

## IEM Committee

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**From:** Amber Coutsos <execasst@mauichamber.com>  
**Sent:** Monday, October 30, 2017 8:06 AM  
**To:** IEM Committee  
**Subject:** Testimony for 10/30/17  
**Attachments:** IEM-33 Moratorium on Sand 103017.pdf

**Importance:** High

Aloha IEM Committee,

Please see attached testimony for Monday, October 30<sup>th</sup> meeting from Pamela Tumpap at the Maui Chamber of Commerce.

Mahalo,



**Amber Coutsos**  
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# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**Testimony on IEM-33**  
Re: Moratorium on Exporting Sand  
Monday, October 30, 2017

Dear Chair Cochran, Vice Chair Guzman &  
Members of the Committee

Aloha and Mahalo for the opportunity to provide testimony on this matter.

This testimony is in opposition of the current proposed ordinance to establish a moratorium on sand mining of Central Maui inland sand. As we have included in previous testimony, the Maui Chamber of Commerce does not support unilateral moratoriums. In this specific case, we find there is no reason for a moratorium because Corporation Council has shown in a previous communication that there is a different way to address this issue by amending the definition of resource extraction in Title 19. Additionally, this current piece of legislation is extremely complicated and restrictive. It goes above and beyond the stated purpose of preserving our natural resource and preventing the exportation of Maui sand off island. The ordinance is also too limiting as it does not allow for sand to be moved off the originating lot, therefore extra sand cannot be used to fill a need elsewhere on Maui. In addition, the ordinance is very specific to a certain area with the inclusion of the map and lot list. This seems to be aimed at addressing a sand exportation problem that has already been solved as the owners of those lots have agreed to no longer export sand off island.

Further, we have found that Corporation Council's previous remarks on other drafts of this ordinance were extremely helpful in ways to help the County avoid litigation. We feel that before time and resources are taken up to discuss this matter further, Corporation Council's input should be obtained. Before further discussion on the newest draft of the ordinance should occur, we feel both Councilmembers and the public should get to view Corporation Council's review or see that they signed off for form and legality. As of 2:55pm on Friday, October 27th, Corporation Council's response was not posted on the County website. Since testimony is due on Monday, this creates a challenge because this doesn't provide very much time for the public to review and consider Corporation Council's response to provide appropriate testimony on Monday. Therefore this current testimony is missing a reflection on that.

We appreciate the opportunity to testify on this matter.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.