

**County Clerk**

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**From:** Jeff Marsh <ampline3369@gmail.com>  
**Sent:** Friday, November 4, 2022 5:25 PM  
**To:** County Clerk  
**Subject:** Bill 152

2022 NOV 15 AM 10:18

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COUNTY CLERK

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I am writing you to say I fully support Bill 152 and hope it gets voted into law. I am an over 18 year resident of West Maui and we are in desperate need of affordable housing for the working class. Mahalo!

## County Clerk


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RECEIVED

**From:** Larry Stevens <lfstevens@earthlink.net>  
**Sent:** Saturday, November 5, 2022 8:50 AM  
**To:** County Clerk  
**Subject:** 22-112 testimony

2022 NOV 15 AM 10:18

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Aloha County Council!

For Maui to get off of oil, we need to switch to EVs. Charging those cars will require way more power than we generate now.

Currently, most car charging happens at home, over night, when almost all power comes from oil. That's no good.

It turns out that we have a great power resource that we're not using. It's mid-day solar. We generate more than we can use, so we throw it away.

Instead we need to get people to charge cars while the sun is bright in the middle of the day. I.e., charge at work. That way we stop throwing away solar and cars go home fully charged and don't charge at night.

We really need to get employers to put fast chargers at work.

As a bonus, most people don't drive that far every day. More and more cars now allow you to power your house from your car. If our cars get home mostly charged, then we can use the car's battery to power our homes through the night. A typical EV battery has more capacity than 5 Tesla Powerwalls. Most homes can get through the night on 1-3 Powerwalls.

This works well for apartment dwellers too, because getting chargers for all apartment spaces would be a huge expense that would increase nighttime charging.

Larry Stevens



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## County Clerk

RECEIVED

**From:** Michele McLean <Michele.McLean@co.maui.hi.us>  
**Sent:** Tuesday, November 15, 2022 5:58 PM  
**To:** County Clerk  
**Cc:** Jacky Takakura; Jordan Molina; Josiah Nishita; Karla Peters; Sandy Bazz  
**Subject:** Testimony re: Reso 22-258

2022 NOV 16 AM 8:06

OFFICE OF THE  
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 You don't often get email from michele.mclean@co.maui.hi.us. [Learn why this is important](#)

Aloha Chair Lee and Members of the Council,

Please accept this testimony in opposition to Resolution No. 22-258, which would send to the three planning commissions (and the three advisory committees to the Maui Planning Commission) a bill to amend Chapters 12.24 and 19.36 (*sic.*), Maui County Code, relating to landscaping. (The correct reference is to Chapter 19.36B, MCC.)

Please file the resolution and do not refer it to committee.

We've been there, done that. Chapters 12.24 and 19.36B were modified extensively in 2018, and the changes are working well. The changes to Chapter 12.24 were a collaborative effort by the Department of Parks and Recreation, the Department of Public Works, and the Planning Department, to clarify which department is responsible for which trees, and how the Maui County Planting Plan (MCP) will be administered by each. I am not aware of any concerns relating to how these changes have been implemented. As far as I know, none of these departments has been consulted on the bill.

The bill would have the MCP adopted by ordinance and be a mandatory document; this is not necessary. The MCP had the approval of the Council, the Arborist Committee and the Mayor after several meetings, and it is already mandatory in the parking code. The bill would also make the Planning Department responsible for enforcing the MCP for trees that are not under our authority (in parks and on streets) -- this is not our responsibility and is being handled already by Parks and Public Works, respectively.

The proposed amendment to the parking code would impose a "50 percent canopy coverage of the hardscape" requirement, which Planning is not equipped to administer or enforce. Like I said, we went through this when the MCP was adopted and the idea of canopy coverage was discussed -- and dismissed as a requirement. There is no need to revisit this.

If there is a desire to pursue this bill, it should be separated into two bills so that the planning commissions and advisory committees are not tasked with reviewing the Chapter 12.24 amendments that are not under their authority.

Lastly, the bill's author will not serve on the Council next term, so it is not clear if there is another advocate. Please either file Resolution No. 22-258 or forward it to the next Council to see if there is another supporter who will explain why the bill is needed.

Mahalo for your consideration,  
Michele.

Michele Chouteau McLean, AICP, Planning Director  
County of Maui  
One Main Plaza, Suite 315  
2200 Main Street

Wailuku, Hawaii 96793

Office: 808/270-7735

Fax: 808/270-7634

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Testimony on Reso 22-258

2022 NOV 16 PM 1:34

Randy Wagner, AIA  
November 18, 2022

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COUNTY CLERK

Please send these Ordinance Revisions to the Planning Commission for approval this year.

Chapter 12.24A.040

*Making Maui County Planting Plan Standard Practice*

*The document has taken decades of research and professional knowledge. It is the gold standard for tree selection, planting and maintenance. This must be a required standard to all county departments, not "advisory". As it stands, it is languishing and the community is not benefitting from the expertise contained within it.*

**This is especially pertinent as we make an effort to respond positively to temperature rise and flooding due to climate change.**

Chapter 19.36B.080

*Clarify the intention of shade trees in parking lots. They must be allowed to become mature canopy trees in order to provide 50% shade over hardscape to reduce atmospheric heat gain and to reduce and filter runoff pollution.*

**This is especially pertinent as we make an effort to respond positively to temperature rise and flooding due to climate change.**

## County Clerk

RECEIVED

**From:** Alan Lloyd <alanlloydac@gmail.com>  
**Sent:** Wednesday, November 16, 2022 3:36 PM  
**To:** County Clerk  
**Subject:** SUPPORT of Bill 103 CD1 (2022), CR 22-119.

2022 NOV 16 PM 3: 57

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You don't often get email from alanlloydac@gmail.com. [Learn why this is important](#)  
11/16/22

Maui County Council

Council Chamber,

Kalana O Maui Building,

8th Floor,

200 South High Street,

Wailuku, Hawaii 96793

Aloha Council Members:

I, Alan Lloyd, resident of Wailuku, Maui and organizer for the Hawai'i Workers Center, submit this written testimony in SUPPORT of Bill 103 CD1 (2022), CR 22-119. In fact I am in favor of extending Deed restrictions to 30 years, if it is amended. If not I SUPPORT the deed restrictions to 20 years.

Alan Lloyd

1010 Eha St.

Wailuku, HI 96793



RECEIVED  
2022 NOV 17 AM 7:48  
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November 17, 2022

Council Chair Alice Lee and Members

**RE: South Maui Economic Development, Environmental and Cultural Programs (CARE-1(17))  
FUNDING INCREASE, G5252 MAALAEA HISTORY BOOK**

Aloha Chair Lee and Council Members:

Ma'alaea Village Association (MVA) appreciates your consideration of a budget increase to support the completion of the book on Ma'alaea history entitled: **Ma'alaea: The Untold Story of Maui's Historic Crossroads** funded by OED South Maui economic development, environmental and cultural programs.

As of this week's second and final reading for the bill which includes this budget increase, final preparations are underway to send the book for printing by the end of this month. We hope to have the book available for sale and distribution to Maui County schools by the spring. Upon publication there will be book signings at Maui's historical museums and other venues.

Briefly, the initial proposal of \$20,000 (MVA-\$5,000 cash, \$15,000-OED, and approximately \$4,900 in "in kind") was for a 128 page "picture book." The book has increased in size to a current 208 pages due to the expansive 17-page index provided by our professional indexer, and an extensive bibliography by book author Lucienne de Naie based on her research in the Maui News archives at UHMC and personal interviews and archival materials provided by current and former Ma'alaea residents and families.

We're nearing the end of the journey. MVA "cash" donations have more than doubled, "in kind" now totals over \$17,000 and printing and shipping costs have increased due to increase in page size and full color costs. The book team has already donated considerable time to the project beyond was budgeted for a 128-page book.

To finish the project, we seek an additional \$7,000 from South Maui Economic Development, Environmental and Cultural Programs to compensate the book team and meet additional print and shipping costs.

Mahalo for your continued support!

*Lynn Britton, MVA Immediate Past President*



RECEIVED

2022 NOV 17 AM 11:49

OFFICE OF THE  
COUNTY CLERK

November 18, 2022

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

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

RE: Bill 154 - A BILL FOR AN ORDINANCE TO ESTABLISH A CULTURAL  
OVERLAY MAP, CULTURAL SENSITIVITY DESIGNATIONS, AND RELATED  
REVIEW PROCESSES TO PRESERVE CULTURAL RESOURCES AND PROMOTE  
CAREFUL PLANNING

**Hearing date: Friday, November 18, 2022 at 9:00AM**

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

Thank you for allowing ARDA-Hawaii to submit testimony providing **COMMENTS on Bill 154 - A BILL FOR AN ORDINANCE AMENDING TITLES 18, 19 AND 20, MAUI COUNTY COUNTY TO ESTABLISH CULTURAL OVERLAY DISTRICTS**. Bill 154 seeks to create cultural overlay maps to identify cultural sensitivity designations and related review processes to preserve cultural resources and promote careful planning.

ARDA Hawaii is concerned with the impacts of this measure. This measure seeks to establish cultural overlay districts intended to create greater oversight for archaeological and historical review. The measure posits that federal and state reviews are insufficient to protect culturally significant sites, and therefore, the measure is designed to provide Maui County with review authority. Specifically, Bill 154 creates a second layer of archaeological reviews by the Principal Archaeologist on top of the review conducted during the discretionary SMA approval phase.

Primarily, ARDA Hawaii is concerned that the additional review process will result in conditions being imposed on building permits by the county archaeologist, making an already lengthy process more cumbersome. Bill 154 will make the already lengthy wait times (7 months to a year) much worse by creating a confusing process that the county won't be able to manage efficiently. In essence, the measure will result in delayed decisions on "ministerial" permit approvals at nearly every stage of the development process and make ministerial permit approvals into discretionary permits.

Additionally, the criteria for the cultural overlay designations are unclear and over-broad. Specifically, section 19.46.030(A) lays out ten enumerated criteria which create an overreaching



scope of areas that may be deemed culturally sensitive requiring review by the county archaeologist. For example, Section 19.46.030(A)(6) is vague and unclear stating:

“The area has potential to reveal further information about the County’s pre-or post-contact history as determined by the principal archaeologist or the State Historic Preservation Division (SHPD).”

This requirement fails to create an identifiable criterion and could be interpreted to incorporate vast portions on Maui. The creation of these criteria could ultimately lead to significant portions of Maui Island being unnecessarily deemed culturally sensitive. In turn, the review of all the enumerated permit applications would be delayed by an additional county review.

Moreover, the review process created by Bill 154 is unnecessarily duplicative of the current (SHPD) review currently in place. This bill was established to create a county review process to account for the delays and mistakes in review by SHPD. Essentially, Bill 154 creates a new county lead review akin to what is already required by SHPD. The duplicative review creates an unnecessary step in the development process and lengthens the already long review conducted by SHPD.

Accordingly, ARDA Hawaii recommends including additional language throughout various sections of the bill to establish timelines for the Principal Archaeologist to make recommendations. Specifically, we recommend that a 90-day period be implemented to parallel the timeframe afforded to SHPD to determine impacts and evaluate a mitigation plan. This amendment would reduce delays in the development process while allowing for an adequate amount of time for the Principal Archaeologist to conduct a review.

ARDA Hawaii is concerned with the potential delays created by the measure and looks forward to working together on establishing a process that allows for full cultural review without unnecessary delay.

Thank you for your consideration of my comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'M. Imanaka', with a long horizontal stroke extending to the right.

Mitchell A. Imanaka  
ARDA Hawaii Chair