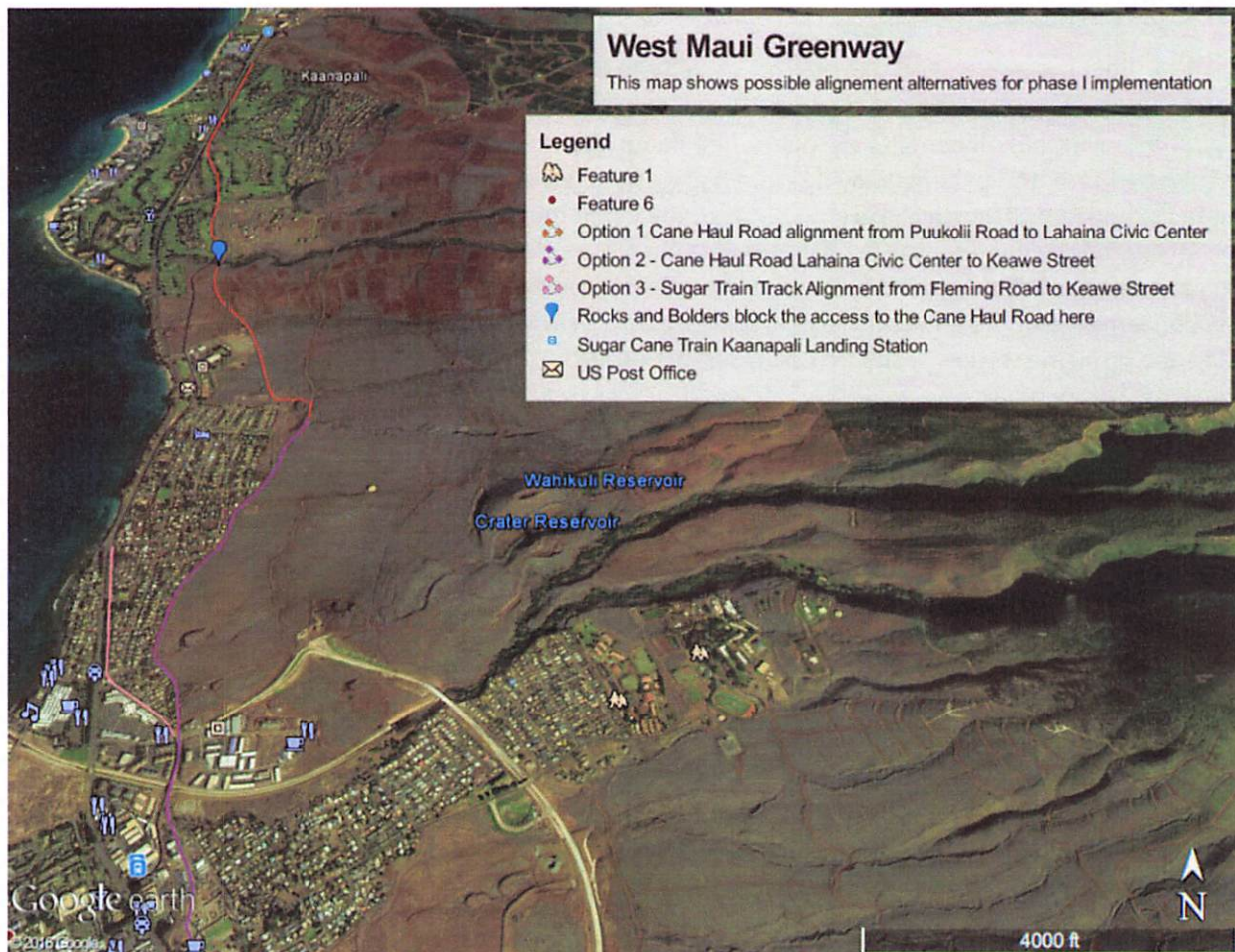
Addressing Landowner concerns about Granting Public Access to Private Property

A number of concerns generally arise when a landowner is asked to grant public access. Typically, there are concerns with liability, privacy, trespassers and disorderly visitors, property damage, and interference with business operation. Landowners can limit their liability by entering into an agreement to be indemnified by an insured easement holder. For the case of West Maui Greenway, that would be the County of Maui. For the landowner to qualify for immunity under a recreational use statute, a landowner must grant free public access to their land for outdoor recreational purposes. There are design features of a greenway that can help keep people on the greenway, and limit trespassing onto the adjacent property. Fences, vegetation, signs, and rope are some simple solutions that can help. Rules that define the proper use of the trail, types of use, and enforcement are other ways to keep the greenway functioning as a recreation and alternative transportation route. Together, these tools have been found to work well, with positive results such as increased property values and economic benefits being increased. The value of the Greenway to a community can become a social and community-building amenity, benefiting the health, social fabric of communities, and transportation and recreation needs.

Options for Consideration for the West Maui Greenway

The County is contracting with a consultant to complete the design work for this first phase. The first phase of the project would open up a portion of the larger 25-mile greenway, allowing people to experience and use the greenway and to gather data on the impact that the greenway can have from a transportation, congestion, health, and economic perspective. For phase I, there are basically two options for alignment, with options that vary based on the start and terminus for the phase I project. The West Maui Greenway, within the 2003 State of Hawaii Master Bike Plan, recommends a separated bike path along the existing cane haul road as a [Priority 1 project](#). The plan recognizes the need to work between County and State agencies as well as private land owners to make the project a reality. The other option is to combine the cane haul road with the sugar train track alignment as either a rail with a trail adjacent to it or a rail trail, meaning the tracks are converted into a paved path. The map below and the alternative options descriptions provide options for this first phase of the project. We are working with the County to help define the preferred alternative by working with the consultant.

Map 1 Overview Map



Option I - Cane Haul Road alignment: from Puukolii Road to Civic Center

This alignment would follow the existing cane haul road from Puukolii Road to the Civic Center. Much of the land in this alignment is owned by Kaanapali Land Management Corporation. The [2020 Plan](#) includes a greenway concept, and there are several scenarios that could be developed to either have the cane haul road right-of-way deeded over to the County, or a long term lease of the land to allow the County to improve and maintain the property. The best case scenario would be for the Kaanapali Land Management Corporation to gift the land (Greenway ROW) to the County, in exchange for the County to take on the cost of improving the greenway to standards, work with the community to include design and amenities to support a safe path, develop proper access, and be responsible for the liability concerns and maintenance of the Greenway. This gift of land could result in in-kind matching funds that the county could use with federal funds. For more information on basic requirements for matching funds see: [2 CFR 200.300\(d\) & \(g\) - Cost Sharing or Matching](#).

Option 2 - Cane Haul Road alignment from Puukolii Road to Lahainaluna (smoke stack)

This option could include a shorter alignment, should the cost to go to Lahainaluna Road be too far. This option includes lands that are owned by the state. It appears that much of the land up until Keawe Street may be state owned, thus making the shorter option a possibility, as it would still bring people to destinations within the path. Ideally it would be good to connect to Lahainaluna, given the population and connections it could provide.

Option 3 - Cane Haul Road plus Sugar Train alignment from Fleming Road to Keawe Street

This alignment could be an option, however, if the alignment is going to require land acquisition, a conversion from rail lines to pavement, and has any historic significance or proponents of the train tracks that feel that it is significant from a historical perspectives, this could cause significant delays. This position is based on the difficulties that the State Department of Transportation (HDOT) has experienced on Oahu with the project on the OR&L alignment that was deeded over to the state. This project, without land acquisition needs, has been in the works since 1980, when the agreement instructed HDOT to convert the alignment to a multi-use trail. It seems that the greenway alignment that is within the State Bike Plan and that already has an existing road (in various conditions), should be a consideration, in the event that this alternative has too many land complications. However, this option does offer a nice alignment, and should be considered through the first check list phase as there may be reasons this is preferred.

Previously Discussed Management/Ownership/Liability Considerations

The following is from our design charrette meeting that took place in March 2016.

1. Preferred by the County is that the cane haul road stays in County ownership where that currently exists, and that easements are granted over to the County for areas that are currently under private land ownership.
2. Maintenance:
 - a. County maintenance was suggested as a way to keep the maintenance standard high, and have a way of enforcing the maintenance. It was suggested that there would have to be funding for the position so that it could be managed over the long term
 - b. There could be a partnership and friends group that worked with messaging, support, community engagement- similar to the Kauai PATH model.
 - c. Bikeway: recommended that it go to Public Works for the long term management and maintenance. Responsible for the position and long term responsibility.

Back up for the Public Works EP position would be an option to pay an organization to do the role. Contract and include performance requirements. Kalima O Maui is an example of how it has worked for their organization and provided training and labor for Maui's young people.

County Clerk

RECEIVED

From: Verdine <verdine001@gmail.com>
Sent: Tuesday, October 19, 2021 2:51 PM
To: County Clerk
Subject: 'Aina Kupuna Bill CR 21-95

2021 OCT 19 PM 4: 23

OFFICE OF THE
COUNTY CLERK

 You don't often get email from verdine001@gmail.com. [Learn why this is important](#)

October 19, 2022

Dear Council Members,

I write in strong support of 'Aina Kupuna Bill CR 21-95. As you know, many locals are unable to afford the rising housing costs on Maui. Such conditions have forced many to leave for other places on the Continent where housing and the cost of living is more commensurate with employment income. Hawai'i is becoming a place for the wealthy. With the rise in housing costs, comes the rise in property taxes. We cannot continue in this direction as it will eventually destroy the culture we have so long been proud of. Soon, locals who live in houses handed down through generations will be priced out of their homes by soaring property taxes. We want our keiki and young families to experience the Hawai'i we knew as we were growing up. Our island home is a very special place with special people. By your support of CR-21-95, we will better ensure that ancestral lands will remain in Hawaiian hands for years to come. PLEASE preserve our Hawaiian lands for the people of the land. Mahalo for your time and your consideration of this request.

Verdine Kong
872 Haunani Place
Wailuku, HI 96793
(808) 268-1414
Sent from Mail for Windows

County Clerk

RECEIVED

From: Edwina Wilmington <memissmaui@gmail.com>
Sent: Tuesday, October 19, 2021 4:15 PM
To: County Clerk
Subject: Āina Kūpuna bill number CR 21-95

2021 OCT 19 PM 4: 23

OFFICE OF THE
COUNTY CLERK

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Aloha Maui County Councilmembers,

My name is Edwina Wilmington and I reside at 95-461 Kakae Pl in Mililani, Hawaii. I was born and raised in Lahaina (Mala) and still consider Maui my home.

I am writing to you because I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help long-time kama'āina families maintain and sustain their 'āina kūpuna through ancestral land dedication.

I find it heartbreaking that many descendants who have had family land passed down from generation to generation are in this financial predicament of the possibility of losing or selling their land. The challenges they face to keep up with the rising cost of property taxes. Local families need help to continue to live and maintain the 'āina for their future generations.

Makena is home for the "Kukahiko" ohana. Their ancestors are buried on the land and descendants have lived in Makena for nearly 140 years. Makena has become a community of wealthy homeowners, many non-residents who continue to buy high-end speculation homes that raise the property tax to an unreasonable and unaffordable amount for local families. As the community has become unaffordable for locals to continue to stay in Makena, I ask for your support to pass the 'Āina Kūpuna bill CR 21-95 with amended changes.

I appreciate your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands. Mahalo for your time and taking on this long overdue issue.

Sincerely,
Edwina Wilmington

County Clerk**RECEIVED**

From: Johnnie Dano <noedano@hotmail.com>
Sent: Tuesday, October 19, 2021 4:22 PM
To: County Clerk
Subject: CR 21-95, 'Āina Kūpuna Land Dedication

2021 OCT 19 PM 4: 23**OFFICE OF THE
COUNTY CLERK**

 You don't often get email from noedano@hotmail.com. [Learn why this is important](#)

I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. I am a descendant of the Kukahiko family. Displaced in Houston, Texas. My great grandfather rests in the gravesite, as does my great grandmother (and other Kupuna) -- never having met them, nor their oldest son, my grandfather as my Tutu was pregnant when he was involved in a truck accident when on route to selling some fish in the late 1920s. I have read a great many of interviews and stories of my great family. Such little land left -- but such great preservation of the 'āina. I urge all council members to vote yes on this very important bill. Please keep the Kukahiko family property alive and perpetuated in righteousness. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Aloha,
Johnnie Noelani Chang Dano
Houston, Texas
Born and raised in Kaneohe, Hawaii!!!!

County Clerk

RECEIVED

From: Beth Keolanui <beth.keolanui@gmail.com>
Sent: Tuesday, October 19, 2021 4:41 PM
To: County Clerk
Cc: Beth Keolanui
Subject: Aloha - please support CR 21-95

2021 OCT 20 AM 8:35

OFFICE OF THE
COUNTY CLERK

You don't often get email from beth.keolanui@gmail.com. [Learn why this is important](#)

Aloha,

Mahalo in advance for reading this message. My name is Beth Keolanui, and I am the granddaughter of Ed and Laurie Chang in Makena (my mother is Puena Chang Keolanui). This bill is extremely important to our family, and for future generations like me to ensure we can support the 'āina kūpuna. Our 'āina kūpuna is so important -- it is the truly the place that I call home. The 'āina kūpuna is so important that my husband and I were recently married in Makena and had our 'ohana gathering beforehand at the Kukahiko house in July 2019. There are no words to describe how special it was to bring all of our family together in our 'āina kūpuna. (We had four generations together eating Hawaiian food and sharing stories!) I hope we have many more opportunities to do so, and this bill would ensure we could for many more generations.

Our Kukahiko family has been in Makena for over 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once our 'ohana was one of the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. We strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end speculation homes. For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes.

Mahalo Nui loa for reading this and, I hope, for your support!

Mahalo,

Beth

Beth Keolanui
beth.keolanui@gmail.com

County Clerk

From: marklogan2000@aol.com
Sent: Tuesday, October 19, 2021 4:58 PM
To: County Clerk
Subject: testimony on the First Reading by the Maui County Council of CR 21-107

 You don't often get email from marklogan2000@aol.com. [Learn why this is important](#)
Hi

I would like to offer the following testimony on the First Reading by the Maui County Council of CR 21-107.

I have an existing 3 year BnB permit. I received in at the end of 2019 and it is up for renewal next year (2022). While I have owned the property in question for more than 5 years, the specific structure that the permit is for was constructed during 2017-2018, but not completed until early 2018. I am concerned about the wording of the bill regarding the B&B Five Year Ownership Requirement Change. Because when I submit my renewal application, the already permitted BnB structure will not have been existing for more than 5 years. So, does that mean my renewal application will be rejected? That doesn't seem right. I don't know how many other people might be in this same "gap" situation. I would guess not many but I would ask that the language be clarify to exempt existing permits, or the renewal of them, from this new requirement. I believe that the Council in general is acting in the best interests of all of the residents as it considers all of these changes. However, I hope that my particular situation is an unintended consequence and that you would see fit to address it in the bill.

Thanks and best regards

Mark Logan

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COUNTY CLERK

County Clerk

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From: toyafuso@hawaiiintel.net
Sent: Tuesday, October 19, 2021 5:04 PM
To: County Clerk
Subject: I support the 'āina kūpuna bill CR 21-95

2021 OCT 20 AM 8:35

OFFICE OF THE
COUNTY CLERK

You don't often get email from toyafuso@hawaiiintel.net. [Learn why this is important](#)

Aloha Maui County Councilmembers,

My name is Terry Oyafuso and I live in Honolulu, Hawaii. I was born and raised in Kokomo, Maui. I come from a large family. My parents had 12 children. I have family who are living on Maui and they are having a difficult time to find affordable housing.

I am writing to you because I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help long-time kama'āina families maintain and sustain their 'āina kūpuna through ancestral land dedication.

I find it heartbreaking that many descendants who have had family land passed down from generation to generation are in this financial predicament of the possibility of losing or selling their land. The challenges they face to keep up with the rising cost of property taxes. Local families need help to continue to live and maintain the 'āina for their future generations.

Makena is home for the "Kukahiko" ohana. Their ancestors are buried on the land and descendants have lived in Makena for nearly 140 years. Makena has become a community of wealthy homeowners, many non-residents who continue to buy high-end speculation homes that raise the property tax to an unreasonable and unaffordable amount for local families. As the community has become unaffordable for locals to continue to stay in Makena, I ask for your support to pass the 'Āina Kūpuna bill CR 21-95 with amended changes.

I appreciate your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands. Mahalo for your time and taking on this long overdue issue.

Sincerely and Mahalo,
Terry Oyafuso

County Clerk

RECEIVED

From: Kiana Johnson <kianaj815@gmail.com>
Sent: Tuesday, October 19, 2021 5:32 PM
To: County Clerk
Subject: Support Bill CR 21-95

2021 OCT 20 AM 8:35

OFFICE OF THE
COUNTY CLERK

You don't often get email from kianaj815@gmail.com. [Learn why this is important](#)

Aloha,

I am writing this letter I'm support of Bill CR 21-95 to help 'ohana that have 'Āina kūpuna to be eligible for a tax exemption.

I have been to the Chang's Ohana's property in Makena, Maui and while it sits amongst all the mansions and other modern development it still holds so much mana and value above everything it's surrounded by. Their property grows many food sources but most especially growing Kalo which is a staple food for us Kanaka. Passing this bill will help ease stress on this ohana and they can continue to mālama 'Āina.

Sent from my iPhone

County Clerk

RECEIVED

From: Lurline M <lurlineism@gmail.com>
Sent: Tuesday, October 19, 2021 6:00 PM
To: County Clerk
Subject: I support CR 21-95!

2021 OCT 20 AM 8:35

OFFICE OF THE
COUNTY CLERK

 You don't often get email from lurlineism@gmail.com. [Learn why this is important](#)

To whom it may concern,

I am in full support of CR 21-95. I believe that Hawaiian lands should remain in Hawaiian hands. These much needed tax exemptions are necessary for our ohana to continue their stewardship of the land that they have come from for many generations. It is not fair that the development in many areas of Hawaii have raised taxes to the point that many families cannot afford to keep up. We need to protect what we have left to preserve our culture for future generations!

Mahalo,
Lurline Makahanaloa

County Clerk**RECEIVED**

From: Jelina <jelinajarra@yahoo.com>
Sent: Tuesday, October 19, 2021 6:01 PM
To: County Clerk
Subject: I am for CR 21-95 Āina Kūpuna Bill

2021 OCT 20 AM 8:35**OFFICE OF THE
COUNTY CLERK**

[You don't often get email from jelinajarra@yahoo.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Aloha,

My name is Jelina Jarra and I was raised in Makena with the Chang Ohana. I am for CR 21-95 Āina Kūpuna Bill. I was fortunate to grow up in a place that taught me my foundation as an adult. As part Hawaiian I was taught my culture there and no where else. I would like to continue these same traditions that I was taught to my keiki and to my mo'opuna. My Ohana means so much to me and the āina is just as special. I know for a fact that is Hawaiians will take better care for the āina then anyone else will. Please help our people and protect us.

Mahalo ,
Jelina Jarra

Sent from my iPhone

County Clerk

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From: Roxanne WhiteLight <rwhitelight@gmail.com>
Sent: Tuesday, October 19, 2021 6:40 PM
To: County Clerk
Subject: CR-12-95

2021 OCT 20 AM 8:35

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COUNTY CLERK

 You don't often get email from rwhitelight@gmail.com. [Learn why this is important](#)

My name is Roxanne WhiteLight. I am a resident of Maui County. I am writing to express my support for CR-12-95 regarding ancestral lands..

As we all know, the kingdom of Hawaii was stolen by the private interests and US government. It is the least we can do for the long time hawaiian families that remain to allow them to not be subject to the crazy inflation of prices that is occurring in our county. Please please vote yes to give them this peace of mind.

Rev. Roxanne WhiteLight
773 s. Alu Rd
Wailuku, HI 96793

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County Clerk

2021 OCT 20 AM 8:35

From: Sandra Cristofaro <scristo24@yahoo.com>
Sent: Tuesday, October 19, 2021 6:55 PM
To: County Clerk
Subject: Bill number CR 21-95

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|| You don't often get email from scristo24@yahoo.com. [Learn why this is important](#)

I, Sandra (Nakoa) Cristofaro, "strongly support" the 'aina kupuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'aina kupuna through an ancestral land dedication.

Mahalo for your insight to create such an important bill to keep long-time kama'aina families on their ancestral lands.

Sandra Ululani Nakoa Cristofaro
Descendant: Kukahiko and Nakoa lineage

County Clerk

RECEIVED

From: Felicia <felicia.yadao@gmail.com>
Sent: Tuesday, October 19, 2021 7:39 PM
To: County Clerk
Subject: SUPPORT 'Āina Kūpuna (CR 21-95)

2021 OCT 20 AM 8:35

OFFICE OF THE
COUNTY CLERK

 You don't often get email from felicia.yadao@gmail.com. [Learn why this is important](#)

Aloha,

I am writing in support of 'Āina Kūpuna (CR 21-95). Enough is enough. This should have been in place a long time ago. How can a government be so okay with Hawaiians being priced out of their own land. Their own home. Land that has been in their ohana for generations. We have enough "luxury" homes. Enough hotels. Enough condos. Enough vacation rentals. How is it okay to see Hawaiians being forced off their land? Why are we selling Hawaii to mainland and foreign buyers?

It's time for our government to support locals and Hawaiians. It's time for our government to take care of what we have and be sustainable. It's time we stop selling Hawaii to the highest bidder.

Mahalo

Aloha, my name is Allanette Alana Apo and I am a descendant of the Kukahiko bloodline. My Kukahiko ohana originated from Makena where they lived and thrived. I was born to a generation that would experience an Era of great change. To see a whole hilltop filled with kiawe trees that hid a shack which hosted many family gatherings with the rest of the residents in that area. Another home that overlooked the point in which there is a shark cave my uncles would dive in to catch fish for our ohana to eat are no longer there.

Unfortunately, throughout the years many of my ohana have been uprooted and forced to move elsewhere that was more affordable to live and survive in this economically growing society. Now there are only a few of my ohana homes left there and one of which has an area that a few of our tutu's graves rest on. In order to keep that property and what is left of our roots/connection to that area we have to share/ rent to outsiders in order to pay for the cost to hold on to our ancestral land.

So, I humbly ask that you please pass the "Āina Kupuna Bill CR 21-95" so that we may be able to afford to give our future generations a place to gather and stay connected with their ohana and ancestors. Mahalo for your time and the opportunity to share my mana'o.

Allanette Apo

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2021 OCT 20 AM 8:35
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COUNTY CLERK

County Clerk

From: Danette Kong <danettekong@gmail.com>
Sent: Tuesday, October 19, 2021 9:40 PM
To: County Clerk
Subject: IN SUPPORT OF THE `ĀINA KŪPUNA BILL, CR-21-95, AND ITS AMENDMENT

|| You don't often get email from danettekong@gmail.com. [Learn why this is important](#)

Aloha Council Members -

Mahalo for giving this bill and its proposed amendment the hearing and attention it deserves.

As a *keiki`o ka`āina*, born and reared on O`ahu, I became a full time resident of Maui a mere eight years ago, when I was hired to be chaplain at Maui Memorial Medical Center. Now retired from that position, and looking back over my 67 years of life, I recall sitting silently with sadness and frustration as my own family had to sell off land held in our family for generations. My sisters and I realized we would not be able to afford the upkeep my grandfather had lovingly provided to his property, nor the increasing taxes assessed. It is a loss I will continue to grieve until the day I die, as it was akin to erasing a lifetime of memories from my childhood – memories of my grandparents and the loving, carefree environment they provided for us; memories of our extended `ohana gathered to talk story over poi and lomi salmon, `opihi, oxtail soup and pigs feet; and memories of playing hide-and-seek amidst the acres of lychee trees, sugar cane, lilikoi, bananas, oranges, avocados, and many flowers my Kung Kung raised. ***It has not been just a loss of place or time, but a wound to my heart.***

These feelings reverberate as I watch what is happening to my dear friends in Mākena. As a member of Keawala`i Congregational Church, I have had the pleasure of personally knowing the Chang family and other members of their `ohana. Auntie Laurie, now in her 90s, has been a faithful and beloved member of the choir for decades, even before I became her choir director. Extended `ohana of the Changs have worked hard to help preserve the legacy and uphold Hawaiian values instilled by their *kūpuna*. They quickly found themselves drowning in the avalanche of taxes being heaped upon the property, as land values skyrocketed. What was once a simple gathering place for `ohana took on the necessity of creating a backdrop for weddings which could provide income to keep the property solvent. ***The stress heaped upon this family under these circumstances is unimaginable. The wounds to their collective hearts...are painful.***

If I had my way, I would completely do away with all taxes assessed on lands belonging to lineal descendants. *Āuwē* -- if only that could be so! But as that does not appear to be a possibility, then please allow the amendment now under your consideration. It is not asking for permission to profit from commercial endeavors, but simply asking for a means to pay taxes.

It has been many years, but from my youth I recall an old television commercial which featured a Native American Indian chief overlooking land, rivers, and sky overrun by various forms of pollution. As the spot came to a close, the camera focused on the aged warrior's face, which held a single tear falling down his cheek. Recasting this commercial in my mind's eye, I imagine our ancestors weeping as one for all that is being lost as our `āina is parceled out and lost forever. Council members, *we are witnessing a pollution of the soul of Hawai`i.*

Please take action to turn this travesty around and create a way for Native Hawaiians to hold onto the `āina. **Please pass THE `ĀINA KŪPUNA BILL, #CR-21-95, AND ITS AMENDMENT.**

Mahalo for your consideration,

(Rev.) Danette Kong
788 Upper Kimo Drive
Kula, HI 96790
Ph: (808) 497-3644

--

Danette Kong
(pronouns: she, her)

RECEIVED
2021 OCT 20 AM 8:36
OFFICE OF THE
COUNTY CLERK

County Clerk

From: Janice N Kekahuna <Uapoina1011@mail.com>
Sent: Tuesday, October 19, 2021 8:50 PM
To: County Clerk
Subject: FW: TESTIMONY FOR 'AINA KUPUNA BILL CR-21-95

You don't often get email from uapoina1011@mail.com. [Learn why this is important](#)

Sent from Mail for Windows

From:
Sent: Tuesday, October 19, 2021 8:46 PM
To: county.clerk@mauicounty
Subject: FW: TESTIMONY FOR 'AINA KUPUNA BILL CR-21-95

Sent from Mail for Windows

From: [Janice N Kekahuna](#)
Sent: Tuesday, October 19, 2021 8:45 PM
To: Keani.Rawlins@mauicounty.us
Subject: RE: TESTIMONY FOR 'AINA KUPUNA BILL CR-21-95

RECEIVED
2021 OCT 20 AM 8:36
OFFICE OF THE
COUNTY CLERK

Aloha Maui County Council:

CR12-95, 'Aina Kupuna Land Dedication:

I Janice Naomi Hoewa'a-Koa-Kekahuna the descendant of Arthur Kunane Hoewa'a Sr from the North shores of Kahakuloa Village as well as David Koa Sr from Honokohau "Strongly support" the 'Aina Kupuna bill CR-21-95 and other additions to the bill that will help families maintain and sustain their 'Aina Kupuna through an ancestral land dedication. If we don't preserve the land that is pass down to many families. The outsiders with money will greedily buy it away.

Mahalo for your insight to create such an important bill to keep long-time kama'aina families on their ancestral lands.

Mahalo nui loa
Janice N. Kekahuna
632 Pohala Street
Wailuku, Maui HI 96793

Sent from Mail for Windows

RECEIVED

To: The Honorable Alice Lee, Chair Maui County Council
For Meeting: County Council, 10/22/2021, 9am
Subject: 'Āina Kūpuna Bill, CR 21-95

2021 OCT 20 AM 8:36

OFFICE OF THE
COUNTY CLERK

E nā lālā o ka 'Aha Kalana o Maui,
Aloha pumehana 'oukou;

Mahalo for this opportunity to express my strong support for the 'Āina Kūpuna bill CR 21-95 and thank you personally for your support of this long overdue bill. My name is Keiki Kawai'ae'a and I am a descendant of the Kukahiko 'ohana who has lived in Makena for nearly 140 years. My grandfather Eddie Chang worked on his 'āina kūpuna until his passing at almost 90 years old. The locals would marvel at this elderly kupuna working in the hot sun cutting and packing dry alfalfa for his animals. He loved Makena and after working in the hot Makena sun, he would make himself a late afternoon highball of vodka and grapefruit juice and walk along the shoreline talking story and educating the local people and tourists by sharing his aloha for Makena. You might have heard of this place the locals call it Chang's Beach.

My parents are now at that elderly age and live in a small structure beside their dream home that sits uncompleted at the same place where my grandfather once grew alfalfa. My father always planned to retire in Makena returning to the place where he grew up because Makena is home. During his time, he has raised papaya's, assorted native plants, and different kinds of landscaping trees and palms to subsidize his limited retirement income.

Each generation has had its share of struggles to keep up with the rising property tax costs. For example, my father's property tax between 2016-2019 soared to 425% before his tax appeal. Over the last four years he has appealed his tax and we have watched his frustration grow and the weight of his worry about the property tax consume much of the joy he should be enjoying in the senior years of his life.

Makena has become an overpriced community for the very wealthy, mostly non-residents who can afford to buy high-end speculation homes that raise the property tax to an unreasonable and unaffordable amount for local families. There is something, *not pono* when the families who are the very footprint of a community are displaced and taxed out of their ancestral lands for others who don't actually live in and contribute to the fabric of the community.

I think about our Kukahiko Hale and the wisdom and sacrifice that my grandfather's generation made to keep our 'āina kūpuna in the 'ohana by creating a family corporation of lineal descendants where the branches of our family tree would come together to collectively mālama our 'āina kūpuna located next to our family gravesite at Pāmoelepo the locals call "5 graves." The property tax for 2021 increased \$10,000 in one year to \$83,000. The speculation house on the right is for sale for \$25 million. How much more will the property tax increase after that house is sold?

For us, "Makena is us and we are Makena." This is where our ancestors set deep roots for the 'ohana and where we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. We need a solution to this long overdue land issue and ask your full support to pass the 'Āina Kūpuna bill CR 21-95 with amended changes.

County Clerk

RECEIVED

From: Charmaine Haleakala <nawaieha7@aol.com>
Sent: Wednesday, October 20, 2021 7:19 AM
To: County Clerk
Subject: CR21-95 Aina Kupuna Land Dedication

2021 OCT 20 AM 8:36

OFFICE OF THE
COUNTY CLERK

 You don't often get email from nawaieha7@aol.com. [Learn why this is important](#)

I support the bill CR21-95, our family lands should be kept in our ohana. It is sad that our hawaiian people keep losing their lands. It also should be that when seniors reach over 50, they should not pay any land tax. It is not a housing problem, but a LIFE PROBLEM!!!!!! Thank you.....

County Clerk

From: Ernest Delima <ekdelima@netscape.net>
Sent: Wednesday, October 20, 2021 7:44 AM
To: County Clerk; jordan.k.molina@co.maui.hi.us
Cc: kuuleikamaile@gmail.com
Subject: Re: Testimony - Written on behalf of Glenn Otani - Iron Maehara Stadium
Attachments: Glenn Otani Testimony_101921.pdf

You don't often get email from ekdelima@netscape.net. [Learn why this is important](#)
I had sent my original email to the wrong address, find the attached on behalf of Glenn T. Otani.

Mahalo.

Ernest Delima
D3 District Administrator
808-357-6782
ekdelima@aol.com

RECEIVED
2021 OCT 20 AM 8:36
OFFICE OF THE
COUNTY CLERK

-----Original Message-----

From: Ernest Delima <ekdelima@netscape.net>
To: county.clerk@mauicounty.org <county.clerk@mauicounty.org>; jordan.k.molina@co.maui.hi.us
<jordan.k.molina@co.maui.hi.us>
Sent: Tue, Oct 19, 2021 9:13 pm
Subject: Testimony - Written on behalf of Glenn Otani - Iron Maehara Stadium

Dear Sirs,

Please find the attached information for testimony for the hearing scheduled for October 22, 2021 to name the score booth at Iron Maehara after Mr. Glenn T. Otani. I unfortunately will not be able to attend the hearing as I have prior work commitments and was notified of the hearing today.

I have provided testimony on two (2) previous occasions to the different committees.

On behalf of District 3 Little League we humbly request that the Council authorize the naming of the score booth at Iron Maehara Stadium after Mr. Glenn T. Otani.

If you have any questions, please feel free to contact me

Mahalo.

Ernest Delima
D3 District Administrator
808-357-6782
ekdelima@aol.com



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
299 S. HIGH STREET
WAILUKU, HAWAII 96793

APPLICATION FOR NAMING AND RENAMING EXISTING COUNTY PARKS AND FACILITIES

Iron Maehara Stadium

Naming the scoreboard after - Glenn Otani

Current Park or Facility Name	Proposed Park or Facility Name
Central Maui	
County Department In Control of Park or Facility	Tax Max Key No.

APPLICATION REQUIREMENTS

Applicants are required to submit twelve (12) copies of the typed application and supporting documents to the Department of Public Works, Engineering Division. The following supporting documents must be attached the application:

1. Location map and/or plot plan of the park or facility that is 8-1/2" x 14" in size and dated.
2. Explanation of the purpose for renaming the park or facility and the significance of the proposed name.
3. When renaming to commemorate a person or organization, provide all of the following:
 - a. For a person, provide a brief biography of the person including their full name, date of birth, date of death (if applicable), address of last known residence, and their association with the park or facility.
 - b. For an organization, provide the organization's name and address, all current officers and directors, date of formation, and its association with the park or facility.
 - c. Explain the significance of the person's or organization's association with the park or facility.
 - d. List/attach all outstanding and invaluable civic contributions made by the person or organization to programs in the region where park or facility is located.
 - e. List/attach any recognitions (newspaper articles, certificates, letters, resolutions, etc.) received by the person or organization on the County, State, national, or international level for contributions to the region or to the park or facility itself.
 - f. One letter of recommendation from the director of the County department in control of the park or facility confirming contributions of the person or organization to the region where park or facility is located.
 - g. Minimum of four additional letters of recommendation from various community members confirming the contributions of the person or organization to the region where park or facility is located.

Ernest Delima

Applicant Name

[Signature]

Applicant Signature

04/13/2021

Date

P.O. Box 2124, Wailuku, HI 96793

Mailing Address

808-357-6782

Telephone No.

Proposed Name Selected By:

Ernest Delima

Name

808-357-6782

Telephone No.

FOR OFFICIAL USE ONLY	County of Maui ownership verified?	YES [] NO []
-------------------------	------------------------------------	----------------

STANDARDS FOR RENAMING (SECTION 2.98.040, MAUI COUNTY CODE)

Unless otherwise renamed in accordance with the Maui County Code, existing parks or facilities shall retain the name which has been historically accepted through common usage. Existing parks or facilities may be renamed (1) for the neighborhood, community, district, region, or other identifying geographical locations in which the park or facility is located; (2) in the Hawaiian language, in a manner which describes significant features of the area or which describes the site or its use, function, or purpose; or (3) in exceptional cases, named to commemorate a person or organization that has a significant association with the park or facility, has contributed significantly to programs in the region where the park or facility is located, or has achieved significant recognition on the County, State, national, or international level for contributions to the region or to the park or facility itself.

The Public Works Commission shall review any proposed naming or renaming and make its recommendations to the Maui County Council. The Council may adopt, modify, or reject the Commission's recommendations. Requests to rename a park or facility shall be reviewed by the Public Works Commission and the Cultural Resources Commission.

The Public Works Commission may recommend to establish commemorative plaques at the park or facility in lieu of, or in addition to, naming or renaming a park or facility for a person or organization. Establishment of commemorative plaques is contingent upon there being sufficient funding to erect and maintain such commemorative plaques.

To whom it may concern:

It is my sincere pleasure to recommend that the press box at Maehara Stadium be named in honor of Glenn Otani.

I knew Glenn for nearly 30 years, basically ever since I was hired as a sports writer for The Maui News in August 1990. He was seemingly always at the stadium for one reason or another and took over as the main scorekeeper for nearly every baseball game imaginable — from Little League to AJA to MIL to state tournaments — after Warren Shimabukuro stepped away from the duties about 20 years ago.

Others who have held the job of Maui's "official" scorekeeper have included Kenji Kawaguchi, the first MIL Executive Secretary from 1960-86; Shimabukuro; and Wayne Tanaka, the veteran sports editor of The Maui News who passed away many years ago.

None of those great men did the job with the aplomb that Glenn did. He always had a smile on his face, always greeted all of his helpers in the room: the public address announcer, the scoreboard operator, his spotters, and any other helpers.

He always brought large jars full of M&Ms with him as well, putting smiles on the faces of everyone around him.

It was my distinct pleasure to have known Glenn and I highly recommend the press box at Maehara Stadium after him in his honor.

If there are any other questions from me on this matter, please feel free to call my cell at 808-269-2608.

Also, if I may include the obituary that I wrote on Glenn upon his passing as evidence to his impact on the Maui baseball community.

<https://www.mauinews.com/sports/local-sports/2020/08/otani-remembered-fondly-for-his-dedication-to-baseball/>

Sincerely,

Rob Collias.

Anna Marie Kanaha

64 Maiha Street
Lahaina, HI 96761
(808) 269-7140
jakanaha808@gmail.com

January 4, 2021

County of Maui
Department of Public Works
Engineering Division

Re: Iron Maehara Baseball Stadium Scorebox Dedication

Aloha!

It is with much enthusiasm that I recommend Mr. Glenn Otani to be recognized for the dedication in which he deserves the honor for all he has done for our keiki of Maui in regards to baseball.

Glenn was an overly dedicated volunteer as Tournament Director for every District 3 Little League tournament and every MIL game played at the Iron Maehara Baseball Stadium. You could say the scoreboard was his second home during baseball season!

I am honored to have worked closely with Glenn during my time as President of the West Maui Little League. I continued my tenure with the District 3 staff in 2017, assisting in the scoreboard during Little League tournaments, working next to Glenn and his scorekeeping staff.

His physical presence is no longer in the scoreboard, but with a plaque In Memory of Glenn will always make us remember his dedication, his generosity, his reliability and his special spark. He will truly be missed.

Please let me know if I can provide additional information.

Mahalo!



Anna Kanaha
District 3 Little League Staff Member
(808) 269-7140
jakanaha808@gmail.com
64 Maiha Street
Lahaina, HI 96761

From: hanaomic@aol.com,
To: ekdelima@netscape.net,
Date: Sun, Jan 3, 2021 8:15 am

January 02, 2021

**County of Maui
Department of Public Works
Engineering Division**

Re: Iron Maehara Baseball Stadium Scorebox Dedication

Aloha,

Glenn Otani, has earned the honor for which I recommend he be recognized for the dedication in which he dedicated a lifetime in key positions to kids who want to play baseball to make it happen.

Where would baseball without a scorekeeper?

Glenn was a tireless and dedicated volunteer where Iron Maehara's Baseball Scorebox was his second home during baseball season. He had scorebooks from every tournament for Little League Junior, Senior and Big League tournaments of District and State. He was there planted for every MIL game and tournaments played at Iron Maehara Baseball Stadium for Maui, and State levels.

Glenn never failed to make ready his back up volunteers so that the games would always be with an official scorekeeper and scorebox operator. He gathered and trained volunteers in his quiet and humble way.

During my past administration, I have witnessed Glenn take his vacation time every year to dedicate to tournament days of scorekeeping. Twelve hour days which do not end when the game ends.

Loved, respected, and missed. His physical presence no longer in that scorebox but that scorebox with a plaque In Memory Of Glenn will always make us remember his dedication, his energy, his generosity with time, his reliability, his personality, and his M&M's when the new official scorekeepers tire of the long hours and days.

Please feel free to call me should there be any questions or concerns.

Much aloha for your time and consideration.

**H.A. Naomi Campbell
Former District 3 Administrator
Hawaii State Little League
(808) 877-6699 or cell- 808-205-0050
Email: hanaomic@aol.com
Mail- 188 W. Hawaii St, Kahului, HI 96732**



DISTRICT 3 LITTLE LEAGUE
P.O. BOX 2124
WAILUKU, HI 96793
ekdelima@aol.com, 357-6782

October 22, 2020

Ms. Karla Peters
Director
Maui County Parks and Recreation
County of Maui
700 Halia Nakoa Street, Unit 2
Wailuku, HI 96793

RE: IN MEMORY OF GLENN OTANI

Dear Ms. Peters,

On behalf of District 3 Little League we would like to humbly make a formal request to the Maui County Parks and Recreation Department regarding our long time Tournament Director and long time Maui Interscholastic League (MIL) scorekeeper in charge Mr. Glenn Otani.


Mr. Otani passed suddenly on July 30, 2020. Glenn's sudden passing has had a profound effect on all of us who knew him and will leave a lasting void both in District 3 Little League and the MIL.

We would like to make a formal request to name the scoreboard located at Iron Maehara Stadium after Mr. Otani. As you know Mr. Otani spent countless hours scorekeeping, conducting tournaments and being a true ambassador for baseball here on Maui in that very scoreboard. We will be honoring Mr. Otani at the 2021 Hawaii State Little League, Major State Tournament slated to take place in July at Dorvin Leis Field in Kihei.

We do feel that Mr. Otani should also be honored during the upcoming 2021 MIL baseball season and naming the scoreboard would be a fitting tribute.

District 3 Little League would be willing to contribute a commemorative plaque or something along those lines that can be placed in the scoreboard in memory of Glenn.

We look forward to hearing from you and will work with the County on making this request come true.

Mahalo,

Ernest Delima
District 3
District Administrator

The Maui News

Otani remembered fondly for his dedication to baseball



Glenn Otani (middle with hat) was part of the Maui volunteer scoring crew at Maehara Stadium for the Wally Yonamine State Baseball Tournament in May 2019. He was joined by (from left, standing) Howard Nakasone, Kyle Galdeira, John Eno and Neal Fujiwara. Sitting in the front row are Masayo Sutton (left) and Gail Juan. — Screenshot courtesy of OC16

Glenn Otani seemingly lived his entire life for Maui baseball at all levels.

For the last quarter century, he was a fixture at nearly every organized baseball game on the island, leading his crew in the volunteer side of the Maehara Stadium most notably as scorekeeper for the Maui Interscholastic League.

Otani died July 30. He was 68.

“It is with deep sadness that we mourn the passing of Mr. Glenn Otani, a longtime MIL baseball volunteer, official and scorekeeper,” MIL baseball coordinator and Baldwin High School Wade Hondo said in a prepared statement to The Maui News. “At the same time it is with much love and aloha that we celebrate his life and his impact on our program and our community.”

Otani was born and raised in Kula and graduated from Maui High in 1969. In 1980 he was one of the original players for the Kula Farmers softball team.

Otani was a coach and manager of West Maui Little League teams in Kula. Soon after his time on the field was finished, he stayed on with the Little League programs as a scorekeeper and official.

Since 1995, he had been the Assistant District Administrator and official scorekeeper for Hawaii State District III (Maui County) games. He helped with Maui AJA since 2008 and the Pono baseball tournament since its inception.

He had been the official scorekeeper of the Maui High preseason tournament for the last 35 years and the Baldwin pre-season tournament for the last 30 years.

Otani started as a MIL official scorekeeper in 2000 and since then had done the books for almost every high school preseason, regular season or MIL tournament game. He had also been the scorekeeper at all the HHSAA state tournament games held in Maehara Stadium since then.

Otani always showed up early to make sure all of the essential preparations were done — he always had enough M&Ms with him for everyone around.

“As a person, Glenn was honest, congenial and unbelievably generous with his time and energy. He was humble, dedicated and loved baseball,” Hondo wrote. “He enjoyed being around those that shared that same passion for the game and its many opportunities it gave all our kids in the MIL. In the scorebox, he surrounded himself with a team of the same type of wonderful people.”

Masayo Sutton was one of those team members, often sitting next to Otani for 12-hour days in tournament play. Sutton was interested in scorekeeping when her son Sammy Sutton was coming up through youth baseball — he was later a standout for Maui High.

“I met Glenn when Sammy was 10 years old,” Masayo Sutton said. “I knew the basics of scorekeeping, but he’s the one that really taught me how. I learned a lot from him.”

Masayo Sutton went on to become the official scorekeeper for the Na Koa Ikaika independent professional baseball team; she will never forget Otani.

“His motto is ‘for the kids,’” Sutton said.

Retired Baldwin AD Kahai Shishido worked with Otani as the MIL baseball coordinator for many years.

“Glenn has been involved with baseball on Maui for several decades,” Shishido said. “He has served in just about every capacity from coach to board member to scorekeeper. He always came well prepared, with a positive attitude and a big smile. ... He was a very giving man and will be dearly missed.”

Joe Kanahuna, who helps maintain the field at Maehara Stadium, knew Otani since they were children. They worked together for most of their lives and were classmates at Maui High.

“We go back to kindergarten days,” Kanahuna said. “He was a person that everybody got along with. Basically, he was a baseball guy. He loved

his baseball. He loved to be the statistician — that's the guy, that's who he was."

Kanahuna will miss his lifelong friend.

"He was positive, he was witty, supportive, trusting, knowledgeable, respectful, joyous," Kanahuna said. "He was a big-hearted person, very big-hearted, very lovable. He was just a great guy every time you saw him."

Former Molokai High head coach and current Baldwin assistant Eddie Espiritu also worked closely with Otani at all levels of baseball.

"The first time I met him was in the early '80s when he brought Kula Farmers softball to our softball tournament on Molokai," Espiritu said. "He took that team to the Hana Mountainball Tournament nearly every year, from the '80s to just recently."

Espiritu remembers Otani stepping up to become the MIL scorekeeper when Shishido recognized a need more than two decades ago.

"Baseball-wise, he was always giving," Espiritu said. "I remember when years ago we were going to Molokai for a 9-10-year-old tournament. He was going to stay at my house, but he said 'You have got to take me up on the boat because I'm going to bring boxes.' What he did was really amazing — he had Upcountry kids donate things from home. He took it there and he donated it all to the Salvation Army."

"It was things like that that really stand out about Glenn."

Otani is survived by his children Dawn (Alfredo) Hernandez, Russell and Kraig (Heather); grandchildren Brendan, Jaeden, Kaitlyn, Kaia and Kensie; father Yukio; and sisters Sharon (Roy) Tanaka and Diane (Harvey) Owara.

Services are pending. Condolences can be sent to the Otani Family at P.O. Box 328 Kula, HI 96790.

NEWSLETTER

Today's breaking news and more in your inbox

EMAIL ADDRESS

I'm interested in (please check all that apply)

☐ Daily Newsletter ☐ Breaking News

SUBSCRIBE

Naming Scorebox @ Iron Maehara – Glenn Otani



We are asking to
name the
scorebox at Iron
Maehara after
Mr. Glenn Otani.



County Clerk

From: SKB <skbissen@gmail.com>
Sent: Wednesday, October 20, 2021 7:45 AM
To: County Clerk
Subject: Testimony in support of the CR 21-95, 'Aina Kupuna Land Dedication

|| You don't often get email from skbissen@gmail.com. [Learn why this is important](#)

To whom this may concern,

I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Mahalo nui loa,

Sayble Bissen
Descendent- Moloa Kukahiko

RECEIVED
2021 OCT 20 AM 8:36
OFFICE OF THE
COUNTY CLERK

County Clerk

From: Manuel Kuloloio <manuelkuloloio@gmail.com>
Sent: Wednesday, October 20, 2021 7:50 AM
To: County Clerk; Alice L. Lee; Keani N. Rawlins; Gabe Johnson; Tasha A. Kama; Kelly King; Mike J. Molina; Tamara A. Paltin; Shane M. Sinenci; Yukilei Sugimura
Cc: Manny Kuloloio; Ala
Subject: Written Testimony of Mr. Manuel Makahiapo Kuloloio in Support of CR 21-95 BFED Committee Report relating to 'Aina Kupuna Lands: Regular Meeting of October 22, 2021, Council of the County of Maui, AGENDA K., Committee Reports

Some people who received this message don't often get email from manuelkuloloio@gmail.com. [Learn why this is important](#)

Aloha Chairperson Alice Lee, Vice-Chair Keani Rawlins-Fernandez, Councilman Gabe Johnson, Councilwoman Tasha Kama, Councilwoman Kelly King, Councilman Mike Molina, Councilwoman Tamara Paltin, Councilman Shane Sinenci, and Councilwoman Yuki-Lei Sugimura,

RE: Written Testimony of Mr. Manuel Makahiapo Kuloloio in Support of CR 21-95 BFED Committee Report relating to 'Aina Kupuna Lands: Regular Meeting of October 22, 2021, Council of the County of Maui, AGENDA K., Committee Reports

I humbly write this morning requesting your unanimous support of AGENDA Item, K. Committee Reports: Budget, Finance, and Economic Development Committee, CR 21-95 Recommending First Reading of "A Bill for an Ordinance Relating to 'Aina Kupuna Lands" amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section 3.48.361 relating to taxes on parcels dedicated as 'aina kupuna.

My Grandpa Wallace Aipalena Kuloloi'a, Grandma Alice Akuna (Kuhaulua Kaholokula) Kuloloio, Father Leslie Apiu Aipalena Kuloloio, and Mother Lucille Philomena Leialoha DeCosta Kuloloio would share with me how, when I was still in my mother's womb, they would walk into the Wailuku Courthouse to present Oral testimony in support of keeping their ancestral lands and precluding the insidious attempts to disinter and remove ancestors buried on family land at the Kukahiko Graveyard at 'A'awa Bay, the ancestral home of my Tutu Moloa, a fisherwoman kilo and daughter of John Kukahiko and Kamaka Kuhaulua. The judge, without hearing the voice, a word of and from my family, would pound his gavel and declare, "DENIED!"

Refusing to succumb to the righteous anger, rage, disappointment, and discouragement that would destroy any mere common mortal, I witnessed, first-hand, the uncommon and extraordinary commitment, love, compassion, dedication, filial duty, determination, vision, and passion of my Grandparents, Parents, Tutus, Uncles and Aunties, and Cousins to protect, preserve, and perpetuate our Honua'ula and Makena graveyard(s), gregarious generational gatherings, gathering of gifts from God, and generosity.

We walked the King's Trail of Kihaapi'ilani, lit only by the moonlight, stars, and Milky-Way above, from Palaua Beach, passing the Hale of Uncle Angus and Uncle Eddie at Paipu, of Uncle Duck and Uncle Pluto and Grandpa Wally on the Ulupalakua to Makena Government Road up at "Beverly Hills", of Aunty Keaka, of Tutu Kuamo'o Kuloloi'a and Aunty Maipela and Tutu John and Angeline at Makena Landing, of Uncle Abner and Aunty Caroline and Uncle Frank and Uncle Pardee at Apuakehau, of Uncle Makua and Uncle Lono at Keawala'i, of Uncle George at Naupaka and Maluaka, and out to Keone'o'io of Uncle Willie and Marie by Pu'u o Kanaloa below the 1791 flow from Ka Lua o Lapa.

Thank You: Aunty Helen Ryan of O'ahu; Aunty Kuamo'o and Uncle William; Uncle Adolph and Ransom and Aunty Hattie; Uncle Eddie and Lawrence and Eddie Jr and Aunty Harriett and Laurie; Uncle Boxie and Aunty Maggie; Aunty Lizzie and Uncle Llewellyn; Uncle Abner and Aunty Caroline; Uncle Alfred and Aunty Violet; and Uncle Mogie, Aunty Kamaka, Aunty Moana, Uncle Angus.

Thank you Grandpa Wally, Mother Lucille, Grandma Alice, and Dad for passing down to me, to us, an extraordinary and uncommon history of struggle, sacrifice, service, and satisfaction to malama our Beautiful Makena, Land of Aloha.

In the spirit of responsibility, respect, and reverence, I have passed down this history to my sisters Leina'ala and Kekane and to their children. I continue to pass down this obligation, the storied persons, places, and resources of Honua'ula to my young children Piper Ann Kekauonohi DeCosta Kuloloia and Abraham Kahiapo Kekahuna Kuloloia. My keiki, more importantly, are also learning from their Auntie Leina'ala and Auntie Kekane, from their cousins Puniawa, Kuumakalehiwaonalani, Kamaluokalani and Yukie, and from their Uncle Garrett and Uncle Josh. When my two children interact and engage with their extended 'Ohana, they are my seeds, promise, and hope of extending and continuing this legacy, history, culture, and tradition for the NEXT 7 generations.

When my offspring Kekauonohi and Abraham speak of Maui, they both think of Makena, playing in the sands and ocean at Ka Pipi (the cow pen) at Makena Landing; filled with joy at the Hale of Uncle Bobby, Auntie Helen, Uncle Kalei, Uncle Kalehua, and Uncle Ka'uhane; laughing in communion with their extended family at the Kukahiko Corporation Hale contiguous to the Kukahiko graveyard.

We thank each of you, County of Maui Council, for your consideration, granting us a chance, an opportunity, to keep 'Aina Kupuna Lands, now surrounded by millionaires and billionaires of means and extravagance that drive and drove real property taxes to exorbitant, excessive, and egregious levels of recent, compounded by the extraordinary impacts and limitations of novel COVID-19 Chapter 127 Emergency restrictions.

LA'A; MA'A; PA'A!

Aloha Ke Akua,
Me Ke Aloha Maluhia,
Manny
Manuel Wayne Makahiapo DeCosta Kuloloio

RECEIVED
2021 OCT 20 AM 8:36
OFFICE OF THE
COUNTY CLERK



KEKAUONOHINUĪ,
GRANDDAUGHTER OF K. I.
DIED IN
HONOLULU, JUNE 2, 1847.

LILIHA,
WIFE OF GOV'R BOKI,
DAUGHTER OF ULUMAHEIHEI
DIED IN
HONOLULU, AUG. 25, 1839



County Clerk

From: mary drayer <mdrayerhome@msn.com>
Sent: Wednesday, October 20, 2021 8:51 AM
To: County Clerk
Cc: mary drayer
Subject: Testimony for Maui County Council meeting of October 22, 2021

 You don't often get email from mdrayerhome@msn.com. [Learn why this is important](#)

Aloha,

I am submitting written testimony in Support of:

Support: “Aina Kūpuna” bill
CR 21-95 – amending section 2.08 – Maui County Code

Support: Wailuku Redevelopment Area zoning standards
CR-108 – amending Title 19

Mahalo for providing this opportunity via e-mail to express our opinions.

Mary Drayer
557 Imi Dr, Wailuku, Hi
808-244-5646

RECEIVED
2021 OCT 20 AM 8:52
OFFICE OF THE
COUNTY CLERK

Sent from Mail for Windows

RECEIVED

2021 OCT 20 AM 9:03

Maui County Council
Regular Meeting on October 22, 2021

OFFICE OF THE
COUNTY CLERK

SUBJ: Testimony in favor of the Aina Kupuna bill, CR 21-95

To the Maui County Council, ATTN; Chair Lee.

Aloha Chair Lee and members of the Maui County Council. My name is Stanley R. Keolanui Jr., and I strongly support the 'Āina Kūpuna bill CR 21-95, with additions, that will help families maintain and sustain their 'Āina Kūpuna through an ancestral land dedication.

This bill addresses a problem that occurred over 60 years ago, when the development of southwest Maui essentially forced out local families in favor of high-end neighborhoods and sprawling resorts. Your actions in favor of this bill will preserve a part of Hawaii's history, and put an end to families having to choose between their ancestral lands and their livelihood - that really needs to stop!

Thank you for creating such an important bill that allows native hawaiian and long-time local families to keep their ancestral lands. I encourage your support and approval for this bill and sincerely appreciate all that you do.

Mahalo nui,

Stanley R. Keolanui Jr (husband to Puena M (Chang) Keolanui, daughter of Edward & Laurie Chang)

808-722-8687

County Clerk

RECEIVED

From: Anna Fenderson <fenderson.anna@gmail.com>
Sent: Wednesday, October 20, 2021 8:56 AM
To: County Clerk
Subject: Support for CR21-95

2021 OCT 20 AM 9:03

OFFICE OF THE
COUNTY CLERK

 You don't often get email from fenderson.anna@gmail.com. [Learn why this is important](#)

Dear Councilmember Keani Rawlins-Fernandez:

I strongly support the Aina Kupuna Bill CR21-95 that will help families maintain and sustain their aina kupuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'aina families on their ancestral lands.

Sincerely,
Anna Fenderson

--

Anna Fenderson Great granddaughter of TuTu Haehae Kukahiko
166 Vineyard Circle
Yountville, CA 94599
Cell (707) 483-0010

County Clerk

RECEIVED

From: Erik Iwanaga <erik.iwanaga@gmail.com>
Sent: Wednesday, October 20, 2021 9:35 AM
To: County Clerk
Subject: Aina Kupuna bill CR 21-95 with proposed additions

2021 OCT 20 AM 10:10

OFFICE OF THE
COUNTY CLERK

|| You don't often get email from erik.iwanaga@gmail.com. [Learn why this is important](#)

Aloha,

I am sending this to voice my support of the Ed Chang ohana and the need for the Aina Kupuna bill. I emphatically support CR21-95 because I do not want to see anymore local multi generational families of Maui get taxed out of their way of life for the sake of development the same way my family did, especially in an area that is already developmentally saturated.

As a descendant of the Kanialama/Kahanu/Inciong ohana, who had to sell the family property in 1991 for the very same reason this bill was created, I can attest that this issue has deeply fractured my ohana and have felt to this day the loss of our connection to the cultural legacy we once had. Let's not let this happen to the Chang ohana nor to any other families in the same situation.

Please pass this resolution and allow our kupuna to retain their ancestral lands and enable them to pass their cultural legacies on for generations. Let's preserve what we have left of what truly makes Hawaii a special place in this world.

Mahalo,
LTC(R) Erik Iwanaga
Kamehameha c/o 1982
Son of David W, Kahanu
Kamehameha c/o 1953

County Clerk

RECEIVED

From: francis.kahou@hawaiiintel.net
Sent: Wednesday, October 20, 2021 9:35 AM
To: County Clerk
Subject: Support for CR21-95

2021 OCT 20 AM 10:10

OFFICE OF THE
COUNTY CLERK

 You don't often get email from francis.kahou@hawaiiintel.net. [Learn why this is important](#)

Dear Councilmember Keani Rawlins-Fernandez:

I strongly support the Aina Kupuna Bill CR21-95 that will help families maintain and sustain their aina kupuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'aina families on their ancestral lands.

Sincerely,
Deborah M Lum
Great granddaughter of TuTu Haehae Kukahiko
59-523 Alapio Rd. Haleiwa, HI 96712

County Clerk

RECEIVED

From: PAUL JELNIKER <pjelniker@aol.com>
Sent: Wednesday, October 20, 2021 11:06 AM
To: County Clerk; Lee Chamberlain
Subject: Green way Bicycle path

2021 OCT 20 AM 11:10

OFFICE OF THE
COUNTY CLERK

[You don't often get email from pjelniker@aol.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

We live in West Maui and bicycle 3-4 times a week as Senior citizens improving and extending recreational paths is most important sooner than later Paul and Roberta Jelniker
3543 Lower Honoapiilani Rd
Papakea F-408

Sent from my iPhone

County Clerk

From: Janice N Kekahuna <Uapoina1011@mail.com>
Sent: Wednesday, October 20, 2021 10:46 AM
To: County Clerk; Keani N. Rawlins
Subject: Kukahiko 'Ohana Testimony for CR 21-95, 'Aina Kupuna Land Dedication

Some people who received this message don't often get email from uapoina1011@mail.com. [Learn why this is important](#)
10/20/21 10:45am

Aloha Kakou:

I 'Strongly Support the 'Aina Kupuna Bill CR 21-95 and other additions to the bill that help families maintain and sustain their 'aina kupuna through an ancestral land dedication.

The Kukahiko families has been in Makena for over 140 years. Each generations has had challenges to keep up with the property taxes and as a result, many of the families has been displaced over the years with a few parcels remaining. Also it makes it harder when this COVID-19 spreaded out within the world that effected financially some families whom been struggling to keep their Land in the family.

Again, I Janice N. Kekahuna a descendant of Arthur Kunane Hoewa'a Sr & David Koa Sr strongly support the intent of the 'Aina Kupuna Bill CR21-95 and ask that you pass the bill with additional revisions: John & Kamaka Kukahiko of 'Aina Kupuna. That was created in 1973.

Your's truly;
Janice N. Kekahuna
632 Pohala Street
Wailuku Maui Hi 96793

County Clerk

From: K. Oliveira <kapaoliveira@gmail.com>
Sent: Wednesday, October 20, 2021 10:54 AM
To: County Clerk
Subject: STRONG SUPPORT FOR CR 21 - 95 Tax Bill

|| You don't often get email from kapaoliveira@gmail.com. [Learn why this is important](#)

TO: Maui County Council
FROM: Katrina-Ann Kapā Oliveira
RE: CR 21-95 – BFED Committee Report for ‘Āina Kūpuna Bill

Aloha! I implore you to recommend the FIRST READING of the bill amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section relating to taxes on parcels dedicated as ‘āina kūpuna.

My kupuna, John Kūkahiko, purchased land in 1883 in Mākena during the Hawaiian Monarchy era, years before the overthrow of the Hawaiian Monarchy. Today, our family is being taxed out of our ‘āina kūpuna due to wealthy speculators purchasing the properties adjacent to ours for tens of millions of dollars. Our ‘ohana are not speculators; we are kama‘āina to Mākena. For more than 138 years, we have lived and cared for our ‘āina kūpuna.

On an annual basis, our ‘ohana struggles to pay the exorbitant property taxes driven by neighboring speculator properties. In 1999, in an attempt to protect ancestral graves and build the Kūkahiko hale to generate revenue to pay our property taxes, our ‘ohana was forced to sell two other parcels in Mākena. While we operate a legal wedding business, due to COVID restrictions, we have only booked a few weddings over throughout the pandemic. Today, our property taxes, including penalties, total \$177,495.11.

Taxes keep rising and will continue to grow due to high-end luxury homes designed for extremely wealthy non-Hawai‘i residents. Sadly, our kama‘āina ‘ohana is being taxed out of our ‘āina kūpuna. Makena is home! It is where we are from and at the core of our family identity, history, and genealogy. It’s vital to the Kūkahiko ‘ohana to have a place where our multi-generation families can continue to gather and pass on our family knowledge of Mākena to our younger generations. To do that, we must have a way to pay the taxes and upkeep our ‘āina kūpuna. Taxes will surely go up again next year! How will we pay those additional taxes?

I urge you to do what is pono. I beg you to recommend the FIRST READING of the bill amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section relating to taxes on parcels dedicated as ‘āina kūpuna.

County Clerk

RECEIVED

From: Mesa Phan <mesa.phan@gmail.com>
Sent: Wednesday, October 20, 2021 12:03 PM
To: County Clerk
Subject: Aina Kupuna Bill, CR 21-95

2021 OCT 20 PM 12: 53

OFFICE OF THE
COUNTY CLERK

 You don't often get email from mesa.phan@gmail.com. [Learn why this is important](#)

To: The Honorable Alice Lee, Chair Maui County Council
For Meeting: County Council, 10/22/2021, 9am

I **STRONGLY SUPPORT** the aina kupuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their aina kupuna through ancestral land dedication. I grew up on Maui and went to school with Chang family members, one of whom I'm still very close to. As little kids, we would play around the Chang property - this was before all the multi-million dollar homes were built, before all the condos, before the road to their humble home was paved and was just a dirt road. As the rightful residents of this sacred land, it's completely unfair to make them pay these outrageous taxes when THEY WERE THERE FIRST!

I hope you will consider supporting these kama`aina in their efforts to preserve what is left of their aina. Thank you for your insight to create such an important bill to keep longtime kama`aina families on their ancestral lands.

Mahalo,
Mesa Phan

County Clerk

RECEIVED

From: Dorothy Genn <genndorothy@yahoo.com>
Sent: Wednesday, October 20, 2021 12:04 PM
To: County Clerk
Subject: Āina Kūpuna bill number CR 21-95

2021 OCT 20 PM 12: 53

OFFICE OF THE
COUNTY CLERK

[You don't often get email from genndorothy@yahoo.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Aloha Maui County Council members,

Though I am now living in McLean Virginia, and being aware of this important bill, I strongly support the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help long-time kama'āina families maintain and sustain their 'āina kūpuna through ancestral land dedication.

Sincerely,
Dorothy Genn

RECEIVED

2021 OCT 20 PM 12: 53

County Clerk

From: Gillian Worms <gillianworms@gmail.com>
Sent: Wednesday, October 20, 2021 12:16 PM
To: County Clerk
Subject: Aina Kupuna Bill, CR21-95

OFFICE OF THE
COUNTY CLERK

|| You don't often get email from gillianworms@gmail.com. [Learn why this is important](#)

We strongly support the "Aina Kapuna" bill, CR21-95.

We feel these families should be able to carry on history of their legacy and live and work on the lands the families have owned for Generations. They provide a beautiful history for the islands and an understanding of how the Islands survived and prospered over these decades.

We asked for the council members to support this bill and the amendments city councilman Keani Rawlins-Fernandez will introduce at the meeting scheduled for October 22nd.

Thank you for your consideration & help,

Gillian & Dennis Worms

County Clerk**RECEIVED**

From: p.keolanui@hawaiiantel.net
Sent: Wednesday, October 20, 2021 12:42 PM
To: County Clerk
Subject: Testimony for bill CR 21-95, 'Āina Kūpuna Land
Attachments: Testimony CR 21-95, P. Keolanui.pdf

2021 OCT 20 PM 12: 53**OFFICE OF THE
COUNTY CLERK**

 You don't often get email from p.keolanui@hawaiiantel.net. [Learn why this is important](#)

Aloha Chair Lee and Council Members,

Please find attached my testimony for bill CR 21-95, 'Āina Kūpuna Land Dedication, which is on your agenda for October 22, 2021 at 9:00 am.

Thank you so much for allowing us to address our concerns and for the support you have given to us.

Aloha,

Puena (Chang) Keolanui

County Clerk

RECEIVED

From: Lindsey Drayer <lindseydrayer@hotmail.com>
Sent: Wednesday, October 20, 2021 1:03 PM
To: County Clerk
Subject: Support of Bill

2021 OCT 20 PM 1:06

OFFICE OF THE
COUNTY CLERK

|| You don't often get email from lindseydrayer@hotmail.com. [Learn why this is important](#)

Aloha,

I am submitting written testimony in Support of:

Support: “Aina Kūpuna” bill

CR 21-95 – amending section 2.08 – Maui County Code

Support: Wailuku Redevelopment Area zoning standards

CR-108 – amending Title 19

Mahalo for providing this opportunity via e-mail to express our opinions.

Lindsey Drayer
71 Waiaka Lane 35-103
Wailuku, HI 96793
(808) 385-5061

County Clerk**RECEIVED**

From: Momi Hunter <momihunter@me.com>
Sent: Wednesday, October 20, 2021 1:31 PM
To: County Clerk
Subject: 'Aina Kupuna bill CR 21-95

2021 OCT 20 PM 1:32**OFFICE OF THE
COUNTY CLERK**

[You don't often get email from momihunter@me.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Dear Council Members,

Thank you so much for your time and consideration of 'Aina Kupuna Bill CR 21-95.

Our Kukahiko family has been in Makena for over 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once our 'ohana was one of the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. We strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end speculation homes. For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes.

With gratitude,
Momi Hunter

Sent from my iPad

County Clerk

RECEIVED

From: Hunter, Kanoa <hunterka@dickinson.edu>
Sent: Wednesday, October 20, 2021 2:38 PM
To: County Clerk
Subject: CR 21-95, 'Āina Kūpuna Land Dedication Testimony

2021 OCT 20 PM 2:58

OFFICE OF THE
COUNTY CLERK

You don't often get email from hunterka@dickinson.edu. [Learn why this is important](#)

I am in strong support of the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. A lot of housing on Maui is owned by people who visit on occasion and are not permanent residents or have ancestral ties. I strongly believe that the bill and the additions to it will help native families maintain their land and allow them to grow and prosper.

County Clerk

RECEIVED

From: Kaleihoku Hunter <somethingmythological@gmail.com>
Sent: Wednesday, October 20, 2021 3:44 PM
To: County Clerk
Subject: Āina Kūpuna Bill, CR 21-95

2021 OCT 20 PM 4:04

OFFICE OF THE
COUNTY CLERK

|| You don't often get email from somethingmythological@gmail.com. [Learn why this is important](#)

Dear Maui Council,
I strongly support this bill Āina Kūpuna Bill, CR 21-95. I want to support this bill because family is precious to everyone in Hawaii. Every building and land tells a story younger generations can participate and add to as of historical matter, and memory matter.

Thank you for your time,
Cullen Kaleihoku Hunter

County Clerk

RECEIVED

From: francis.kahou@hawaiiantel.net
Sent: Wednesday, October 20, 2021 9:35 AM
To: County Clerk
Subject: Support for CR21-95

2021 OCT 20 AM 10:10

OFFICE OF THE
COUNTY CLERK

 You don't often get email from francis.kahou@hawaiiantel.net. [Learn why this is important](#)

Dear Councilmember Keani Rawlins-Fernandez:

I strongly support the Aina Kupuna Bill CR21-95 that will help families maintain and sustain their aina kupuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'aina families on their ancestral lands.

Sincerely,
Deborah M Lum
Great granddaughter of TuTu Haehae Kukahiko
59-523 Alapio Rd. Haleiwa, HI 96712

County Clerk

From: K. Oliveira <kapaoliveira@gmail.com>
Sent: Wednesday, October 20, 2021 10:54 AM
To: County Clerk
Subject: STRONG SUPPORT FOR CR 21 - 95 Tax Bill

|| You don't often get email from kapaoliveira@gmail.com. [Learn why this is important](#)

TO: Maui County Council
FROM: Katrina-Ann Kapā Oliveira
RE: CR 21-95 – BFED Committee Report for ‘Āina Kūpuna Bill

Aloha! I implore you to recommend the FIRST READING of the bill amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section relating to taxes on parcels dedicated as ‘āina kūpuna.

My kupuna, John Kūkahiko, purchased land in 1883 in Mākena during the Hawaiian Monarchy era, years before the overthrow of the Hawaiian Monarchy. Today, our family is being taxed out of our ‘āina kūpuna due to wealthy speculators purchasing the properties adjacent to ours for tens of millions of dollars. Our ‘ohana are not speculators; we are kama‘āina to Mākena. For more than 138 years, we have lived and cared for our ‘āina kūpuna.

On an annual basis, our ‘ohana struggles to pay the exorbitant property taxes driven by neighboring speculator properties. In 1999, in an attempt to protect ancestral graves and build the Kūkahiko hale to generate revenue to pay our property taxes, our ‘ohana was forced to sell two other parcels in Mākena. While we operate a legal wedding business, due to COVID restrictions, we have only booked a few weddings over throughout the pandemic. Today, our property taxes, including penalties, total \$177,495.11.


Taxes keep rising and will continue to grow due to high-end luxury homes designed for extremely wealthy non-Hawai‘i residents. Sadly, our kama‘āina ‘ohana is being taxed out of our ‘āina kūpuna. Makena is home! It is where we are from and at the core of our family identity, history, and genealogy. It’s vital to the Kūkahiko ‘ohana to have a place where our multi-generation families can continue to gather and pass on our family knowledge of Mākena to our younger generations. To do that, we must have a way to pay the taxes and upkeep our ‘āina kūpuna. Taxes will surely go up again next year! How will we pay those additional taxes?

I urge you to do what is pono. I beg you to recommend the FIRST READING of the bill amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section relating to taxes on parcels dedicated as ‘āina kūpuna.

County Clerk**RECEIVED**

From: Ryan Garcia <ryangarcia5174@yahoo.com>
Sent: Wednesday, October 20, 2021 4:20 PM
To: County Clerk
Subject: Testimony for bill CR 21-95, 'Āina Kūpuna Land

2021 OCT 20 PM 4: 24**OFFICE OF THE
COUNTY CLERK**

 You don't often get email from ryangarcia5174@yahoo.com. [Learn why this is important](#)

Aloha Chair Lee and Council Members,

This email serves to voice my strong support of bill CR 21-95. I believe this bill is an incredibly important step in the right direction. I truly believe this bill will have an incredible impact on the Hawaiian families living on Maui and potentially influence positive change for the other neighbor islands. It has been tragic to see my family work so hard and sacrifice so much just to hold on to pieces of the land they grew up on and which was passed down to them. The areas surrounding my family's land in Mākena is almost unrecognizable due to luxury development for foreign visitors. Hawaiians struggling to find affordable housing has always been common knowledge but learning of this issue, being taxed out of long time family lands, is a lesser known and equally tragic problem. I truly appreciate your consideration and reflection on this issue.

Again, I, Ryan Garcia, strongly support CR 21-95.

Mahalo,

Ryan Garcia

County Clerk

RECEIVED

From: (null) (null) <eddie_w7@yahoo.com>
Sent: Wednesday, October 20, 2021 4:56 PM
To: County Clerk
Subject: Kukahiko Ohana plea for bill number is CR 21-95

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

You don't often get email from eddie_w7@yahoo.com. [Learn why this is important](#)

My name is Eddie Crutcher

My mother is Luella Nohea Chang and my Grandfather is Eddie Chang. I am named after him and there is a beach in Makena named after him.

We are direct descendent of the Chang branch of the Kukahiko family who names and connections are too long to list here and as our Hawaiian lineage predates written record.

My grandmother is Hariett Chang who is a descendant of the royal families of Molokai and who's lineage also predates written record.

My most loved and respected ancestors are buried at both the Kukahiko house and across the street at our other family burial site.

Visiting these sites are some of my earliest memories and when I was a kid many elders were still alive to tell me family stories.

I was called by my great grandfathers name because of our resemblance for example.

I cannot express to its full extent our families love for this place. It simply is not possible.

I have watched my mother, uncles and aunts not be able to build or afford to build even modest homes on their own land for decades now. They live in fear of daring to live on their own land.

It has been a point of mystery and disbelief to me and my 35 cousins aunts and uncles. Explaining it to the children of my first cousins (who I lost count of but are well over 100) leads to a sad, deep and powerless acceptance of its unfairness.

I live and work in NYC now mostly because of the job market. In spite of having a decent job here I still could not afford even the tax on the Kukahiko house much less to help my mom subdivide and build on her own land.

My mom is 84 now and lives off the grid and has had very rough living conditions at times. Carrying water, temporary tents etc.... She has worked her way back to a comfortable level but only because of her exceptional sacrifices and budgeting skills.

All of this after a long career of helping people. First as the head of Emergency rooms in both Illinois (where she studied) and Oahu. She co-founded an alcoholism and drug addiction treatment facility in California where she ran the business for decades and helped thousands of people in need.

My mom returned to her home, Hawaii for her remaining years over two decades ago. She has never lived on her own land and I doubt she knew this would happen when she left to study nursing in the 50's. She and all of my Ohana deserve more then this type of treatment.

I have written too much but not nearly enough.

Please see my dear cousins notes below detailing our situation and take it to heart.

Our Kukahiko family has been in Makena for over 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once our 'ohana was one of the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. We strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end speculation homes. For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes.

Thank you,
Eddie Crutcher

County Clerk

RECEIVED

From: Christopher Chang <cphchang@hotmail.com>
Sent: Wednesday, October 20, 2021 5:05 PM
To: County Clerk
Subject: CR 21-95, 'Āina Kūpuna Land Dedication

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

You don't often get email from cphchang@hotmail.com. [Learn why this is important](#)

Our Kukahiko family has lived in Makena for nearly 140 years. We are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels of 'āina remaining.

Once our 'ohana was one of the largest in Makena, today we have only a few remaining families who are still struggling to keep our 'āina in the family. Makena has become a community of wealthy homeowners, many non-residents who continue to buy high-end speculation homes that raise the property tax to an unreasonable and unaffordable amount for local families.

For us, Makena is home. It is where many of our ancestors are buried and we continue to pass our aloha for Makena from one generation to another. We need help to continue to live and maintain our 'āina for our children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena, we ask your support to pass the 'Āina Kūpuna bill CR 21-95 with amended changes.

Christopher Chang

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Telephone No.: (808) 242-8220

GLENN M. KOSAKA
Attorney at Law
Vineyard Court, Suite 203
1931 Vineyard Street
Wailuku, Maui, Hawaii 96793

RECEIVED
Telecopier: (808) 244-5671

2021 OCT 21 AM 7:57

OFFICE OF THE
COUNTY CLERK

October 20, 2021

Honorable Alice L. Lee, Chair
and Councilmembers
Maui County Council
200 S. High Street
Wailuku, Maui, Hawaii 96793

Re: Committee Report No. 21-25, Budget, Finance and Economic Development Committee, Recommending First Reading for a Bill for An Ordinance Relating to 'Āina Kūpuna Lands; Proposal to Amend §3.48.361, Definition of "Owner" to Include Settlor, Grantors and Trustors of Revocable Trust(s); Scheduled for First Reading October 22, 2021

Dear Chair Lee and Councilmembers:

I have reviewed the form of the bill approved by the Budget, Finance and Economic Development Committee. I have concerns about its coverage because of its wording combined with the definition of "owner" (paragraph 4).

Many owners are creating revocable trusts wherein they deed their property to the Trustee (usually but not always the same person as the Settlor). The technical legal owner of property subject to a revocable trust is usually the Trustee. The creator of the revocable trust is customarily called the Settlor, Grantor or Trustor of the Trust. This is the person who has the equitable ownership of the property (while the Trustee is the legal owner).

As written, the Settlor (etc.) may be excluded as an owner of the 'āina kūpuna because paragraph 4 says the "Owner" means a fee simple owner of 'āina kūpuna.

I suggest that the definition be clarified by adding language as follows:

4. "Owner" means a fee simple owner of 'āina kūpuna,
including the Settlor, Grantor or Trustor of a revocable trust.

In the present form of the Bill, paragraph 2 says in pertinent part:

'Āina kūpuna may be considered owned by a lineal descendent where the owner is a trust, nonprofit organization, corporation, or similar entity where the majority of its trustees or board of directors, or shareholders are lineal descendants of the person(s) who held title to the property on June 30, 1940.

Under this provision, a Settlor (etc.) of a revocable trust may not qualify because the legal owner is the Trustee, who could be a different person.

Honorable Alice L. Lee, Chair
and Councilmembers
Maui County Council
October 20, 2021
Page Two

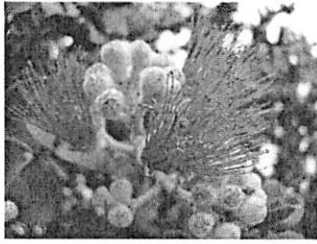
I request that the Council consider this change in the definition to ensure that property subject to a revocable trust qualifies as 'āina kūpuna. I believe that this is consistent with the intent of the bill.

Thank you for your consideration.

Should you have any questions or require additional information, please contact me.

Very truly yours,
/s/ Glenn M. Kosaka

GMK:hl



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2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

Great Great Granddaughter of MOLOA KUKAHIKO

Sheron Leihuanani Bissen 808.855.8123 117 W Papa Ave 96732 slbissen@gmail.com

RE: WRITTEN EMAILED TESTIMONY- Supporting 'ĀINA KŪPUNA BILL CR21-95

Aloha,

I am the great great granddaughter of- Tutu MOLOA KUKAHIKO:

- Daughter of John & Kamaka (KUHAULUA) Kukahiko
- Wife of John AWELOA
- Mother of Mary Malia NAKOA(David Kalawaianui NAKOA)
- Grandmother of ALFRED KALAWAIANUI NAKOA- my grandfather
- Great Grandmother of EDNA L. BISSEN - my mom

Generations ago, my grandfather(a businessman who owned the first Maui poi factory) taught me the importance of taking care of our Kahakuloa land, planting and growing taro for food and survival... he gifted our Makena land to the 'Ohana because even back then- the taxes were burdensome for HIS generation.

He would expect me to do this, to write to you and to honor their decisions of generosity with our 'āina so it is still here today. It's about kuleana and legacy.

I believe we all have kuleana, legacy, a calling in this Life. We have a commonality in being born, living, growing up on Maui- we also have the same responsibility to take care of it so that this aina- which cannot be replaced- is healthy, affordable and available for **our surviving kūpuna and their descendants.**

Where once our 'ohana was the largest in Makena, today we have only a few remaining who are still struggling to keep our 'āina in the family. I strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with the additional amendments before you.

This bill isn't about one family, it's about all our Kuleana and Legacy. What will you and I Ho'iho'i?- Give Back by our actions that my ancestors did so unselfishly? Āina Kūpuna represents all that is pono and the process of passing it gives life and breath to DOING WHAT IS RIGHT - for ALL Kūpuna who have passed AND for the kūpuna we have left and their future generations. That's all OUR Kuleana! To be great caretakers, to do what is right, within our capacity to mālama 'āina, live safely, and in an affordable manner.

Please pass Bill CR 21-95 on behalf of all our Maui 'Āina Kūpuna who sacrificed everything to give their descendants more than they could ever dream possible! We owe it to ALL KŪPUNA, not just yours and mine, to do what is right, for without them, their sacrifices and the legacy they left... none of us would be there today.

Mahalo nui loa for your hard work and your vision to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Respectfully,
Sheron Leihuanani Bissen
Lineal Descendent-KUKAHIKO 'OHANA
Shareholder, Kukahiko Corporation


County Clerk

RECEIVED

From: Lito Arkangel <lito1975@aol.com>
Sent: Wednesday, October 20, 2021 5:41 PM
To: County Clerk
Subject: 'Āina Kūpuna Bill, CR 21-95

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

 You don't often get email from lito1975@aol.com. [Learn why this is important](#)

To: The Honorable Alice Lee, Chair Maui County Council
For Meeting: County Council, 10/22/2021, 9am
Subject: 'Āina Kūpuna Bill, CR 21-95

I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Sincerely,
Carmelito F. Arkangel

Sent from my iPhone

County Clerk

RECEIVED

From: Ashley Mukaihata <ashleymukaihata@yahoo.com>
Sent: Wednesday, October 20, 2021 5:42 PM
To: County Clerk
Subject: CR 21-95 BFED Aina Kupuna Bill

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

[You don't often get email from ashleymukaihata@yahoo.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Good evening,

I'm sending this email in support of the Aina Kupuna Bill. This bill is needed 100%. Our local Hawaiian Families need our support to keep their Aina Kupuna lands in their hands. I'm writing in specifically to support my Chang Ohana living in Makena, Maui! Please pass this bill and keep these lands in their rightful owners hands without the financial strains. These families deserve to continue to live and thrive in their homes without the unnecessary stress or struggle to pay the ridiculous amount of land taxes that are so unjust. Let's do what is right!

Mahalo,

Ashley Mukaihata

Maui County Council Meeting: October 22, 2021 at 9:00 AM
See CR 21-95 - BFED Committee Report for "Aina Kupuna Bill"
Recommending FIRST READING of bill amending Chapter 3-48, Real
Property Tax, Maui County Code, to add a section relating to taxes on
parcels dedicated as "Aina Kupuna"

- Agenda: <https://mauicounty.gov/maui-county-meetings/2021/10/22/2021-10-22-9-00am-maui-county-council-meeting/>
ID: 5185035&GUID: 60D8C491-EDDA-41E6-B272-
AA6B1D697E79&Options=info&search
- Item CR 21-95:
<https://mauicounty.gov/maui-county-meetings/2021/10/22/2021-10-22-9-00am-maui-county-council-meeting/>
ID: 5185035&GUID: 60D8C491-EDDA-41E6-B272-
AA6B1D697E79

Testimony Options

For oral testimony by phone or video conference (3 min limit):

- Phone: 1-408-317-9253 and input meeting code 295235670
- Video conference: <https://maui.hugoboss.com/295235670>

For written testimony by email, fax or Ecomment (must be received 24
hours prior to meeting):

- E-mail: county.clerk@maui-county.org
- Fax: 808-270-7171
- Ecomment: IMPORTANT: MUST leave testimony under
agenda item CR 21-95 to be counted correctly.

<https://mauicounty.gov/maui-county-meetings/2021/10/22/2021-10-22-9-00am-maui-county-council-meeting/>
ID: 5185035&GUID: 60D8C491-EDDA-41E6-B272-
AA6B1D697E79&Options=info&search

- Questions: Office of the County Clerk (808-270-7740)

Meeting televised:

Meeting will be televised on Akaku

- Maui Community Media, Channel 53
- Livestreamed on <https://mauicountytelevision.com>

Sent from my iPhone

County Clerk

RECEIVED

From: Kaleileihua Cabanas <chloegr1@gmail.com>
Sent: Wednesday, October 20, 2021 8:56 PM
To: County Clerk
Subject: TESTIMONY supporting CR 21-95

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

 You don't often get email from chloegr1@gmail.com. [Learn why this is important](#)
Aloha,

Testimony in support of the CR 21-95, 'Aina Kupuna Land Dedication

Our kupuna lived and taught us to aloha the 'āina that sustained our 'ohana for generations. They made many sacrifices and lived simply to hold on to our 'āina so that it would be there for us and the mo'opuna to come. It's our turn now to make sure that that legacy continues.

I "strongly support" the 'āina kūpuna bill CR 21-95 and other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Mahalo nui loa,
Kaleileihua Cabanas
Descendent- Moloa Kukahiko

--

"Do not be afraid, just have faith." Mark 5:36

County Clerk

RECEIVED

From: changnatasha <changnatasha@yahoo.com>
Sent: Wednesday, October 20, 2021 9:28 PM
To: County Clerk
Subject: Testimony

2021 OCT 21 AM 7:57

OFFICE OF THE
COUNTY CLERK

You don't often get email from changnatasha@yahoo.com. [Learn why this is important](#)

I strongly support the 'āina kūpuna bill CR 21-95 and extra additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. This bill affects me specifically because i live & farm on our 'āina kūpuna in Makena. My father, Steven Chang is the current caregiver of our 'āina kūpuna. With taxes constantly rising.. my generation will not be able to afford it. Mahalo for your insight to create such an important bill to keep long-time kama'āina families, such as ours, on their ancestral lands.

Mahalo
Natasha Chang

Sent from my Galaxy

MAUI COUNTY COUNCIL
FULL COUNCIL MEETING
Alice Lee, Chair
Keani Rawlins-Fernandez, Vice Chair

Friday, October 22, 2021, 9:00 AM
Online via BlueJeans

RECEIVED
2021 OCT 21 AM 7: 57
OFFICE OF THE
COUNTY CLERK

Re: Testimony for Committee Report No. 21-95, a bill amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section relating to taxes on parcels dedicated as 'āina kūpuna.

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

I write in **support** of CR No. 21-95 with Vice Chair Rawlins-Fernandez's amendments, which would amend the current property tax code to add a section dedicated to 'āina kūpuna lands. This new provision would be defined as portions of real property that are owned in whole or in part by a lineal descendent of the person who held title to the property on June 30, 1940.

The Maui County 2030 General Plan states that "in a rapidly developing and increasingly homogenous global society, losing the places and characteristics that make Maui County unique and special would be unfortunate."

And yet, we move closer to this "unfortunate" reality every day. As a member of the Kukahiko 'ohana, I have seen firsthand the struggle that my family has endured to keep our 'āina kūpuna—and understand the reality that this bill is one of the only steps we can take to save our family property.

For families like mine, 'āina kūpuna are more than just plots of land. Our 'āina kūpuna hold the iwi of our ancestors, nurture generations of keiki and serve as gathering places that bring us back home to Maui. However, holding on to 'āina kūpuna becomes more untenable every year due to excessive property taxes.

I grew up watching my parents, aunties and uncles agonize over how to pay property taxes and hang on for *just another year*, all as luxury home after luxury home sprung up around us. When we would drive to the Kukahiko Hale, my dad would point out the parcels of land that used to belong to our family until we were forced to sell to pay back taxes. Without fail, these properties were developed into hotels or vacation rentals.

We are not asking for special treatment—simply for a fair shot. According to the U.S. Census Bureau, the 2019 median household income in Maui County was \$80,948. There is no way that local families can continue to afford property when neighboring parcels sell for upwards of \$20 million.

As we contemplate the future of our island home, it is my sincere hope that the Council will agree that there is a place for families like mine. If this bill is passed and enacted, future generations will not grow up like I did, learning about the land that we lost. They will instead know of the 'āina kūpuna that we saved.

Mahalo for your consideration of this important matter.

Sincerely,
Kaitlin Arita-Chang

County Clerk

RECEIVED

From: Melissa Garcia <garciamagarc@gmail.com>
Sent: Wednesday, October 20, 2021 9:33 PM
To: County Clerk
Subject: 'Āina Kūpuna Bill, CR 21-95

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

 You don't often get email from garciamagarc@gmail.com. [Learn why this is important](#)

Aloha Alice Lee, Chair Maui County Council,

I strongly support the 'Āina Kūpuna Bill, CR 21-95. The 'Āina Kūpuna, including corporation and shareholders, should not be taxed out of their land. My family has been on our land for 6 generations, and as a whole family (many households/immediate family groups) we have been struggling to keep the land we've had for decades. Thank you for taking notice to such an important bill that will impact many 'Ohana.

Mahalo,
Melissa Garcia


County Clerk

From: steven chang <schang1965@hotmail.com>
Sent: Wednesday, October 20, 2021 7:45 PM
To: County Clerk
Subject: Agenda Item cr 21-95

RECEIVED

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

 You don't often get email from schang1965@hotmail.com. [Learn why this is important](#)

Aloha. My name is steven chang. I currently reside on the chang property and i was born in 1965. My older sister and i are from my dad's second marriage. My dad was born in 1915 and his parents (my grand parent) were 2 generations before us. My children is the fourth generation to be part of the aina and currently my daughter is farming and trying to preserve whats left of makena. The high taxes are forcing the Kamaainas out and paving the way for a new pimpers paradise. When i was young and asked where i lived, i replied in makena. The response was you live in the sticks or boonies. Now the response is your rich, far from it. The original 2 story neighbor owner before selling said if we allowed Verizon to put a tower up, that our land value would go down and i smiled and said good! That would help my taxes. Bottom line he sold for 6 million plus and got his value. Our value and i speak for many kamaainas is Home. Mahalo for Listening.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

RECEIVED

To: The Honorable Alice Lee, Chair Maui County Council
For Meeting: County Council, 10/22/2021, 9am
Subject: 'Āina Kūpuna Bill, CR 21-95

2021 OCT 21 AM 7: 57

OFFICE OF THE
COUNTY CLERK

Aloha e ke Kōmike Mo'ohelu, 'Oihana Kālā a me ka Ho'omohala Ho'okelewaiwai,

Mahalo nui for this opportunity to share my strong support of the **CR 21-95, 'Āina Kūpuna bill** that provides tax relief for lineal descents who continue to reside and care for their ancestral lands, the natural resources, and the community's people. My name is Kananinohea Māka'imoku, the eldest granddaughter of Eddie & Laureen Chang that reside in Mākena. They are one of the few remaining family members who live on our ancestral lands in Mākena. For over 30 years, I have watched my grandfather plan, organize, and make many sacrifices so that the land can be passed on to future generations.

My grandfather grew up in Mākena. There, he learned to fish, farm, raise pigs, live off the land, share with others, and care for the land's resources. As a result, he can identify the traditional names and stories of the points, the bays, the prime fishing spots, and the significant areas of his beloved homeland. It was at Mākena that he observed and learned from the older generations and the community that shaped his values of kuleana in serving your community.

It is because of the efforts of my grandfather that I am tied affectionately to Mākena. Yet, every time I return to Mākena, I am heartbroken by the drastic changing landscape and the people that occupy Mākena. I fondly remember:

- Playing with cousins and other local kids from families that would camp over the weekends.
- Walking to my aunties' and uncles' house for a family party.
- Chatting with family members after church service.

And many, many cherished memories. Memories that are etched in my heart and that have shaped my identity. Experiences that I fear my children and grandchildren will seldom get to experience in Mākena.

Mākena is overwhelmed by empty vacation homes and tourists that aren't concerned about the welfare of the land, the conservation of Mākena's natural resources, or its community. I ask you to visualize the long-term impacts on Mau'i's land, Maui's resources, and Maui's people. The very core of Maui's cultural fabric relies on the decision you make today.

I strongly support the intent of the **'Āina Kūpuna bill CR 21-95** and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Me ka 'oia'i'o,



Kananinohea Māka'imoku

County Clerk

From: lanich@hawaiiantel.net
Sent: Wednesday, October 20, 2021 10:01 PM
To: County Clerk
Subject: CR 21-95 Aina Kupuna Land Dedication

RECEIVED

2021 OCT 21 AM 7:57

OFFICE OF THE
COUNTY CLERK

 You don't often get email from lanich@hawaiiantel.net. [Learn why this is important](#)

I strongly support the aina kupuna bill CR 21-95, and other additions to the bill.

My grandfather always spoke with great pride and love for Makena.

Through his eyes I grew to love Makena and all the families who were and some who are still living in the area. My ancestors are buried in Makena. Makena is always home to me.

I believe strongly in this bill, a path will be created to help local families maintain and sustain their aina through ancestral land dedication. I am deeply grateful for your willingness to create such a bill which will allow long time families to stay connected to their ancestor's lands.

Mahalo,

Lani Chang



RECEIVED
2021 OCT 21 AM 7: 57

Testimony of Carmen Hulu Lindsey
Chair, Board of Trustees

OFFICE OF THE
COUNTY CLERK

Maui County Council
Committee Report No. 21-95
COUNTY PROPERTY TAX REFORM

October 22, 2021

9:30 a.m.

Online Meeting

The Office of Hawaiian Affairs (OHA) **SUPPORTS** the Budget, Finance, and Economic Development Committee's recommendation, per CR 21-95, to pass on first reading "A Bill for an Ordinance Relating to 'Āina Kūpuna Lands." This proposed bill would protect Native Hawaiian and other Maui county families from unprecedented tax burdens that may lead to the dispossession of their 'āina kūpuna, or ancestral lands. Allowing such families to pay the minimum tax on lands that have sustained them for at least three generations will help to ensure that the speculation-driven increase in Maui property values does not further dispossess Native Hawaiians from their ancestral lands, and erode away the living vestiges of Maui's cultural heritage.

As a preliminary matter, OHA emphasizes that the Westernization of land tenure in Hawai'i, and the distribution of land and power that occurred subsequent to the illegal overthrow of the Hawaiian Kingdom, have had profound and unique impacts on the Native Hawaiian people. Such impacts include the physical, spiritual, and socioeconomic harms arising from the dispossession of Native Hawaiians' ancestral lands, and from the myriad other circumstances that have strained or eroded away Native Hawaiians' connection to the 'āina that have sustained their 'ohana since time immemorial.¹ Sadly, much of the lands that Native Hawaiians were able to acquire during Hawai'i's transition to a Western property system have already been lost, abandoned, sold, seized, or stolen, and various factors today continue to place great strain on the ability of Native Hawaiian families to continue maintaining a connection to, and ownership of, their ancestral 'āina.

In addition, OHA notes that Native Hawaiian and kama'āina families who have been able to maintain their ancestral lands for generations represent a foundation of Maui's historical and cultural legacy. Their continued stewardship and presence on their lands helps to maintain important connections to the past and to the 'āina that can uphold the unique values and character of Maui's communities – a role that may be increasingly critical in light of a rapidly transforming socioeconomic landscape resulting, in part, from the real estate trends the county has been experiencing.

¹ See, e.g., The Apology Resolution, Pub. L. No. 103-150 ("[T]he health and well-being of the Native Hawaiian people is intrinsically tied to their deep feelings and attachment to the land").

OHA therefore strongly supports the recommendation of CR 21-95 to pass on first reading the proposed bill to provide tax relief to parcels dedicated as ‘āina kūpuna. This proposed bill will provide critical and much-needed protection for the few remaining Native Hawaiian and other kama‘āina families who have maintained their family lands for at least three generations. Over the past several decades, the Western commodification of land has manifested in a continuous and almost exponential surge in property taxes, particularly in areas where real estate speculation and resort or luxury development have driven property values to an all-time high.² While taxes on lands that have become subject to the lucrative activities of real estate speculators and developers may be an appropriate and needed mechanism can provide the county with much-needed revenues, the increase in property values and associated property taxes has also had devastating impacts to a small number of Native Hawaiian and long-time Maui families; such families, facing an unprecedented tax burden, have been forced to sell portions of their ancestral lands, or monetize them in inappropriate and sometimes painful ways. The proposed bill would provide these families with narrow and targeted relief, by allowing them to pay the minimum tax on their ancestral lands in exchange for a commitment to not convey the lands to non-lineal descendants, and to not use these lands for commercial purposes, with limited exceptions. **This measure would therefore allow Maui’s families to maintain their ownership of and deep connection to their ancestral lands, in the face of economic and real property trends well beyond their control – preventing the further dispossession of Native Hawaiians’ ancestral lands, and protecting a historical foundation of Maui’s unique values and cultural character from further erosion.**

OHA does appreciate potential concerns regarding a possible reduction in county revenues, but notes that the narrow requirements of the proposed bill would significantly limit those who would qualify, and who would desire to apply for, the proposed tax relief. OHA further understands that property values of non-‘āina kūpuna lands have also continued and will likely further continue to increase,³ providing increased county revenues that will offset any fiscal impacts of the measure.

The proposed bill in BFED Committee Report No. 21-95 will provide a critical means to protect Native Hawaiian and long-time kama‘āina families from the impacts of Maui’s speculation-driven real estate boom; prevent the further dispossession of Native Hawaiians’ ancestral lands, which has had and will continue to have devastating impacts on Native

² See Puanani Fernandez Akamine, Taxed Out: Increasing land taxes force Hawaiians off their ancestral lands, KA WAI OLA, Feb. 28, 2020, available at <https://kawaiola.news/cover/taxed-out>.

³ See, e.g., Redfin.Com, Maui County Housing Market: Trends, <https://www.redfin.com/county/667/HI/Maui-County/housing-market> (last accessed Oct. 19, 2021) (“In September 2021, Maui County home prices were up 19.8% compared to last year, selling for a median price of \$863K. On average, homes in Maui County sell after 69 days on the market compared to 86 days last year. There were 288 homes sold in September this year, up from 187 last year.”).

Hawaiian families and the Native Hawaiian community as a whole; and help to avoid the further erosion of the social and cultural heritage of Maui county, embodied by those who have been able to maintain their 'āina kūpuna for multiple generations.

Accordingly, OHA respectfully urges the Maui County Council to adopt the recommendation of BFED Committee Report No. 21-95 and **PASS** the proposed bill on first reading. Mahalo nui for the opportunity to testify.

County Clerk

RECEIVED

From: Wayne Tanaka <wctanaka@gmail.com>
Sent: Thursday, October 21, 2021 12:05 AM
To: County Clerk
Subject: Testimony in SUPPORT of CR21-95, 'Āina Kūpuna Tax Relief

2021 OCT 21 AM 7: 58

OFFICE OF THE
COUNTY CLERK

 You don't often get email from wctanaka@gmail.com. [Learn why this is important](#)

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

My name is Wayne Chung Tanaka and I am testifying in my personal capacity to express my STRONG SUPPORT for the 'āina kūpuna tax relief proposal before you today. This measure, with its additional proposed amendments, will provide significant, critical relief necessary to prevent the further permanent loss of family 'āina that Native Hawaiian and other longtime residents of Maui County have lived on and cherished for generations, and ensure that these lands can continue to support their future generations -- thereby preserving the people and the heart of what makes Maui such a unique and special place to live.

I am grateful for your favorable consideration before the Budget, Finance, and Economic Development Committee, and respectfully ask that you keep up the momentum behind this measure, which has already provided so much hope to those who have been pushed ever closer to the brink of losing their connections to their ancestral lands.

Mahalo nui loa,

Wayne Chung Tanaka

County Clerk

RECEIVED

From: Meredith Buck <mbucknova@gmail.com>
Sent: Thursday, October 21, 2021 3:01 AM
To: County Clerk
Subject: Testimony: 'Āina Kūpuna Tax Relief Bill

2021 OCT 21 AM 7: 58

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Aloha,

My name is Meredith Buck, and i live in Kailua Kona, Hawai'i Island. I am writing to express my support for the 'Āina Kūpuna Tax Relief Bill.

Below I will share some community concerns and viewpoints which I share and support.

Mahalo nui loa,

Meredith Buck
96740

1. Native Hawaiian and kama'āina families who have been able to maintain their ancestral lands for generations represent a foundation of Maui's historical and cultural legacy, and help to maintain important connections to the past and to the 'āina that have informed, and continue to inform, Maui's social fabric and unique community values. This bill will help more of these families hold on to their 'ohana lands, especially amidst global real estate speculation, skyrocketing property values, and resulting property tax assessments that may exceed what many can afford. **Accordingly, this measure will help to perpetuate Maui's historical and cultural legacy, and preserve that which has helped to make Maui and all of Hawai'i such a unique and special place to live.**

2. Land grabs and speculation by off-island investors should never lead to long-time kama'āina families being taxed into poverty, or off of their ancestral lands. **This bill will protect Maui's families and the legacy they represent, from property tax increases due to forces well beyond their control.**

3. The dispossession of land has deep, profound, and unique impacts on Native Hawaiians, whose health and well-being are based on their feelings for and deep attachment to the 'āina. Other kama'āina who have maintained their family lands since the Great Depression are likely to have also developed a deep, familial attachment to their lands that would be devastating to lose. **This bill will provide critical protection for Native Hawaiian and other 'ohana who may be forced to choose between the devastation of selling their ancestral lands, or paying tax assessments that they are increasingly unable to afford.**

4. The county government has benefited greatly from skyrocketing property values and associated property taxes, driven by real estate speculation, foreign investment, and the global demand for land in Hawai'i. Sadly, this surge in property values is now pushing Maui's long-time 'ohana to the brink of losing their ancestral lands, going into poverty to pay their property taxes, or monetizing their 'āina in ways that erode their character, and the overall character of Maui's unique communities. **As its coffers continue to fill from the foreign desire for Maui's lands, the county must take steps to provide targeted tax relief for its long-time 'ohana, and the last living vestiges of Maui's social and cultural heritage that they embody.**

County Clerk

RECEIVED

From: Claymat Kawaiaea <ckawaiaea@gmail.com>
Sent: Thursday, October 21, 2021 3:10 AM
To: County Clerk
Subject: Maui County Council Meeting 10/22, 9am - 'Āina Kūpuna Bill, CR 21-95

2021 OCT 21 AM 7: 58

OFFICE OF THE
COUNTY CLERK

 You don't often get email from ckawaiaea@gmail.com. [Learn why this is important](#)

To: The Honorable Alice Lee, Chair Maui County Council
For Meeting: County Council, 10/22/2021, 9am
Subject: 'Āina Kūpuna Bill, CR 21-95

Aloha kakou,

My name is Claymat Kawai'ae'a, my wife is Keiki. I'm sending my whole hearted support to this bill that council woman Keani Rawlins has been leading. I would like to mahalo her, and her support team, for their time and efforts to help our local 'ohana who are fighting to remain on their 'aina kupuna. Like my dad's family who's roots are from Kaupo, east side of Maui, the Chang 'Ohana's roots have enmeshed their character and history in the Makena community from the past, present, and hopefully on into the future.

Mahalo nui loa,

Claymat "Clem" Kawai'ae'a


County Clerk

From: Rebecca Gagnon <r.khaugen20@gmail.com>
Sent: Thursday, October 21, 2021 5:59 AM
To: County Clerk
Subject: Aina Kupuna Bill, CR 21-95

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To whom it may concern,

I support the Aina Kupuna Bill, CR 21-95.

Thanks,
Rebecca

County Clerk

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From: Jennifer Noelani Ahia <jennahia@yahoo.com>
Sent: Thursday, October 21, 2021 7:40 AM
To: County Clerk
Subject: SUPPORT FOR CR-21-95

2021 OCT 21 AM 7: 58

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[You don't often get email from jennahia@yahoo.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Aloha,

I strongly support CR 21-95.

Mahalo,
Noelani Ahia

Sent from my iPhone

County Clerk

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From: Kamaulihiwa Kawaiaaea <maulikawaiaaea.83@gmail.com>
Sent: Thursday, October 21, 2021 7:45 AM
To: County Clerk

2021 OCT 21 AM 7: 58

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|| You don't often get email from maulikawaiaaea.83@gmail.com. [Learn why this is important](#)

To: The Honorable Alice Lee
Chair Maui County Council
For Meeting: County Council,
10/22/2021,9am
Subject: Aina kupuna bill, CR 21-95

Aloha, I am truly and strongly in support of this bill. Please understand that the magnitude of this bill passing will support not only the generations of Hawaiian families but also restore change to what's really happened to the people and origins of this land. I hope that the council can understand that we need change in Hawaii or they will run the Hawaiians out. Mahalo nui!

County Clerk

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From: Terry HUNTER <Terry.Hunter@kp.org>
Sent: Thursday, October 21, 2021 6:52 AM
To: County Clerk
Subject: 'Aina Kupuna Bill CR 21-95

2021 OCT 21 AM 7:58

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|| You don't often get email from terry.hunter@kp.org. [Learn why this is important](#)

Aloha, Though I am not a native Hawai'ian, and only involved by marriage and not "in-line" to inherit lands, I fully endorse this bill.

The Kukahiko family has been in Makena for over 140 years. They are a large family with many descendants of the John and Kamaka Kukahiko family who had 10 children. Each generation has had challenges to keep up with the property taxes and as a result, many of the 'ohana have been displaced over the years with only a few parcels remaining. Where once their 'ohana was one of the largest in Makena, today there are only a few remaining who are still struggling to keep the 'āina in the family. I strongly support the intent of the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Their 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.
2. Their 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. I ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.
3. The property tax has been very difficult to pay due to the COVID pandemic. I ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

Makena has become a community with many wealthy non-residents who have bought high-end speculation homes. For the Kukahiko 'ohana, Makena is home. It is where many of their ancestors are buried and continue to pass their aloha for Makena from one generation to another. They need help to continue to live and maintain their 'āina for their children and grandchildren. As the community has become unaffordable for locals to continue to stay in Makena I ask your support to pass the 'Āina Kūpuna bill CR 21-95 with additional changes.

Mahalo nui for your consideration,
Terry Hunter,MD

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Council of the County of Maui

Hearing Date: September 22, 2021

OFFICE OF THE
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RE: Testimony in Support of **CR 21-95, 'Āina Kūpuna Land Dedication**

Honorable Council Members:

This testimony is in support of CR 21-95, 'Āina Kūpuna Land Dedication.

Our Kukahiko family has been in Makena for over 140 years. We are descendants of the John and Kamaka Kukahiko who had 10 children. The Lu'uwai 'Ohana descended from their daughter Annie Kukahiko. She is my grandfather, John Lu'uwai's, mother, and hence, my great grandmother.

With the building of the road into Makena, developers and the ultra-rich quickly followed to build homes that no average Maui resident could ever afford. With no roots, most then sold and continue to sell their properties for astronomical prices.

As a result, the property taxes in Makena has increased exponentially. There is little we can do to control the buy & sell mentality of outsiders and profit mongers, but this bill is the first critical step to address a tax structure that has negatively impacted Native Hawaiian and kama'āina 'ohana across the County of Maui.

Many 'ohana, like our Kukahiko 'ohana, have struggled to keep up with property taxes. Many have been forced to sell. A lot of 'ohana that remain are forced to set up businesses to try to keep up with and pay for the property taxes.

My parents, Boogie & Violent Lu'uwai, established and operated the Makena Bed & Breakfast for 15 years in order to pay Makena property taxes. Their retirement income was not enough. My Uncle Bobby's 'ohana continues the business purely out of necessity to pay the property tax bill.

If nothing is done to address the inequities of the tax structure, our 'ohana will forced to sell our properties and thus, the last of the pre-contact Hawaiians in Makena will be gone. This bill will provide critical protections for our 'ohana and kama'āina 'ohana who have deep roots in Maui county.

I strongly support the 'Āina Kūpuna bill CR 21-95 and ask that you pass the bill with additional revisions:

1. Please include the terms corporation and shareholders in the definition of 'Āina Kūpuna. Our 'ohana has many lineal descendants and in order to keep the land in the family, a corporation was created in 1973. Shares are owned only by family members.

2. Our 'ohana currently hosts events on the Kukahiko Hale property to pay for the taxes and upkeep of the property and structure. We ask that a paragraph be included to define profit as "excess of monetary returns over expenditures and costs to maintain, improve or expand the property, any structures on the property, the minimum tax, or similar business costs." This will support the sustainability of the property for the 'ohana.

3. The property tax has been very difficult to pay due to the COVID pandemic. We ask for your support for back tax forgiveness, interest, and a waiver for penalties to assist tax burdens for the 2020 and 2021 tax years.

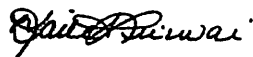
I warmly extend our mahalo to Councilmember Keani Rawlins-Fernandez for leading and advancing this bill forward.

In addition to providing needed tax relief and lifting a heavy burden off many 'ohana, your vote would have a significant and potential statewide impact by creating a model tax bill for other counties to follow.

Your vote to support this bill is greatly appreciated.

Mahalo,

Maile Lu'uwai



maile@luuwailaw.com

1518 Auwae Road

Hilo, HI 96720

808.280.0083

County Clerk

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From: Forest Frizzell <forestaf@gmail.com>
Sent: Thursday, October 21, 2021 8:27 AM
To: County Clerk
Subject: SUPPORT of CR 21-95

2021 OCT 21 AM 8:44

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Aloha,

I am a Honolulu County resident however I stand in strong support of CR 21-95. I believe we need to do more across all counties to help keep ancestral Hawaiian land with Hawaiian families. While I did not author the 4 points below, it speaks best to why this is important. Thank you for your support in this matter.

1. Native Hawaiian and kama'āina families who have been able to maintain their ancestral lands for generations represent a foundation of Maui's historical and cultural legacy, and help to maintain important connections to the past and to the 'āina that have informed, and continue to inform, Maui's social fabric and unique community values. This bill will help more of these families hold on to their 'ohana lands, especially amidst global real estate speculation, skyrocketing property values, and resulting property tax assessments that may exceed what many can afford. Accordingly, this measure will help to perpetuate Maui's historical and cultural legacy, and preserve that which has helped to make Maui and all of Hawai'i such a unique and special place to live.
2. Land grabs and speculation by off-island investors should never lead to long-time kama'āina families being taxed into poverty, or off of their ancestral lands. This bill will protect Maui's families and the legacy they represent, from property tax increases due to forces well beyond their control.
3. The dispossession of land has deep, profound, and unique impacts on Native Hawaiians, whose health and well-being are based on their feelings for and deep attachment to the 'āina. Other kama'āina who have maintained their family lands since the Great Depression are likely to have also developed a deep, familial attachment to their lands that would be devastating to lose. This bill will provide critical protection for Native Hawaiian and other 'ohana who may be forced to choose between the devastation of selling their ancestral lands, or paying tax assessments that they are increasingly unable to afford.
4. The county government has benefited greatly from skyrocketing property values and associated property taxes, driven by real estate speculation, foreign investment, and the global demand for land in Hawai'i. Sadly, this surge in property values is now pushing Maui's long-time 'ohana to the brink of losing their ancestral lands, going into poverty to pay their property taxes, or monetizing their 'āina in ways that erode their character, and the overall character of Maui's unique communities. As its coffers continue to fill from the foreign desire for Maui's lands, the county must take steps to provide targeted tax relief for its long-time 'ohana, and the last living vestiges of Maui's social and cultural heritage that they embody.

Mahalo,
Forest

--

Ua Mau ke Ea o ka 'Āina i ka Pono - Kamehameha III (born Kauikeaouli)

October 21, 2021

To: Council of the County of Maui
From: Kristen Young
Meeting: October 22, 2021, 9:00 AM
Testimony on CR 21-95

Re: CR 21-95 - A BILL FOR AN ORDINANCE RELATING TO 'ĀINA KŪPUNA LANDS

Aloha, Maui County council members ~

I would like to express my strong **support** for agenda item **CR 21-95**, a bill relating to 'āina kūpuna (ancestral lands). The presented amendments are crucial in allowing the Kukahiko Corporation to continue to rent the property in order to pay off exorbitant back taxes so they can continue caring for their 'āina and hale as they've done for over a century.

In Makena, as in many other places around Hawai'i, we are seeing people being priced/taxed out of their homeland that they have stewarded for generations—land that they've even been paying taxes on. Allowing this to happen contributes to land theft and erasure of native people. Makena is home to the Kukahiko 'ohana whose family identity, history, and genealogy are tied in with this place. While the county/state too often caters to people with money, typically non-native outsiders, I personally think lowering the taxes on this property would only be fair, but these people are just seeking a way to be able to pay those increasing taxes.

I hope you will take this opportunity to preserve these lands with their longtime stewards for generations to come.

Please vote YES in support of CR 21-95 and protect these ancestral lands.

Mahalo for your time,



Kristen Young
Resident of Honolulu

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From: Kvn Lndrs <kvnplndrs@gmail.com>
Sent: Thursday, October 21, 2021 8:21 AM
To: County Clerk
Subject: SUPPORT FOR CR21-95

2021 OCT 21 AM 9: 24

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COUNTY CLERK

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Aloha

Stop the displacement of Hawaiians. Stop commodifying Hawaiians ancestral homelands. When is enough enough? No more real estate speculation, no more theft!

in solidarity,

Kevin Landers
808.777.7214

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**MAUI COUNTY COUNCIL
FULL COUNCIL MEETING**

Alice Lee, Chair
Keani Rawlins-Fernandez, Vice Chair

OFFICE OF THE
COUNTY CLERK

Friday, October 22, 2021, 9:00 AM

Re: Testimony for Committee Report No. 21-95, a bill amending Chapter 3.48, Real Property Tax, Maui County Code, to add a section relating to taxes on parcels dedicated as 'āina kūpuna.

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

I'm writing this testimony in support of CR No. 21-95, which would amend the current property tax code to add a section dedicated to 'āina kūpuna lands. This new provision would be defined as portions of real property that are owned in whole or in part by a lineal descendent of the person who held title to the property on June 30, 1940.

Although I write this testimony in my own individual capacity, I have personal ties with the Kukahiko family through my fiancée. Over the last few years, I've learned about this issue through members of the family and have had the opportunity to spend time at the Makena properties that would be impacted through this legislation.

The Kukahiko family purchased parcels of land in Makena that can be traced back to 1883 and have lived and cared for these lands through today. In 1973, the family formed the Kukahiko Corporation to keep the land with the original 59 'ohana shareholders; however, over the years, parcels have had to be sold to help pay back taxes. The current Kukahiko home in Makena has been rented out for weddings to help pay for property taxes and upkeep. However, due to the ongoing COVID pandemic, the house has had very few events. This has resulted in a high backlog of property taxes.

We have seen and heard the stories about local families being "priced out of paradise," and something needs to be done to help support these families, especially if they can trace back their property for decades or even centuries, like the Kukahiko 'ohana. At a time when the properties around theirs are selling for over \$20 million, including the recent purchase of a property assessed at more than \$46 million just down the road in Makena by Amazon founder Jeff Bezos, how can we expect families to continue to live in these high-priced areas?

I support this legislation and any amendments that could be made to ensure that families like the Kukahiko 'ohana would be able to benefit from this change in real property taxes to be able pay reasonable property taxes and remain in possession of the properties that have been in their family for centuries.

Mahalo for your consideration of my testimony,
Dan Kouchi

County Clerk

From: Renee Bertenthal <rbertenthal@sbcglobal.net>
Sent: Thursday, October 21, 2021 9:50 AM
To: County Clerk
Subject: CR 21-95


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I support the Aina Kupuna Bill, CR 21-95.

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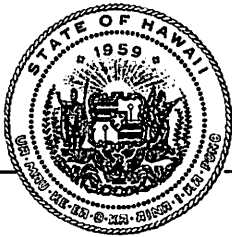
County Clerk

From: Lindsey Mignano <lilibed@gmail.com>
Sent: Thursday, October 21, 2021 9:56 AM
To: County Clerk
Subject: Aina Kupuna Bill, CR 21-95

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I support the "Aina Kupuna Bill, CR 21-95".

Sent from my iPhone. Please excuse any typos.

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HAWAII STATE ENERGY OFFICE STATE OF HAWAII

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone:
Web:

DAVID Y. IGE
GOVERNOR

SCOTT J. GLENN
CHIEF ENERGY OFFICER

(808) 587-3807
energy.hawaii.gov

Testimony of
SCOTT J. GLENN, Chief Energy Officer

before the
MAUI COUNTY COUNCIL

October 22, 2021
9:00 AM

Comments in support of
BILL 106
RELATING TO ENERGY CODE COMPLIANCE
FOR LARGE RESIDENTIAL BUILDINGS

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Chair Lee, Vice Chair Rawlins-Fernandez, and Members of the Council, the Hawaii State Energy Office (HSEO) supports Bill 106, which would require new one- and two-family residential buildings over 5,000 square feet to be zero net energy homes, and looks forward to further refinements of the measure.

We are all aware of reports from the United Nations, from scientific organizations and other distinguished bodies indicating that climate change is accelerating and which point to worsening droughts, forest fires, floods and rising sea levels. Scientists agree that rising temperatures caused by man-made CO₂ emissions are the prime cause of these catastrophes.

Bill 106 is part of a national shift that recognizes the importance of building codes to steer our buildings, and the energy systems that support them, to more sustainable and efficient designs. Both our buildings and our energy infrastructure generally last more than 50 years.

Measures such as this are intended to move the builders of high-end residences toward highly efficient windows, roofs, air conditioning and water heating technologies which in turn would help to bring these products to Hawaii.

Hawai'i State Energy Office Testimony
Bill 106 Relating to Energy Code Compliance for Large Residential Buildings –
Support
October 22, 2021

Perhaps just as importantly, these measures spark conversation and creative thought, as we recognize the importance and lasting impact of the facilities and systems that are built today, and hear about the potential interactions between home design, energy resources, and our natural environment.

Greater building efficiency, and the ability of homes to produce their own energy, reduce pressure on using our limited land, especially agricultural land, for renewable energy development.

The Hawaii State Energy Office looks forward to participating in discussions as Maui and the state of Hawai'i move toward energy self-sufficiency. In joining forces with similar initiatives across the country, advanced building codes and standards have the potential to move the CO₂ needle downward and contribute to Hawai'i's net carbon negative goal.

Thank you for the opportunity to testify.

Testimony of
Pacific Resource Partnership

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

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COUNTY CLERK

Bill 111—Countywide workforce housing interest list and related policies

Friday, October 22, 2021
9:00 A.M.
City Council Chamber

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** of Bill 111, establishing a countywide workforce housing interest list and related policies for residents interested in workforce housing rental or ownership units.

The proposed bill will further complicate and prolong the process of getting Maui's residents into affordable housing and likely increase the overall cost of housing units.

Affordable housing projects using government subsidies, including but not limited to Low Income Housing Tax Credits (LIHTC), are highly regulated by County, State, and Federal agencies. Agencies have specific requirements regarding tenant selection, financial qualifications, fair housing and accessibility. Adding an additional layer of regulation to the selection process and taking away the developer, its partners, or its management company's ability to establish a wait list is unnecessary and equates to more risk for the developer, tax credit investors, debt financiers, and private equity investors. This risk alone may deter developers from building affordable housing in Maui.

Moreover, the proposed amendments will put a heavy burden on the Department of Housing and Human Concerns (DHHC) to ensure that all County, State, and Federal regulations are followed in a timely manner. This will likely require DHHC to hire and retain more staff with experience in developing affordable housing, and require DHHC to invest in additional resources to deliver these new responsibilities. Furthermore, DHHC or its designee will likely be held liable for any errors occurring during the qualification process.



(Continued From Page 1)

We are also concerned that changing the sales period from 90 days to 120 days will create additional carrying costs for projects thereby making housing more expensive.

We have witnessed and continue to see how Maui's overregulation of affordable housing projects have kept this county in its current housing crisis. We need to find new ways to incentivize developers to build more affordable housing before the problem gets worse. Given the above, we respectfully recommend that this Council defer this bill and consider policies that encourage the construction of more affordable housing.

Thank you for this opportunity to submit written testimony.



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Testimony of Carmen Hulu Lindsey
Chair, Board of Trustees

OFFICE OF THE
COUNTY CLERK

COUNTY COMMUNICATION NO. 21-484
SUPPORTING THE HUAMAKAHINA DECLARATION AND THE EFFORTS TO PROTECT & ADVANCE
THE PRACTICE OF HULA, AND TO PREVENT ITS CONTINUED ECONOMIC EXPLOITATION AND
APPROPRIATION
Maui County Council

'Okakopa 22, 2021

9:00 a.m.

Hālāwai Keleka'a'ike

The Office of Hawaiian Affairs (OHA) **SUPPORTS** the coordinated efforts of Huamakahikina in its efforts to bring the collective intellectual, spiritual, and physical practices of multiple Hula lineages together to fully protect and advance the practice of Hula. OHA applauds all the Kumu Hula and individuals that not only organized this endeavor, but also those that participated and shared their 'ike or knowledge for this Declaration.

OHA is a constitutionally-established organization aimed at improving the conditions of Native Hawaiians. OHA's updated strategic plan continues to prioritize Hawaiian cultural vibrancy based on our cultural foundation of mo'omeheu (culture) as it continues to influence the overall wellbeing of the identity and wellbeing of the lāhui. We devoted efforts for system-wide policies to implement a culturally rich foundation to all the work we do and the way in which we do our work. OHA added significant value to our efforts to increase the number of Native Hawaiians who appreciate their history and culture. Between 2010 and 2018, OHA has awarded a total of \$9.6 million to grantees furthering and perpetuating our culture.¹

Hawaiians have fought hard to keep the Hula traditions alive, and Hula has always been more than just a form of entertainment, but an integral part of Hawaiian history. Without a written language, Hula was how our kūpuna expressed and remembered stories, histories, genealogies, and religion. However, like most other cultural practices, Hula was banned publicly in 1830 as a direct result of colonization and the attempt to stifle anything related to the Hawaiian identity. During the 1860s, Hula went underground, and was only taught in secret. While Hula restrictions started to ease in 1870, when King Kalākaua came to office, he sought to bring Hula back to its original form and insisted on public Hula performances on 'Iolani palace grounds for his coronation in 1883. Huamakahikina's efforts reflect the ongoing effort of Hawaiians to revitalize our culture and traditions.

As such, OHA urges this council to support this measure as it represents a vital step towards protecting against any unwanted further commodification and disrespect of Hula. The

¹ THE OFFICE OF HAWAIIAN AFFAIRS, STRATEGIC PLAN: LĀHUI IMPACT REPORT 2010-2018 47 (2018), available at <https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/OHALahuiImpactReport-2019.pdf>

Huamakahikina Declaration not only affirms needed protections for Hula, but also builds upon and is consistent with principles set forth in the Paoakalani Declaration.² Cultural experts, who have the knowledge and authority are asking this Council to support them in their endeavors to protect a vital part of the Hawaiian culture. As King Kalākaua stated, “Hula is the language of the heart, and therefore the heartbeat of the Hawaiian people.”

Mahalo for the opportunity to provide testimony on this matter.

² *Paoakalani Declaration, Ka ‘Aha Pono ‘03: Native Hawaiian Intellectual Property Rights Conference, Waikīkī, Hawai‘i, Hawai‘i, Oct. 2003*, available at <https://19of32x2yl33s8o4xza0gf14-wpengine.netdna-ssl.com/wp-content/uploads/Paoakalani-Declaration.pdf>

County Clerk

From: veronica magoun <veronicamagoun@gmail.com>
Sent: Thursday, October 21, 2021 10:14 AM
To: County Clerk
Subject: CR 21-95

You don't often get email from veronicamagoun@gmail.com. [Learn why this is important](#)

I am Veronica Magoun daughter of Kenneth Chang and eldest granddaughter of Samuel B Chang whom was born on the Makena family land. I remember taking a family trip with my grandfather and witnessing the beauty of Makena with him. Now all of that has given way to hotels and very expensive homes. Developer's have been trying to push out our ohana through taxes. Another example of PRICING OUT OUR PEOPLE! SO WRONG! So i strongly support the aina kupuna bill CR 21-95

other additions to the bill that will help families maintain and sustain their 'āina kūpuna through an ancestral land dedication. Mahalo for your insight to create such an important bill to keep long-time kama'āina families on their ancestral lands.

Our Kukahiko family has lived in Makena for nearly 140 years.

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2021 OCT 21 AM 10: 50

A. U'ilani Tanigawa Lum, Esq.
anelaulani@gmail.com

OFFICE OF THE
COUNTY CLERK

October 21, 2021

RE: Testimony in support of CR21-95, the 'Āina Kūpuna Tax Relief Bill

Aloha mai e Chair Lee, Vice- Chair Rawlins-Fernandez, and Councilmembers,

Mahalo for this opportunity to testify in **strong support of CR21-95, the 'Āina Kūpuna tax relief bill**. My name is U'ilani Tanigawa Lum and I am an attorney and hula practitioner. I was born and raised in Makawao, Maui, where the communities that raised me also helped to shape my trajectory and passions as an adult.

As a kupa of Maui deeply passionate about our community and trying to get home to Maui, I have firsthand experience with the skyrocketing home prices that make moving *home* largely out of reach. My 'ohana has lived on the same property for over three decades. This 'āina currently supports four generations of our 'ohana. Measures like this are a crucial step to sustaining our island community in the face of over tourism and out-of-state investors. It will provide an important tool to ensure that Maui's community serves the people who have kuleana to this place: kama'āina. This in turn, also supports Maui's unique fabric and ensures it is upheld as no ka 'oi.

Please vote to pass this measure today. While I am hopeful that this measure will secure 'āina, I also know that we need more efforts of this kind.

Mahalo for your hard work and advocacy on behalf of our Maui community and 'āina aloha.

Me ka ha'aha'a,
A. U'ilani Tanigawa Lum

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2021 OCT 21 AM 10:51

A. U'ilani Tanigawa Lum, Esq.
anclaulani@gmail.com

OFFICE OF THE
COUNTY CLERK

October 21, 2021

RE: Testimony in support of CC-21-484: Supporting the Huamakahikina Declaration

Aloha mai e Chair Lee, Vice- Chair Rawlins-Fernandez, and Councilmembers,

Mahalo for this opportunity to testify in **strong support of CC-21-484, which supports the Huamakahikina Declaration**. My name is U'ilani Tanigawa Lum and I am an attorney and hula practitioner. I was born and raised in Makawao, Maui, where the communities that raised me also helped to shape my trajectory and passions as an adult. Earlier this year, after over 20 years of training, I underwent formal 'ūniki ceremonies as a Ho'opa'a under the direction of my Kumu Hula, Nāpua Greig.

Cultural practices, like hula, provide an important compass for kānaka. For me, hula taught me about our 'āina, our water systems, our history, our language, and perhaps most importantly, my kuleana to each of those aspects. This kuleana drove me to secure a Bachelor's and Master's degree in Hawaiian Studies, as well as a J.D. specializing in Native Hawaiian Law. Aside from my role as a hula practitioner, my work as an attorney now largely seeks to perpetuate and actualize important protections around traditional and customary rights and practices like hula. This measure is an important step to directly supporting the cultural practitioners within our own community.

Finally, as leaders and foremost cultural experts this measure appropriately and formally articulates Kumu Hula's agency over the practice of Hula. As steadfast beacons within our community, Kumu Hula have nonetheless ensured the perpetuation of this practice even without wide public or private support. Please vote to pass this measure today.

Mahalo for your hard work and advocacy on behalf of our Maui community and 'āina aloha.

Me ka ha'aha'a,
A. U'ilani Tanigawa Lum

This proposed action would effectively make a mockery of the 20 years we've put into developing our business. It would be taking away my son's birth right. What other businesses do you know of, where a kid can't take over a parent's business when the parents pass away. The Council voices concerns over 'discrimination'. But the actions proposed in this bill would certainly 'discriminate' against local long-term residents like myself.

I would also like to point out that there are only 149 permitted B&Bs on Maui. There are 74,000 housing units, including 13,000 vacant units. So permitted B&B's are only POINT zero zero two percent (.002%) of Maui housing stock. The proposed actions would certainly be discriminating against .002% of our population!

One of the major arguments used to discriminate against Bnb's is that we commit the sin of 'taking away affordable housing for island residents'. May I point out: 1. We are island residents and 2. By being able to run our B&B's, we provide housing for ourselves and our families. Otherwise, WE would be banging on YOUR door, demanding more affordable housing. We're not the problem. We're part of the solution.

May I suggest that you consider removing the five-year ownership requirement for properties where a B&B permit has been in effect for 5 years? And also, please consider allowing parents to transfer their B&B permits to their adult child who would live on site.

I'm asking you, Maui County, to LOOK AFTER LONG TIME MAUI RESIDENTS LIKE MY FAMILY, AND HELP CREATE AN AVENUE FOR US TO KEEP OUR LAND, HOUSE AND BUSINESS AS A LEGACY FOR OUR KIDS AND GRAND-KIDS. Don't force us all to sell off to the highest bidder and leave our homes, because that has been happening for way too long.

Thank you!

Sharyn Stone

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“Aloha” members of Maui County Council. I’m testifying on CR 21-107.

My name is Sharyn Stone, and I and my husband, Jeff have owned and operated one of Maui’s first ‘legal’ Bed & Breakfasts since our first approval in 2011. Ten YEARS after I first applied, so you’ll gather this isn’t an easy process and not one lightly taken on. However, I took it on with the aim that one day, our son, Kai, may be able to take over the business and stay here on Maui, on land we’ve owned for almost thirty years.

Imagine my distress, then, to discover that if my husband and I pass away and bequeath my son his childhood home ... under the proposed changes, my son (who has lived in Maui his whole life) would then have to ‘live’ on this property, with no source of income, unable to conduct the business started by his parents, before he could even BEGIN to APPLY for a permit ... because he now has to ‘own’ the property for 5 years before doing so – despite the fact it’s always been his home. In addition to that, since we first obtained our permit, B&B’s are no longer allowed in the SMA area, so no promises there either.

We are deeply connected to our neighborhood. I’ve been on the road committee for years. My job is to go around all our neighbors and ask for money for much needed road repairs because nobody can decide who ‘owns’ Door of Faith Rd (despite the fact the county paved half of it a thousand years ago). Year after year, we ask for it to be repaired and year after year, that request is ignored. Let’s just say everybody on our road knows that when I come around, they’re going to have a chat and get their check books out. Our land has been organically cared for since we bought it in 1992. Much of our neighborhood shares similar values. Yes, you could say we have deep connections.

Originally this five year rule was proposed only for Molokai and Lanai – and was NOT recommended by the Planning Commission for Maui. Yet the council has chosen to stick it in this new bill anyway. It seems that this is contrary to the county’s own policy plan which clearly states its support for home based businesses that are appropriate for and in character with the community, as well “encouraging resident ownership of visitor-related businesses and facilities.” If we had more resident owned businesses and fewer huge corporate owned hotels, I might be able to find a park at Ho’okipa when I, as a resident, would like to go to the beach.

County Clerk

From: Gareth Green <greeng@outlook.com>
Sent: Thursday, October 21, 2021 11:26 AM
To: County Clerk
Subject: Testimony CR 21-107

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COUNTY CLERK

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Dear Maui County Council,

I am in opposed to several provisions in CR 21-107. First, the provision that would require 5 years of ownership before being eligible to apply for a B&B license is not consistent with Maui County's tradition of acting more favorably towards B&Bs than Short-Term Rentals. Acting favorable toward B&Bs makes sense because it supports home based businesses and resident ownership of visitor-related businesses. I believe these are central to the Maui Countywide Policy Plan.

I really feel strongly that benefits from the tourism industry should go to local Maui residents rather than large corporations. However, the 5-year ownership makes it harder for locals and new homeowners to begin home based businesses. This is not only bad for local residents but also reduces potential tax revenue to Maui County.

I appreciate the situation we are in regarding the cost of housing in Maui County, but limiting B&B's is not going to make a difference with this problem. There are only about 150 B&B's operating on Maui yet there are more than 74,000 housing units. How can restricting this small number of house units make a difference? You need to focus on solving the housing problem, don't spend your valuable time on options that will not make a difference. This policy seems like a waste of tax dollars and county official's time – we don't have resources to waste.

I am not the only person that feels that the 5-year ownership provision is not a good idea. When this bill was heard at the Maui Planning Commission, almost all of the testimony was against these 5-year requirement, so the Maui Planning Commission took it out. Why was the 5-year ownership provision added back into the policy? It seems this was added without an opportunity for Maui residents to discuss and be heard. Why?

If the goal is to make more housing units available to local Maui County residents, Council Members should be focusing on policy that will make a difference and not hurt local Maui residents. Maybe as an alternative you could change the policy to be that applicants have to be residents of Maui or Hawaii for 5-years to be eligible to apply for a B&B license. However, I believe spending any time on the B&B policy is a waste of time since it is such a small portion of the Maui housing market – spend your time something that matters, like Short-Term Rentals valued under \$3 million that are zoned in non-commercial family neighborhoods. Spend your resources on something that will help Maui County residents rather than just waste Maui County resources.

For all the above reasons, please remove the proposed 5-year construction and ownership requirements. They are a waste of time and harm local people.

Sincerely,

Gareth Green
860 S Kihei Rd
Kihei, HI 96753
greeng@outlook.com



October 19, 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: Support of CR 21-107 ("**CR 21-107**") ("A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.35, 19.64 AND 19.65, MAUI COUNTY CODE, RELATING TO ACCESSORY DWELLING, BED AND BREAKFAST HOME, AND SHORT-TERM RENTAL HOME PERMITS")

Hearing date: Friday, October 22, 2021 at 9:00AM

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

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

Thank you for allowing ARDA Hawaii to submit testimony in Support of the proposed bill relating to Short-Term Rental Home ("**STRH**") permits. ARDA Hawaii is the local chapter of the trade association for the timeshare industry. Timeshare is an important and stabilizing part of the tourism industry and Maui's economy.

As currently draft CR 21-107 intends to further restrict STRHs in residential neighborhoods. Primarily, CR 21-107 *limits STRH permits to one person and one per property*. The measure further requires: 1) STRH permits may only be issued for single-family dwellings constructed at least 15 years prior to the application and owned by the applicant for at least 15 years; and 2) Bed and Breakfast Home ("**B&B**") permits may only be issued for single-family dwellings constructed at least five years prior to the application and owned by the applicant for at least five years. The bill also allows Accessory Dwelling Units ("**ADU**") to be eligible for STRH and B&B permits and improves notification requirements for both permit applications.

At it's core the purpose of CR 21-107 appears to be a desire to mitigate the impact of tourism in Maui by reducing the effects of visitors on local neighborhoods. Specifically, the bill intends to limit STRHs in residential neighborhoods by reducing the amount of STRHs that can occur on a single property. This language will prevent multiple STRHs on a single lot and in turn will result in additional housing inventory for local residents. Accordingly, CR 21-107 will have the added benefit of directing visitors back towards resort zoned districts to lessen the impacts of tourism on residential neighborhoods.

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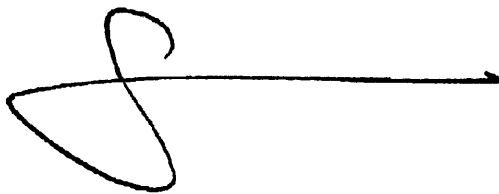
Limiting the supply of transient accommodations through further regulation of STRHs may result in a substantial reduction in the impacts of tourism on Maui County. STRHs are currently part of the fastest growing segment of Maui's visitor accommodations industry. Limitations on STRHs would provide the greatest impact in reducing the amount of visitors. Specifically, regulation of STRHs will: 1) reduce the number of visitors in residential portions of Maui; and 2) increase available housing stock for Maui residents.

In addition, reduction of STRHs will NOT result in negative impacts and will accomplish the County's goal without: 1) eliminating good paying jobs for Maui residents; and 2) shutting down local businesses that are critical to Maui's economic recovery. In addition, other counties throughout the state are also working on measures to better enforce zoning restrictions on STRHs as well as limit the impact on local communities.

ARDA Hawaii supports several of the Council's proposed initiatives to limit STRHs throughout Maui. These bills accomplish the Council's goals of managing the tourism on Maui without the negative economic impacts on the economy. STRHs have the greatest impact on Maui residents as these units are intertwined in residential and apartment districts. Hotel and resort districts are the areas which visitor accommodations should be focused to insulate Maui residents from the impacts of tourist.

Mahalo for your consideration of our comments. We look forward to working with the Council to implement policy to regulate STRHs that will preserve the character of residential neighborhoods and responsibly accommodate tourist in hotel and resort designated areas. Accordingly, ARDA Hawaii respectfully supports this measure.

Respectfully Submitted,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Mitchell A. Imanaka
Chair
American Resort Development Association of Hawaii

County Clerk

From: Mike J. Molina
Sent: Thursday, October 21, 2021 1:14 PM
To: County Clerk
Cc: kauhalebreeze@gmail.com
Subject: FW: Opposition to CR 21-107
Attachments: Neighbor letter 2812.pdf

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Please see attached testimony from Matt Kenfield.

Matt, thank you for providing your testimony.

Mike

From: Matt Kenfield <kauhalebreeze@gmail.com>
Sent: Thursday, October 21, 2021 1:05 PM
To: Mike J. Molina <Mike.Molina@mauicounty.us>
Subject: Opposition to CR 21-107

You don't often get email from kauhalebreeze@gmail.com. [Learn why this is important](#)

Thank you for your time.

I am writing to you to voice how strongly I oppose the new B&B/STRH regulations being considered, particularly for ownership of a BNB home for 5 years before applying for a permit. Not only would this law vastly hurt my ability to sell my home and business to a potential resident, but I'm writing for the future young families, such as ourselves, who want to take part in our visitor economy, and won't be able to.

Similar to other other BNB applicants, It took us over 12 months, with a consultant, to finally receive our permit in February of 2020. There were only 5 applicants approved in all of 2020. This application process is not for the faint of heart or the get rich quick folks. We spent hundreds of hours to work through application packets, meetings with inspectors, one on one meetings with neighbors and plenty of red tape to navigate at county offices. I've owned businesses and property in other states, and this was by far the hardest permit I've ever had to work for. My point being, the process as is, ensures the applicant wants to make the effort to truly make this business model work in their neighborhood.

Because we live here and are able to take part of this thriving industry, there is an economy of small business owners who benefit. We are able to support local soap and lotion makers such as Kari with Bella Vita Apothecary. Hire local wood workers for custom bed frames, such as Michael and Emily with Made By Rand. We have contracted Taylor and Karley Kiker of Writefully Said, who do all of our website and marketing. We are able to support our favorite causes, such as Mele with Kokua Diapers, where we support 5 local families who couldn't afford cloth diaper service otherwise, keeping disposables out of landfills. We refer Mike across the street who rents his Ford Mustang. We support our neighbor Jess, two doors down, who's cleaning service we utilize. We support Tyler, who takes our guests out on Kayak tours. There is an entire local economy around what we're doing here, and I'm unsure why council is taking such a priority to make us the scape goat for local housing issues.

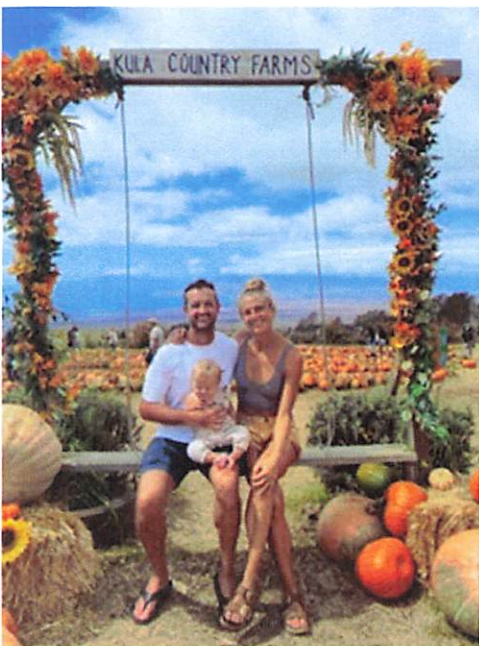
Hasn't the planning commission strongly advised against this ownership language? Have they not been vocal with the council as to their recommendations to keep this 5 year requirement out of the bill? The permitting process works, the neighbors have a voice with any new rental applying, [Airbnb/VRBO both have partnered to help Maui](#) county find and confirm only permitted rentals. We are a small local business, permitted by the county, following every rule there is, and we are continually made out to be bad people, keeping local families homeless.

I would love the opportunity to answer any questions as to our experience or discuss any questions you have for us. I appreciate your time and hope you strongly consider the negative impact keeping this language and bill as is would have for local families. Thank you for .

Sources:

Our Bed and Breakfast, [The Kauhale Breeze](#)

Attached: Our notice and letter to neighbors, before the county required notice



Aloha,

Matt "Oliver" Kenfield
808-666-1045

Aloha Neighbor!

We are the Kenfield's and we own the property at 2812 Kauhale. We are applying for a Bed and Breakfast permit and we understand that there are a lot of mixed feelings on this in our neighborhood. We want to make sure that we communicate with our community our intentions with the property. While we have already discussed this with our immediate neighbors, the main concerns that we have heard are noise, parking and the character of the neighborhood.

As a part of the BNB permit, we will be renting out the main house, and living on site in the cottage directly across. This way we will be able to manage any noise issues should they arise **immediately**. We are quiet and early to bed, so we will want to have guests who have a similar lifestyle. All prospective guests will be screened by us. You can rest assured - no bachelor/bachelorette party groups (or similar types) will be able to book with us.

We will also have noise and house rules listed and communicated personally before any booking to make sure guests understand and comply with the peaceful nature of the neighborhood. It is important to us to be here on site, interacting with everyone who stays on the property with us. We will have a very "hands on" approach to this business and want to ensure, in person, that it won't disrupt the nature of the neighborhood.

Regarding parking: all parking will be on site. There will be no parking on the street by anyone staying on the property.

The last main concern that has been communicated to us is "if one gets a permit, then many will follow and we don't want a neighborhood full of vacation rentals!" We completely understand this concern. However, we do not foresee this as being an issue. As of November 2019, we are only the 5th application for the Kihei-Makena area. These are just *applications*, not *approvals*. The process to become a legal, permitted B&B is long, expensive, and frustrating. The home must pass strict building, electrical and plumbing codes. Once a house passes these inspections and becomes permitted, this automatically triggers the "500ft" code. Should any one else want to apply within 500ft, they will be required to undergo a Planning Commission hearing where neighbors can voice their concerns. The reason for this law is to make sure that one house doesn't follow the next after the next etc. The path to a legal permit is long and arduous, and there are many legal road blocks to keep rentals to a bare minimum that have been put in place by the County.

Lastly, we are living here and starting a family. It is important to us as well that we support our local community with a portion of the income from this business, that we otherwise couldn't. We are members of the Kihei Community Association and will be donating \$500 from the home rental every month to local charities. Currently, our favorites are Grow Some Good (www.growsomegood.org), The Marine Institute (<http://mocomarineinstitute.org/>), and The Maui Humane Society (<http://www.mauihumanesociety.org/>). We have already made initial donations to these organizations to show our commitment.

It's extremely important to us that we are good neighbors and are communicative! If you have any questions or concerns, we want to make sure to address them. We'll see you around!

Aloha,

Matt "Oliver" and Kati Kenfield
808-666-1045
oliverkenfield@gmail.com




County Clerk

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From: Kyle Reiniger <kyle.reiniger1@gmail.com>
Sent: Thursday, October 21, 2021 1:55 PM
To: County Clerk
Subject: Bill CR 21-95

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COUNTY CLERK**

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I SUPPORT the Aina Kupuna Bill CR 21-95

Thank you,
Kyle Reiniger



HAWAII REGIONAL COUNCIL OF CARPENTERS

October 22, 2021

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

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Statement of the Hawaii Regional Council of Carpenters – OPPOSITION for Resolution Bill 111— Countywide workforce housing interest list and related policies

Chair Lee, Vice Chair Rawlins-Fernandez, and Members of the council

The Hawaii Regional Council of Carpenters is in opposition to Bill 111, which would establish a countywide workforce housing interest list and related policies for residents interested in workforce housing rental or ownership units.

This proposed bill would complicate and prolong the process of developing affordable housing on Maui and will only serve to create barriers to the creation of more units on Maui.

Of particular concern is the additional layer of regulation that is being imposed on the tenant selection process and the elimination of the wait list that developers would use for prospective renters.

These proposed amendments would create unnecessary liability for the Department of Housing and Human Concerns, or its designee, for any potential errors that could arise during the tenant qualification process.

With complicated regulations that govern affordable housing development, coupled with a depleted amount of public financing, then further burdened by an overly lengthy entitlement process have created an environment that is openly hostile to developers of more affordable units.

We believe that simplifying rules, shortening the entitlement process, and not politicizing the policy around affordable housing would help stimulate the development of more affordable units.

Mahalo for the opportunity to testify.

STATE HEADQUARTERS & BUSINESS OFFICES

OAHU: 1311 Houghtalling Street, Honolulu Hawaii 96817-2712 • Ph. (808) 847-5761 Fax (808) 440-9188
HILO OFFICE: 525 Kilauea Avenue, Room 205, Hilo, Hawaii 96720-3050 • Ph. (808) 935-8575 Fax (808) 935-8576
KONA OFFICE: 75-126 Lunapule Road, Kailua-Kona, Hawaii 96740-2106 • Ph. (808) 329-7355 Fax (808) 326-9376
MAUI OFFICE: 330 Hookahi Street, Wailuku, Maui 96793-1449 • Ph. (808) 242-6891 Fax (808) 242-5961
KAUAI OFFICE: Kuhio Medical Ctr Bldg., 3-3295 Kuhio Hwy, Suite 201, Lihue, Kauai 96766-1040 • Ph. (808) 245-8511 Fax (808) 245-8911