

# Housing and Land Use Committee (2023-2025) on 2023-03-08 9:00 AM - Reconvened from 02/28/2023 at 9:00 a.m.

Meeting Time: 03-08-23 09:00

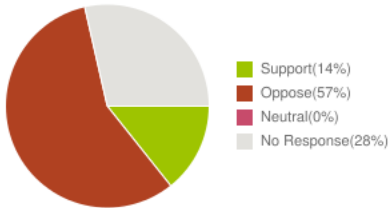
## eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Housing and Land Use Committee (2023-2025) on 2023-03-08 9:00 AM - Reconvened from 02/28/2023 at 9:00 a.m.	03-08-23 09:00	3	7	1	4	0

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



# Housing and Land Use Committee (2023-2025) on 2023-03-08 9:00 AM - Reconvened from 02/28/2023 at 9:00 a.m.

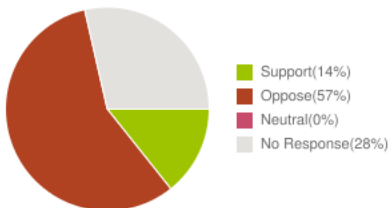
03-08-23 09:00

Agenda Name	Comments	Support	Oppose	Neutral
A G E N D A	1	1	0	0
HLU-2(1) Direct Referral HOUSING PROJECTS UNDER CHAPTER 2.97, MAUI COUNTY CODE: RESOLUTIONS 23-78, 23-79, AND 23-80, RELATING TO THE HALE MAHAOLU KE KAHUA RENTAL HOUSING PROJECT (WAILUKU) (HLU-2(1))	6	0	4	0

## Sentiments for All Agenda Items

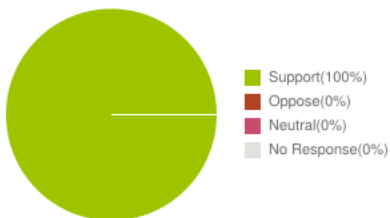
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

### Overall Sentiment



### Agenda Item: eComments for A G E N D A

### Overall Sentiment



### Mark Hyde

Location:

Submitted At: 10:12am 03-05-23

I support this project, with or without restrictions. You be the judge of that.

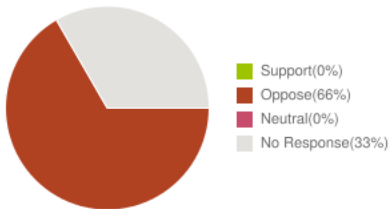
Title to the property is in MEO's name, the property is next to other residences and conveniently located next to a highway served my Maui's bus system. While there are issues of local area traffic congestion, show me a place on the island where that is not the case.

MEO is a longstanding and trusted community partner and the project will deliver critically needed affordable housing. A land swap at this stage of development and in light of the current housing crisis would be tragic.

The lack of affordable housing on Maui is having immense impact on the island's social fabric, public safety and economic well-being. It is impacting recruitment and retention of teachers, nurses, doctors, police, workers of all other stripes and description and our youth's ability to remain here. Immediate action is required to address this. Approval of this project will be one small step in that direction.

Agenda Item: eComments for HLU-2(1) Direct Referral HOUSING PROJECTS UNDER CHAPTER 2.97, MAUI COUNTY CODE: RESOLUTIONS 23-78, 23-79, AND 23-80, RELATING TO THE HALE MAHAOLU KE KAHUA RENTAL HOUSING PROJECT (WAILUKU) (HLU-2(1))

#### Overall Sentiment



#### Guest User

Location:

Submitted At: 9:23am 03-08-23

Dear Housing and Land Use Committee, I am opposed to this development for multiple reasons. The land has been in a Hawaiian family's care for generations. The county should take care not to oppress an indigenous family's rights, much like the United States did in the past with the Native Americans. It is an ugly stain on the country's history and this will be a stain on the county if this project is approved.

I support Councilmember Keani Rawlins-Fernandez's resolution 23-42 to swap the 11.5 acres of this land for 23 acres of land in Puunene as the right solution because there is infrastructure in place, roads that will not be clogged for hours during peak traffic times, a location that is central to employment centers.

The subject site parcel lacks everything that makes this development smart: the EA pointed out the deficiencies of the water and sewer lines that cannot handle additional capacity, it goes against the Maui Island Plan and the Wailuku-Kahului Community plans by spreading urban sprawl; can one even delineate where Kahului and Wailuku separate in "town." If one is not from Maui, and asked to figure this out on their own, it would be difficult to pinpoint a section or area that delineates these two towns. Why do the same thing from town to Waiehu? Keep spreading sprawl when it would be in the county's interest to improve what is currently in place that is being unused, is an eye sore with multiple unused commercial spaces that are being further degraded by addicted homeless and out-of-state new coming homeless to continue to live in our streets. This is an opportunity on many levels for our county to be recognized as a hero for revitalizing these unused and dilapidated structures, increase economic activity in our core center of the island and provide much needed housing in walkable areas where there are sidewalks, gutters, storm drains, cross walks, street lights, schools in close proximity, employment opportunities, police and fire protection, retail food stores and medical facilities all nearby.

And who will these units be for? The homeless that have been shipped to Hawaii? Or will it be for our true local families that are living in multi-generational households in cramped quarters? What guarantees are there that these units will be for local people and not the billions of people around the globe who just "want" to live here? The county has to develop housing for its own people, not the world.

I will provide some excerpts from the Maui Island plan and Wailuku-Kahului plans below in support of my request for the council to deny this development in such a rural location below. Mahalo for your consideration and your work for the county.

Sincerely,  
Kathren Rosales  
kathrenbade@gmail.com

From the Maui Island Plan

7.1.1.c Discourage developing or subdividing productive agricultural lands for residential uses in which the residents would be the primary use and any agricultural activities would be secondary uses.

7.1.1.e Focus urban growth, to the extent practicable, away from productive and important agricultural lands.

7.1.1.f Strongly discourage the conversion of productive and important agricultural lands (such as sugar, pineapple, and other produce lands) to rural or urban use, unless justified during the General Plan update, or when other overriding factors are present.

7.1.1.g Further develop the requirements for agricultural assessments found under Section 19.510, MCC.

7.1.1.h Provide incentives for landowners to preserve and protect agricultural lands from development through the use of TDR/PDR, tax credits, easement programs, or similar means.

7.1.1.i Promote the use of U.S.D.A. Farm and Ranch Lands Protection Program grants to fund the acquisition of conservation easements on eligible agricultural lands.

7.1.1.j Require all major developments adjacent to agricultural lands to provide an appropriate and site-specific agricultural protection buffer as part of a required site plan.

7.1.1.k Support and promote the viability of Maui's agricultural businesses through property tax incentives and other programs and subsidies.

7.1.1.l Encourage future community plan efforts to identify lands within the County Agricultural zoning district that are primarily being used for large-lot residential or rural use and

b. consider such lands for reclassification to an appropriate County Rural zone.

Regarding bullet points 7.1.1.e and 7.1.1f, the county council most recently last week had the opportunity to land swap this prime agricultural land for a more prudent, centrally zoned parcel in Kahului, with appropriate infrastructure in place and within closer proximity to the islands employment centers. Yet the council voted AGAINST this in direct opposition to the two plans for our island and subject communities.

From the Wailuku-Kahului Community Plan:

- preservation of scenic vistas and shoreline resources and the expansion of public recreational opportunities is also emphasized in the Wailuku-Kahului Community Plan.

The protection and recognition of historic, archaeological and cultural resources in the region is another intended effect of the plan. And, the protection of agricultural lands is an inherent part of the plan.

Finally, public facility and infrastructure improvements should not lag behind development in the region. Upon adoption of this plan, it shall be required that adequate facilities and infrastructure will be concurrent with future development. The land use designations on the community plan land use map are not an assertion that infrastructure will be provided to these areas, but merely that it would be appropriate to develop these areas as designated on the maps--if the necessary infrastructure and services are available.

- Economic activity

Support the establishment of agricultural parks for truck farming, piggery operations, bee keeping and other diversified agricultural operations within larger unsubdivided agricultural parcels and in locations that are compatible with residential uses.

- Environment

1. Preserve agricultural lands as a major element of the open space setting that which borders the various communities within the planning region. The close relationship between open space and developed areas is an important characteristic of community form.

2. Protect nearshore waters by ensuring that discharges from waste disposal meet water quality standards. Continuous monitoring of existing and future waste disposal systems is necessary to ensure their efficient operation.

3. Protect shoreline wetland resources and flood plain areas as valuable natural systems and open space resources. These natural systems are important for flood control, as habitat area for wildlife, and for various forms of recreation. Future development actions should emphasize flood prevention and protection of the natural landscape.

#### Land Use

1. Ensure that adequate lands are available to support the region's present and future agricultural activities.  
2. Identify prime or productive agricultural lands, and develop appropriate regulations for their protection.

14. Maintain physical separation between traditional towns and villages in the region. Where possible, provide specific design or landscape elements, such as open space buffers or changes in streetscape, to clearly delineate the boundary between Kahului and Wailuku. Maintain open space around traditional rural areas, such as Waikapu and Waihe'e, to provide a sense of community and to prevent envelopment of these areas by urban expansion.

15. Provide a substantial greenway or greenbelt to serve as a buffer zone, line of demarcation, or definition between Wailuku and Waikapu, and between Waikapu and Ma'alaea, in order to prevent the continuation of urban sprawl. Changes in streetscapes could include landscaping and agricultural planting materials that reflect the character of each community, and are utilized to delineate a substantial boundary between Kahului and Wailuku.

#### Guest User

Location:

Submitted At: 8:39am 03-08-23

Submitting this article of interest - <https://www.civilbeat.org/2023/03/5-tools-to-disarm-the-weaponization-of-affordable-housing/>

#### Guest User

Location:

Submitted At: 4:13am 03-08-23

Dear Maui Council,

This is prime agricultural land, sensitive watershed area with flooding already on the one local road and limited infrastructure in this area to accommodate such a growth.

I second the suggestion to:

Dear Council, Please defer this until you can take up the proposal for a land swap offered by Keani Rawlins Fernandez where they can build 5x more affordable units if that is their intention. If you must consider this issue first, please read the EAS for the property. It is inadequate beyond the issues being mentioned and a full EIS should be done. Mahalo.

Sincerely,

Dr Stephanie Yan

#### Ann Pitcaithley

Location:

Submitted At: 11:31pm 03-07-23

I oppose this project. Please give this land back to the Hawaiian Ohana, who are the rightful owners. There are significant cultural and environmental impacts, contrary to their studies. Flooding, wetlands, iwi kupuna, land right conflicts, horrendous traffic gridlock located on a dangerous highway where it intersects with Waiehu Beach Road, no proximity to local goods and services. Infrastructure should already have been in place prior to this proposed development. Councilmember Keani Rawlins-Fernandez's resolution 23-42 to swap the 11.5 acres of this land for 23 acres of land in Puunene is the right solution if only the parties could consent to it.

#### Guest User

Location:

Submitted At: 11:02am 03-07-23

From: MLONG16@hawaii.rr.com <MLONG16@hawaii.rr.com>

Sent: Tuesday, March 7, 2023 9:43:21 AM

To: Keani N. Rawlins <Keani.Rawlins@mauicounty.us>; Tamara A. Paltin <Tamara.Paltin@mauicounty.us>;  
Shane M. Sinenci <Shane.Sinenci@mauicounty.us>; Gabe Johnson <Gabe.Johnson@mauicounty.us>  
Subject: FW: MEO affordable housing Waiehu Project

I wondered why MEO was grading Ke Kahua this past Saturday, March 4th? Was it to show no flooding goes on in this area. Why is no one talking about the huge gulch that runs Behind this property. It has deepened over the 40 years that I have lived next to it. It has run heavier then in the past. I have videos to prove it runs and gets blocked at the culvert under Waiehu Beach Road. This project is not appropriate for this parcel of land. You have lack of infrastructure, lack of parking, flooding in this area, and the list goes on. We have a disaster waiting to happen. It would be better to plan in an urban area, close to transportation, stores, etc. Mahalo

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From: "Rene Long" <808mapuana@gmail.com>

To: mlong16@hawaii.rr.com

Cc:

Sent: Tuesday March 7 2023 9:25:02AM

Subject: MEO affordable housing Waiehu

### **Guest User**

Location:

Submitted At: 8:20am 03-06-23

Dear Council, Please defer this until you can take up the proposal for a land swap offered by Keani Rawlins Fernandez. If you must consider this issue first, please read the EAS for the property. It is inadequate beyond the issues being mentioned and a full EIS should be done.

Thank you,

Gail Nagasako

President of PWAMaui.org

Rawlins- Fernandez

To Council Person  
03/08/2023

Aloha,

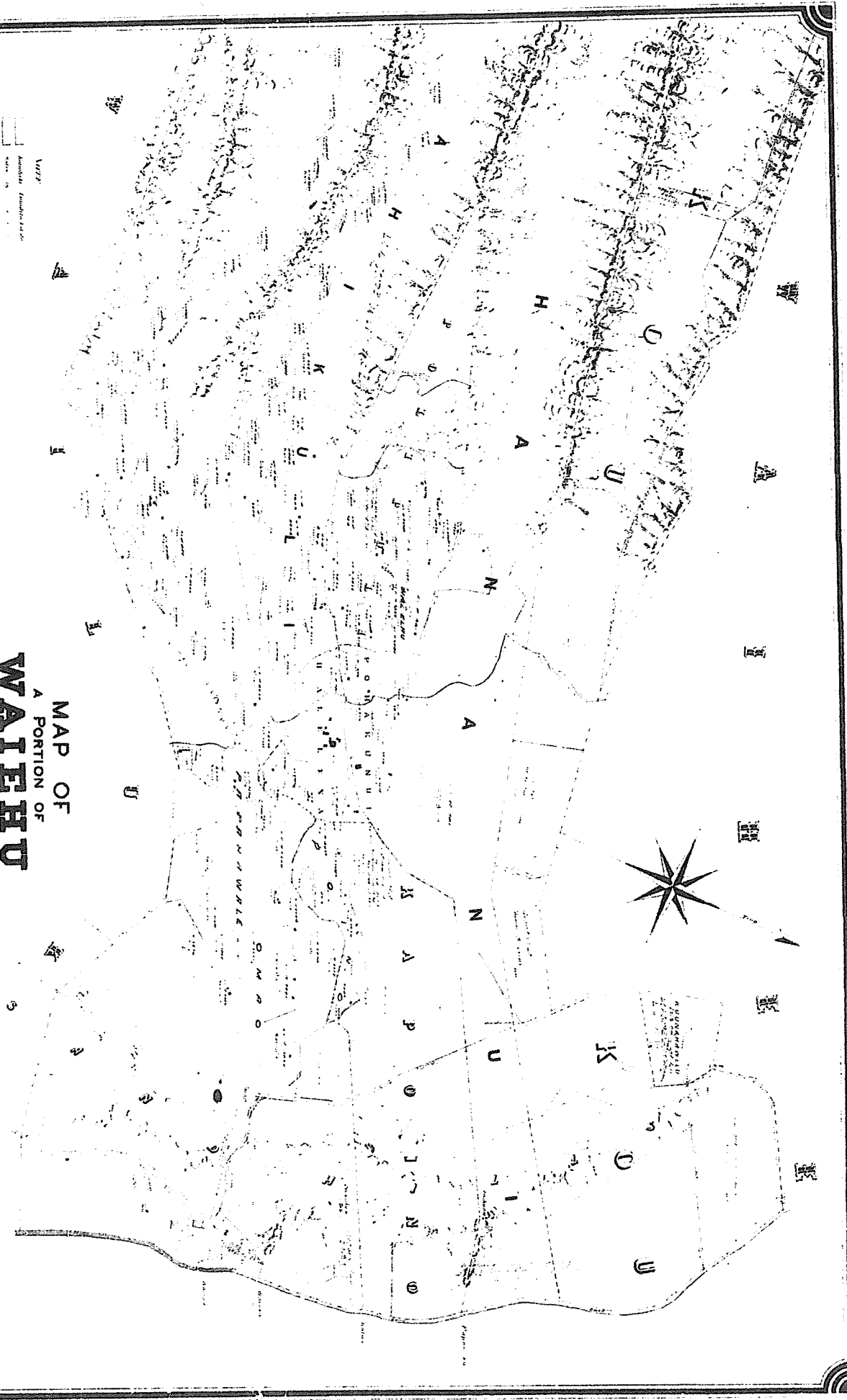
My name is Henry Maio Jr and I gave public testimony on the 11.5 acres MEO affordable housing project in Waiehu, Maui. MEO does not have good title to the property, if any, at all. I, Henry Maio Jr have title to the LCA 3386 Lot 4 containing an area of 139.14 acres, which MEO is within said parcel. Waiehu is NOT 3301 but 324. See maps attached.

Sincerely,  
Henry Maio Jr.

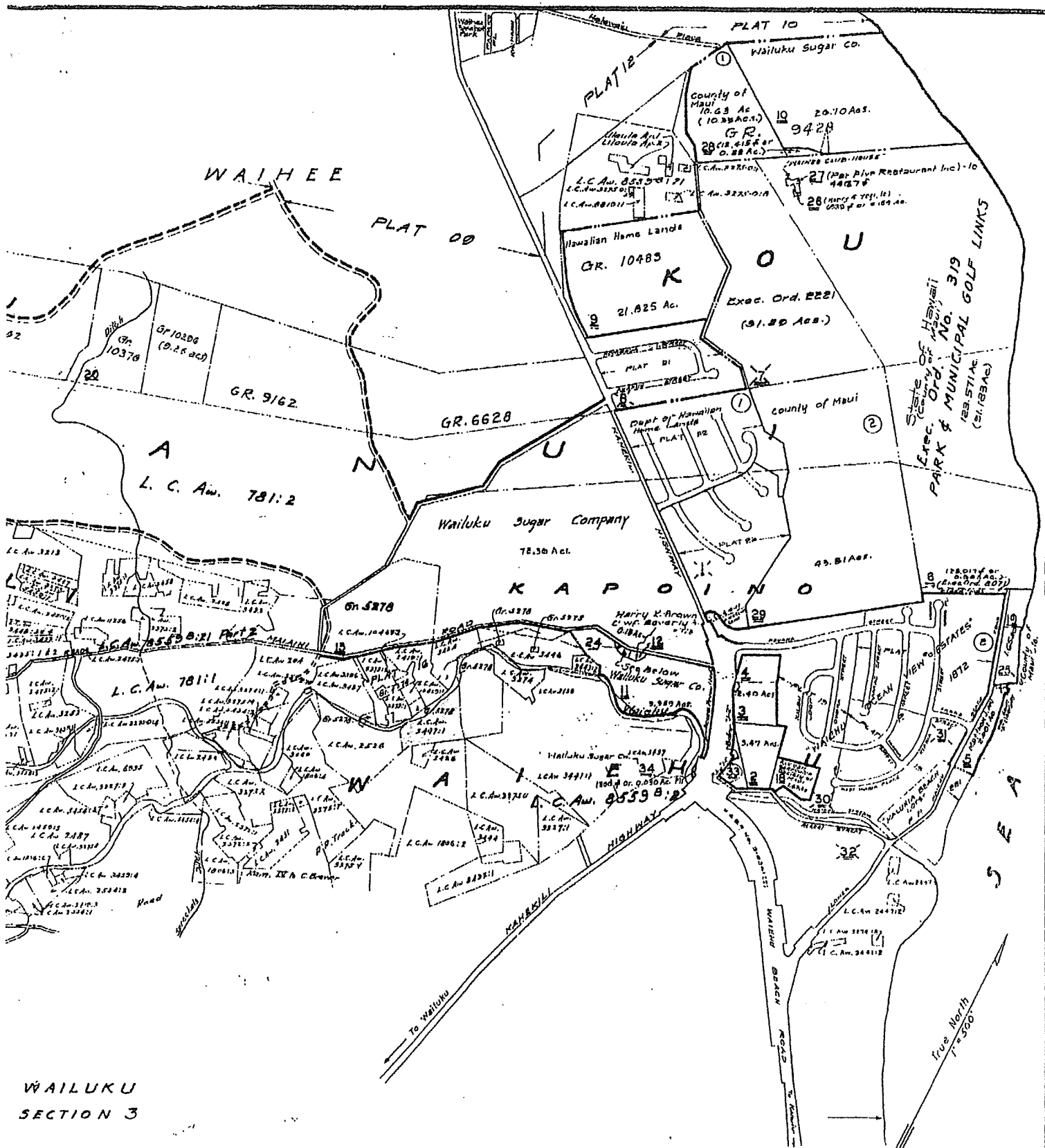
1/4 inch = 1 mile  
 1/2 inch = 2 miles  
 3/4 inch = 3 miles  
 1 inch = 4 miles  
 1 1/4 inch = 5 miles  
 1 1/2 inch = 6 miles  
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 3 3/4 inch = 15 miles  
 4 inch = 16 miles  
 4 1/4 inch = 17 miles  
 4 1/2 inch = 18 miles  
 4 3/4 inch = 19 miles  
 5 inch = 20 miles

**MAP OF**  
 A PORTION OF  
**WAIEHU**  
**MAUI.**

Surveyed and Map by  
 M. D. Northrup  
 Scale 300 feet to an inch  
 1892







WAILUKU  
SECTION 3

33 Maui Electric Co. Ltd.  
0.748 Ac.

24 Mac K Mahayna  
0.112 Ac.

Dropped Parcel - 20, 22, 7, 71, 50, 40, 8.

SECOND DIVISION		
ZONE	SEC.	PLAT
3	2	13
CONTAINING PARCELS		
SCALE: 1" = 500 FT.		

ADVANCE SHEET  
SUBJECT TO CHANGE

PRINTED

March 8, 2023

Delivered via email county.clerk@mauicounty.us

Honorable Tasha Kama, Chair Housing and Land Use Committee  
200 South High Street, 8<sup>th</sup> Floor Walluku, HI. 96793

**RE: SUPPORT FOR RESOLUTION 23-80, RELATING TO THE HALE  
MAHAOLU KE KAHUA RENTAL HOUSING PROJECT (WAILUKU)**

Aloha e Kākou,

If the Council may please consider this addendum to my testimony submitted 2/27/23. I have excerpted below a few clauses out of a Title Report from MEO that was submitted in their court case, and is available to the public, regarding the parcel in question.

“SCHEDULE B  
EXCEPTIONS

Tax Key: (2) 3-3-001-106      Area Assessed: 11.476 acres  
Tax Classification: AGRICULTURE  
Street Address : KAHEKILI HIGHWAY HAWAII

4. Matters arising out of the failure of a patent to have issued on Land Commission Award 8559-B, Apana 20 to William C. Lunalilo, and any matters that may be set forth in any such patent. The Company assumes no obligation to procure any patent or to pay commutation, if any, which may be owed thereon.
5. **Rights of native tenants**, as reserved in Royal Patent Grant Number 3343 and Land Commission Award 8559-B, Apana 20.
16. **Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes,** as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.”

Upon reviewing this documentation, the natural question arises: If Native Tenants have been removed from this ‘āina, and prevented from practicing their customs and culture by MEO, does that put MEO in any kind of violation? Is that a question the Council has formally addressed and resolved? Or will the project be stalled as the Courts decide?

More importantly does the County want to commit to a project that has questionable Title? Does the County want to take on the costs of increased Policing, Security, and Litigation

with mounting community resistance from longtime Wai‘ehu residents as well as those who are currently stewarding iwi, engaging in the traditional cultural practices of that area?

It seems like an awful wasteful use of County financial resources while incurring unnecessary community trauma (i.e. harm) in order to push forward a project that is:

- (1) in a flood zone
- (2) where surrounding neighbors have testified against it
- (3) where there is sensitive cultural material
- (4) disintegrating sand dunes
- (5) insufficient traffic infrastructure
- (6) already mired in direct action and dissent.

**Furthermore, there are perfectly suitable locations that are far more pragmatic for the residents who will eventually occupy those affordable units.** Locations such as Pu‘unēnē that have historically long been used for the purpose of housing our people. Locations that will not be confronted with the same kind of common sense community pushback that this particular TMK will encounter.

As a Political Scientist and lifelong involved community member, this debacle has been quite the show of arrogance and unnecessary force. For MEO to so willingly use their precious financial resources to support a culture of State Sponsored Violence is disappointing to put it lightly. I have witnessed Class and Race Violence at the hands of MEO. Paid for by donations to their 501(c)(3). County Police paid for with our taxes.

**The citizens of Maui should not have to pay for the inability, and refusal, of Developers to peacefully problem solve their own kuleana. Calling the police should not be business as usual. It is cowardly and cruel.**

Thank you for the opportunity to testify,  
Summer Starr