

ENVIRONMENTAL, AGRICULTURAL, AND CULTURAL PRESERVATION COMMITTEE

Council of the County of Maui

MINUTES

June 18, 2019

Council Chamber

CONVENE: 1:32 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Shane M. Sinenci, Chair
Councilmember Tasha Kama, Vice-Chair
Councilmember Kelly T. King (left at 3:58 p.m.)
Councilmember Alice L. Lee
Councilmember Michael J. Molina
Councilmember Tamara Paltin
Councilmember Yuki Lei K. Sugimura (left at 3:16 p.m.)

NON-VOTING MEMBERS:

Councilmember Keani N.W. Rawlins-Fernandez (arrived at 4:06 p.m.)

STAFF: Leslee Matthews, Legislative Attorney
Nicole Siegel, Committee Secretary
Raynette Yap, Committee Secretary

Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

Don Atay, Executive Assistant to Councilmember Shane M. Sinenci
Gina Flammer, Executive Assistant to Councilmember Shane M. Sinenci
Sarah Freistat Pajimola, Executive Assistant to Councilmember Keani Rawlins-Fernandez

ADMIN.: Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel
Michael DuPont, Deputy Director, Department of Transportation
Kay S. Fukumoto, Economic Development Director, Office of the Mayor
Terryl Vencel, Community Liaison, Office of the Mayor

OTHERS: Toni Marie Davis, Executive Director, Activities and Attractions Association of Hawaii Inc.
Annette Matsuda, Maintenance Engineer, Highways Division, State Department of Transportation

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Napua Hueu, Co-Owner, Platinum Tours Maui; Chair, Hana Highway Regulation Committee

Claudia Kalaola (via telephone conference bridge, Hana Council Office)
Mary Ann Kahana (via telephone conference bridge, Hana Council Office)
Kathleen Flanders (via telephone conference bridge, Hana Council Office)
Jasmine Kilborn, Owner, Holo Maui, LLC.
Larry Stevens
Victor Pellegrino
Claire Carroll
Dick Mayer
Mark Sheehan
Kenny Barr
Nick Crowley
Kai Nishiki
Thompson Aipa-Rivera
Mary Ann Pahukoa
Meleana Pahukoa
Ray Hutaff, President, Hawaii Ecotourism Association
Faith Chase
Tiare Lawrence
Albert Perez, Executive Director, Maui Tomorrow Foundation
Jacee Lau

Others (10)

PRESS: *Akaku: Maui Community Television, Inc.*

CHAIR SINENCI: . . . *(gavel)* . . . Aloha mai kakou. It's Tuesday, June 18th, 1:32. Welcome to the Environmental, Agricultural, and Cultural Preservation Committee. Will the meeting please come to order? As stated earlier, we just finished our morning meeting, so we'd like to recess this meeting 'til 2:30 this afternoon so that some of the Members can get some sustenance before starting the meeting. So I just wanted to ask that everybody who came, please be patient with us, and we'll reconvene at 2:30. Mahalo. This meeting is in recess.

COUNCILMEMBER KING: Thank you, Chair.

VICE-CHAIR KAMA: Thank you. ...Oh. You took roll already? You take roll already?

CHAIR SINENCI: And also, we need to clear the Chambers. Thank you. . . . *(gavel)* . . .

RECESS: 1:33 p.m.

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RECONVENE: 2:33 p.m.

CHAIR SINENCI: . . . *(gavel)* . . . Aloha mai kakou, and welcome back to the Environmental, Agricultural, and Cultural Preservation Committee. I'm Shane Sinenci, your Committee Chair. It's 2:33 on Tuesday, June 18th. Before we proceed, may I ask that Members on the Chamber floors and in the Chambers silence all cell phones and noise-making devices. Thank you. Voting Committee Members today, Vice-Chair Tasha Kama is en-route. We'd like to welcome Chair Kelly King.

COUNCILMEMBER KING: Aloha. Good afternoon.

CHAIR SINENCI: Aloha. Alice Lee.

COUNCILMEMBER LEE: Konnichiwa, Chair.

CHAIR SINENCI: Konnichiwa. Member Mike Molina.

COUNCILMEMBER MOLINA: Aloha, Mr. Chair.

CHAIR SINENCI: Aloha. And we have Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha `auinala, Chair.

CHAIR SINENCI: Aloha `auinala. Okay. For today, Department of Corporation Counsel representative, we have Richelle Thomson. Thanks for being here. Michael DuPont, Deputy Director of Transportation.

MR. DuPONT: Aloha.

CHAIR SINENCI: Terryl Vencl, Community Liaison, Office of the Mayor. Kay Fukumoto, she's in the audience, Director of the Office of Economic Development. Our resource people today, we've invited Toni Marie Davis, she's the Executive Director of the Activities and Attractions Association of Hawaii. We also have Annette Matsuda, she's the Maintenance Engineer of the Hawaii Department of Transportation, Highways Division. Welcome. And we also have Napua Hueu, Co-Owner of Platinum Tours, and the Chair of the Hana Highway Regulations Committee. So, welcome everybody. As far as Staff, we have Ms. Leslee Matthews, Ms. Nicole Siegel, Ms. Rayna Yap. And in our Hana District Office, we have Mavis Oliveira-Medeiros; Lanai District Office, Denise Fernandez; and Molokai District Office, Zhantell Lindo. So, welcome everybody today, and thank you for your flexibility in starting at a later time. So today, we have Visitor Impacts to the County Environmental and Infrastructural Resources. We'll start with testimony. For individuals testifying in the Chamber, please sign up at the desk outside the Chamber door. If testifying from one of the remote testimony sites, please sign up with the District Office Staff. Testimony will be limited to the item on the agenda today. Pursuant to the Rules of the Council, each testifier will be allowed to testify for up to three minutes per item. When testifying, please state your name, the name of your

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organization that you may be representing, and pursuant to the Rules of the Council, if you're a paid lobbyist.

. . . BEGIN PUBLIC TESTIMONY . . .

CHAIR SINENCI: We have established a connection to the Council District Offices. Ms. Mavis Medeiros...Oliveira-Medeiros, are you there? Do you have any testifiers?

MS. OLIVEIRA-MEDEIROS: Aloha, Chair. This is Mavis Oliveira-Medeiros from the Hana office, and I have three testifiers.

CHAIR SINENCI: Please call your testifiers.

MS. OLIVEIRA-MEDEIROS: Should I go ahead?

CHAIR SINENCI: Please call your first testifier.

MS. OLIVEIRA-MEDEIROS I have Claudia Kalaola, testifying on EACP-6, and so is Mary Ann Kahana, and Kathleen Flanders.

CHAIR SINENCI: Proceed.

MS. KALAOLA: Aloha, Chair. This is Claudia.

CHAIR SINENCI: Can Mavis silence her TV? Mute the TV?

MS. OLIVEIRA-MEDEIROS: What was that, Shane?

CHAIR SINENCI: Mute the TV.

MS. OLIVEIRA-MEDEIROS: . . .*(inaudible)*. . . Can you hear us, Shane?

CHAIR SINENCI: Go ahead.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER KING: Can you ask her to turn the TV off?

MS. OLIVEIRA-MEDEIROS: Hello. Can you hear us?

CHAIR SINENCI: Yeah, but you're coming in with a lot of static, Mavis. Is it raining there?

MS. OLIVEIRA-MEDEIROS: . . .*(inaudible)*. . . Aloha, Chair, can you hear us?

CHAIR SINENCI: Yeah. Go ahead.

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MS. OLIVEIRA-MEDEIROS: This is Mavis in Hana.

CHAIR SINENCI: Can you turn off the AC?

MS. OLIVEIRA-MEDEIROS: Can you mute your TV? My TV is muted, Leslee.

MS. MATTHEWS: Call your first testifier.

MS. OLIVEIRA-MEDEIROS: I did. I called all three, but okay. Here we go again. Claudia Kalaola is testifying on EACP-6, and so is Mary Ann Kahana and Kathleen Flanders. Here's Claudia.

MS. KALAOLA: Aloha mai kakou. O Claudia Kalaola ko`u inoa, noho wau i Hana. On June 10th, my husband and I left Hana at 9 a.m. I started counting traffic coming into Hana from the Hana Airport Road. I told myself I would only count for one hour, as I sometimes count all the way to the straight road. This was my count, 312 cars, 14 tour vans, 5 dump trucks, and 3 cement trucks. I stopped counting at 10 a.m., location-wise, there are three turns after Kaumahina State Park. Although I stopped counting, there was easily another 300 cars, 10 plus tour vans, a large school bus, and 3 more cement trucks after Kaumahina. Twin Falls, maybe a hundred cars, and after that, a steady stream as we made our way to Kahului. To make my point, I'm using the numbers from this particular day on Hana Highway: 600 cars at 2 people per car, about 1,200 people; 25 tour vans at 16 per van, 375 people. So 1,575 people representing the first wave of people coming to Hana. The early birds, if you may. And say the afternoon brings only half the amount of people, that still leaves approximately 2,400 people on our road, coming into our small town. Where on earth are they going to use the bathroom in Hana town? If you know Hana, you know we have two stores, one gas station, a restaurant, and a hotel, a State park and a County park, which are inadequate for the amount of people that need to go. In 2014, yes, almost five years ago, I spearheaded an online and door-to-door petition. The petition was to stop the insulation of a leach field in the middle of Kapuehokahi, or Hana Bay, which the County contended was needed to provide drainage for an inadequately installed and engineered septic system. While we were successful in stopping the bulldozer, nothing has happened since. It's status quo. I'm a traveler. I love to travel, and everywhere I go, toilets for visitors are always an issue. The biggest complaint is when there aren't any, or when the facilities are substandard. We already checked. We have both of these problems. Our island, our ocean, our water, our air, is being polluted by the, if you build it they will come, mentality and misguided planning style. The time for accountability is here. Our lifestyle is in jeopardy and our resources are depleting. I want to close with a quote from the Public Trust Doctrine. "For the benefit of present and future generations, the State and its political subdivisions shall conserve, protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals, and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State. All public natural resources are held in trust by the State for the benefit of the people." Mahalo, Claudia Kalaola.

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CHAIR SINENCI: Thank you, Ms. Kalaola. Members, any questions for Ms. Kalaola? Seeing none, thank you for your testimony.

MS. OLIVEIRA-MEDEIROS: Okay. Now we have Mary Ann Kahana on EACP-6.

MS. KAHANA: Aloha, Chair. I am here to get myself educated on what your division does for us. I'm also here to represent myself. I just want to share with you all that...we all know the problems that we have with Hana Highway and the amount of tourists, so I'm hoping to hear some course of actions, and some solution to the problems that we already know that I don't want to go over, 'cause I'm pretty sure those of us who live here knows the problem of overtourism. I would like to hear some solutions, such as whether we want to post a booth and count how many people come through, or monitor these people that come through, or come up with plans such as toll fees so we can bring in the money to fix our roads. Or timing the amount of cars that comes in at a certain time. I do know that the Hana Association, I've seen Napua's group go around Hana roads, to try to monitor the tourists where they shouldn't be and try to get them out. I mean, I find that it's really good and appealing for us who live here. I'm not sure if there's a budget to pay them. I just want to hear some course of action versus always hearing the problem, 'cause we already know what's the problem that we face out here. Thank you.

CHAIR SINENCI: Mahalo, Ms. Kahana. Members, any questions for our testifier?

MS. OLIVEIRA-MEDEIROS: Okay. Now we have Kathleen Flanders, testifying on EACP-6.

MS. FLANDERS: So I want to continue where Mary took off, and left off, and that, to me, has to do with enforcement. I would really like the police department to hand over to the City Council and to your Committee, how many people have received tickets? How much over monthly, over the last year, over the last five years, how many people really have had received, tourists, have received enforcement for illegal parking along the highway, which blocks...forces people to move into the wrong lane into head-on traffic because their cars are taking up space on the lane? How much enforcement has gone by trespassing? Has anybody been enforced? I'd like to know what's gone on in that regard. Some ideas I'd really like the Committee to maybe...Committee to form to look at what other countries and other states are doing to protect their citizens. I feel that the people of Hawaii are neglected. You know, we have a \$35 fine for parking illegally. I'm sure lots of tourists don't mind paying \$35 to go swim in a beautiful pool. Some of the things I've observed, I forgot to tell you that I'm a retired teacher and I deliver mail. I've been delivering mail from Haiku all the way to Kaupo, and I would drive back, return to Hana at the end of the day. I get back here by 4:30, I leave at 6:30 a.m. On my way out to Haiku, the experienced drivers are pulling off the road, allowing other drivers to pass. On the way back, we have trains of cars 20 cars long, you know. But some buses are stopping and allowing, you know, the traffic to accumulate behind them. We have people who stop at every single yield sign, because they don't understand that that's not a stop sign. You know, the frustration that happens to...for local people, as you

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know...you know, think of all...make a list of all the different reasons why you need to get in a vehicle to go somewhere, and after you've listed 30 reasons why, sort out the most critical reasons, the reasons that would cause the most stress. And imagine that there are people on that highway under stress, trying to get to the doctor's office, maybe it's a young person trying to get their life straight, trying to get to an interview. Whatever stressful situation they're in, and then imagine you're in a train of cars going, you know, 20 cars going 10 to 15 miles an hour. Some solutions I wanted to offer was to look at the possibility of a moratorium on how many cars can actually be rented, you know. A moratorium on rental cars, in terms of how many cars can go out a day, decreasing the traffic. And the last...the other one that I wanted to say, is what about the possibility of dividing the bus companies, you know, specifying Monday, Wednesday, Friday for one tour bus company, and then the other tour bus companies going the other day. That could be a lotto system, where they choose which company will be on the road on that day, and they wouldn't be able to...you wouldn't be allowed to increase their--

CHAIR SINENCI: Please conclude.

MS. FLANDERS: --number of buses, you know. Say that it's Valley Isle, they can't increase the number of buses they got on the road, they have to have...be at a certain standard. Thank you so much.

CHAIR SINENCI: Thank you, Ms. Flanders.

MS. FLANDERS: Okay.

CHAIR SINENCI: Members? Ms. Flanders, we had a question for you.

MS. FLANDERS: Pardon me?

CHAIR SINENCI: We have a question.

MS. FLANDERS: I think I'm out of time.

CHAIR SINENCI: We have a question.

MS. OLIVEIRA-MEDEIROS: A question.

MS. FLANDERS: Yes? Do I have a question?

COUNCILMEMBER PALTIN: I have a question.

MS. FLANDERS: Yes?

COUNCILMEMBER PALTIN: I was wondering--

MS. FLANDERS: Yes?

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COUNCILMEMBER PALTIN: --if you could explain a little bit more about your idea about a rental car moratorium. We're having similar problems driving out to the west side, and I kinda like that idea. I was wondering if you could explain what your rental car moratorium would look like.

MS. FLANDERS: Well, it would be...you'd have to make an assessment. You'd have to assess what is safe for...how many cars are safe...allow people to travel safely on the highway? For example, the highway to Lahaina. Remember, there was a huge fire and a crisis, and people were, you know, having a...were in a traffic jam to get out of there. That's a real safety issue. So, you know, what is safe? What number of cars is safe? And other countries have dealt with this situation in big cities, where they allow certain numbers...people's license plates ending in a certain number allowed to be on the road that day. And, you know, another would be another day. But for me, there should be a cap on the rental car industry as to how many cars are allowed to be rented per day.

COUNCILMEMBER PALTIN: Thank you. I think that's a good idea.

MS. FLANDERS: I think it's something that could be looked into.

CHAIR SINENCI: Thank you for your testimony.

COUNCILMEMBER PALTIN: Yes. Thank you.

MS. FLANDERS: You're welcome.

CHAIR SINENCI: We'll go over to Lanai District Office. Ms. Fernandez?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez at the Lanai office, and there are no testifiers.

CHAIR SINENCI: Thank you. Molokai District Office? Ms. Lindo?

MS. MATTHEWS: Chair?

CHAIR SINENCI: Ms. Matthews?

MS. MATTHEWS: We were unable to establish connection with the Molokai District Office, but they have indicated they do not have testifiers there.

CHAIR SINENCI: Okay. Thank you, Ms. Matthews. Can you call the next...the first testifier in the Chambers, please?

MS. MATTHEWS: Yes, Chair. Our first testifier signed up is Jasmine Kilborn, testifying on EACP-6, to be followed by Larry Stevens.

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MS. KILBORN: Good afternoon, Chair, Council. My name is Jasmine Kilborn. I am a tour operator. I have been running Road to Hana tours for approximately the last seven years, and prior to that, for three years, as a taxi driver. We are out there on a daily basis, and we see the daily issues. One would be overtourism. Last year, in 2018, Maui received 3 million visitors. The Road to Hana is one of the most prized destinations on the island, and we, our company, operates approximately 75 tours a month. In speaking with Napua and gathering her data, during peak season, we see about 3,800 vehicles a day. So, the resources and infrastructure are overloaded. Many of the approved places to stop, such as the State and County parks, most of them have approximately only 15 to 20 parking spaces. If we have 3,800 vehicles a day and only 15 to 20 parking spaces, where do people go? Sometimes we have nowhere to park. I have people in my vehicle that do need to use the bathroom. A huge demographic of our visitors are the elderly, and this is not something that we can play with them. Where do we go? We park on the side, but we can't do that either. So, illegal parking is definitely an issue, as people aren't able to use parking spaces. They clog and congest the road, big rigs can't move through, local people can't drive through, we end up with a lot of yelling on the road, which leads to a degraded tourist experience. We here, we definitely want to show aloha, and give the visitors a cultural way of being. Also, to mention the damage to nature that occurs. With 3,800 vehicles a day, approximately 7,000 people visiting the area, can you imagine 7,000 people a day, walking around on the trails, on the pathways, amongst the road, trying to take a picture? It's horrifying sometimes. We try to put our blinders on, not to degrade the tourist experience, but it's alarming. Also, the threat to the Hawaiian culture and heritage. I think the foundation of our culture is based on permission. How many of these people that come into the area ask permission to be there? And then sometimes they don't understand why you can't park here, why you can't go there, and you try to educate, and they look at you like, well, who are you? And so sometimes it's really frustrating. We are local, and we want you to be here, but we also want you to know that you shouldn't be doing that. So as a tour operator, I believe-

CHAIR SINENCI: Please conclude.

MS. KILBORN: --that the solution is to put a cap. Allow so many people in there daily, and that's it, no more. So that there's ease of flow of traffic, enough infrastructure for everybody, and all of our visitors are getting the proper education that they need.

CHAIR SINENCI: Thank you, Ms. Kilborn.

MS. KILBORN: Thank you.

CHAIR SINENCI: Members, any questions for Ms. Kilborn? Yes, Chair King.

COUNCILMEMBER KING: Thank you. Thank you for sharing with us the problems out there. So as part of the tour industry that's part of that problem, how much would you be willing to cut down on your travels out there in order to, you know, achieve the balance that we're looking for?

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MS. KILBORN: Yeah. So since the...since our inception, we have grown to three vehicles, and we have an internal cap. I, myself, can't operate in true consciousness if I expanded. Is there a demand for it? Yes. We are sold out almost all the time. People are calling us. But I, we refuse to add another vehicle to our fleet, because there's already too many.

COUNCILMEMBER KING: Okay. And I appreciate that, but I mean, if there's already so many out there, and everybody needs to cut down, how much are you willing to cut down from what you're doing right now in order to achieve that balance?

MS. KILBORN: I think we are, me, specifically, I think we are in balance in the moment. I feel balanced. I don't feel out of balance myself. Limiting? We've already limited ourselves to three vehicles and they don't operate all together daily. We give breaks, our team has breaks so that everybody has a moment to recharge. So we do feel in balance.

COUNCILMEMBER KING: Sure.

MS. KILBORN: I don't feel like I need to cut any vehicles down. Yeah.

COUNCILMEMBER KING: But if everybody that's operating out there has three vehicles and it's too much, then what are you saying? That everybody needs to cut down a little bit?

MS. KILBORN: Yeah. I don't know. That is a good question. I would have to rework the numbers. We'd have to, I would say internally, by one. So I have a vehicle and my husband has a vehicle. But we work with a team, a team that is hired based on education and values. That would be our core, not to make money. Our bonus is making money, that we get to teach, and work, and make a living, but our core values would be here to educate and inspire the visitors that arrive to go home and have a deeper appreciation for who they are, where they come from, how they can help take care of their land. I think that most of the vehicles on the road are independent travelers, not so much the tour buses. I can't tell you how many independent travelers we have on the road on a daily basis, but I can tell you that social media apps, travel guide apps, they--

COUNCILMEMBER KING: Ok, that...yeah, I think you answered my question already.

MS. KILBORN: I'm sorry. Okay.

COUNCILMEMBER KING: Or tried to. Thank you, Chair.

CHAIR SINENCI: Thank you. Questions? Thank you for your testimony.

MS. KILBORN: Thank you.

CHAIR SINENCI: Ms. Matthews?

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MS. MATTHEWS: Our next testifier is Larry Stevens, to be followed by Victor Pellegrino.

MR. STEVENS: Good afternoon, Chair Sinenci, and Councilmembers. My name's Larry Stevens. Hi, long time no see. I'm speaking this afternoon on my own behalf, not for the Maui Nui Marine Resource Council, as I was this morning. The impacts of tourism are not just limited to Hana Highway. They...after I testified this morning, I took a walk up in Iao Valley, and by the time I got up there, the cars were...had blown way out of the parking lot and were coming all the way down the road on both sides of the road. I have a photograph if anyone wants to see it. So this problem of too many tourists and overloading our facilities is everywhere. You look at Molokini, we just passed a bill at the State Legislature to limit the number of boats that can go to Molokini. But as a result, we're shifting from scuba boats to cruise ships out there. The boats are getting ever larger, with ever more people on each boat, and so we're kind of defeating the purpose of limiting the number of boats. We kind of have to have...make some difficult decisions. Are we going to limit the demand to go to these places by increasing the price, or we could add a fee to going to Molokini or to other treasured places in Maui? Or we can do it from the supply side, by limiting the number of cars we allow to go down the road, or the number of cars that we rent at the airport. We could try to shift our tourism activity from private cars to buses. That would reduce the traffic impacts and the environmental impacts of having all these things. We could look at shifting to electric vehicles, that could also help with everything from energy consumption to air quality. But it's long past time that we completed the shift that I think has already begun from promoting tourism to managing tourism, because we are way out over our skis at this point. The Maui Nui Marine Resource Council, not speaking for them but of them, has a program...this year, we will be replacing all of the signs that line the various beaches on the tourist side of the island and increasing the number of those signs. So we're going to be upgrading the quality of them and refreshing their look, and increasing their number. We're also going to be doing another wave of tourism and visitor education projects to allow us to get more information out to the visitors about how to be a better tourist. How to watch out for the reefs, how to watch out...how to interact with the ocean. There's lots of damage that's being done, because people just don't know...whether it's sunscreen or anything else. So, we appreciate your support very much for the education activities that we're undertaking. We plan to substantially increase them next year, so a lot's going to be happening. But it's not going to solve our problems. We have to decide, are we going to do supply constraints, demand constraints, or both? Thank you.

CHAIR SINENCI: Thank you, Mr. Stevens. Chair would like to recognize Member Sugimura and Member Kama.

VICE-CHAIR KAMA: Good afternoon, Chair.

CHAIR SINENCI: Good afternoon. Any questions for the testifier? Seeing none, mahalo. Ms. Matthews?

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MS. MATTHEWS: Chair, our next testifier is Victor Pellegrino, to be followed by Claire Carroll.

MR. PELLEGRINO: Good afternoon, Chair, and Members of the Maui County Council. My name is Victor Pellegrino. I am speaking on behalf of my family. My wife is a native of Maui, and we chose to build our home in Waikapu, a quiet, country village in a family-centered community. Now, 55 years later, it is quiet no more. There has been...there has occurred what we now call, overtourism. Helicopter companies catering to tourists have created a deafening level of obnoxious noise. Between 2017 and 2019, my wife and I counted helicopter flights over and adjacent to our home between 7:20 a.m. and 6:15 p.m. We selected different days each month. The average number of helicopter passes per day was 24. One day, 53. We built our home in Waikapu and not Kahului and Spreckelsville, because Waikapu was not complete...located in an air corridor. Now the air corridor has come to Waikapu, and we face daily, unnecessary, annoying, and nerve-wracking helicopter noise. We host students for instruction and activities on our farm, and we are regularly interrupted by helicopter noise. We host halau and other Native Hawaiian groups that are disturbed while following Native Hawaiian practices and protocol. Student film groups creating educational movies that are rudely interrupted by helicopters. Helicopters fly below 1,500 feet for falls viewing, land in pristine areas, and scare birds and animals in their natural habitat. Helicopters fly over residences in Waikapu. Our right to privacy is being compromised, because we know that helicopter companies provide unique videos and tours...of their tours. Videotaping that goes on, on or around our house and our farm, our orange and kalo farm, is a violation of our right to privacy. In addition, we worry about whether one will crash on our house. Helicopter companies collect tourist dollars, but at the same time, violate the very rights of citizens of Maui County, who reside, work, and play below, and who have a right to quietude. They continue to disturb our sleep, vibrate our homes, interrupt our conversations, and put fear into our grandchildren. Why do helicopter companies think their businesses...think of their businesses first, without considering the adverse conditions they are subjecting our residents to? Well, because they have...they practice what I call, dirty tourism. Helicopter companies should be made accountable. We need a forum, a citizens planning committee, noise abatement routes, revised air corridors, tour management plans, and higher-altitude flights. We need to work together. Cultural and environmental impact studies are required for development on Maui, along with trying to protect our land, our streams, and our wildlife. It is now time we turn our attention to the problems in the skies above us. Do we not need to protect people in our environment? And a final note about tourism, overtourism, and dirty tourism, where has respect gone? Mahalo.

CHAIR SINENCI: Thank you, Mr. Pellegrino. Members, any questions...

MR. PELLEGRINO: Sorry I had to read that so fast, but, I want to make sure I got it in.

CHAIR SINENCI: Thank you for that.

MR. PELLEGRINO: It was much longer.

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CHAIR SINENCI: We have a question from Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Aloha, Mr. Pellegrino. Thank you for coming here today and sharing your mana`o. In hearing your testimony, it seems that helicopters in Waikapu is a problem. I just was wondering if it's limited to that, or how would you feel about a hotel in Waikapu, with rental cars and things like that?

MR. PELLEGRINO: A hotel in Waikapu? Absolutely no. Is that what you just asked me, about a hotel?

COUNCILMEMBER PALTIN: I'm hearing Waikapu Country Town tomorrow, and there's a hotel in the project. So just wanted to find out...

MR. PELLEGRINO: Well, I have no idea about hotels. I'm talking about helicopters. But if there is going to be a hotel in Waikapu, I would say, no, no to it.

COUNCILMEMBER PALTIN: Okay. Thank you.

MR. PELLEGRINO: We don't need a hotel in Waikapu.

COUNCILMEMBER PALTIN: Okay.

MR. PELLEGRINO: It's already been pretty much destroyed over 55 years.

COUNCILMEMBER PALTIN: Thank you. Just checking if it was just the helicopters, or hotels as well.

MR. PELLEGRINO: Sorry. Sorry I can't help you.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR SINENCI: Thank you for your testimony.

MR. PELLEGRINO: Okay. Mahalo.

CHAIR SINENCI: Mahalo.

MS. MATTHEWS: Chair, our next testifier is Claire Carroll, to be followed by Dick Mayer.

MS. CARROLL: Aloha and good afternoon, Council Chair and Council. I came all the way over here, because I didn't want static when I'm speaking. Aloha. My name is Claire Kamalu Carroll, a life-long resident of Hana, Maui. I am testifying for item EACP-6. I have seen change...Maui change over the years and know that we have a heavier traffic flow of visitors who travel to see the Hana Highway. We all agree it has become more with visitors wanting to visit Hana in the last Hawaiian place. Visitors are the economy of

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our community, and contributes monies to many families here in a positive way. If it was not true, you would not be faced with number of fruit stands, lunch wagons, and even residents selling out of their homes; little shops on the side of the roadway with jewelry and clothing, and even coconuts and breadfruit. I ask Council to take information today, and future, and keep in mind if your decisions will affect our economy that we all rely on for mortgages, cars, schools, and to feed our families. I support infrastructure to keep up with the maintenance on our roadways, and support the education and safety of everyone traveling the Hana Highway. We are already worried about the number of places that our visitors can stop and have the opportunity to purchase items and food before they even reach our town. This is as sensitive for our residents that are concerned that if we are known to not want traffic or visitors to Hana, then what will directly and indirectly affect all of us? Roads are damaged by falling trees, landslides, heavy equipment vehicles, erosion from rainfall. I believe it would not be fair to state that tourists alone take a toll on our roadways. And I just wanted to share that the State actually just passed a Bill that will be effective July 1st, 2019, and it's HB 333 that will help solve some of our problems. Mahalo.

CHAIR SINENCI: Thank you, Ms. Carroll. Any questions for the testifier? Seeing none, mahalo.

COUNCILMEMBER KING: Just a quick question.

CHAIR SINENCI: Oh, Chair King? Sorry.

COUNCILMEMBER KING: Thank you, Chair. Do you have a copy of that Bill you were talking about?

MS. CARROLL: I do. I actually brought copies for all of you.

COUNCILMEMBER KING: Can you...Oh. Excellent.

MS. CARROLL: And I think it's steering towards the positive on a State highway. This is for the counties.

COUNCILMEMBER KING: If you can give it to our...

MS. CARROLL: I'm going to give you folks more.

COUNCILMEMBER KING: Okay. Thank you.

MS. CARROLL: Can I just mention one more thing quickly? Kelly? Okay. I'll talk to you later.

CHAIR SINENCI: Thank you. Ms. Matthews?

MS. MATTHEWS: Chair, our next testifier is Dick Mayer, to be followed by Mark Sheehan.

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MR. MAYER: Hello. My name is Dick Mayer. Tourism is a lot like eating. We need to eat in order to sustain ourselves and support our health. Youngsters need to nourish their development. However, as we mature, eating too much can cause a host of problems and eventually, poor health, disabilities, pain, social and psychological problems, and possibly worse. Similarly, tourism initially can provide a community with good jobs, a higher standard of living and a more interesting lifestyle. However, as tourism grows it can begin to threaten the very viability of a community and ultimately it can destroy itself, much like cancer damages the body in which it lives. At first, there may be only small irritations and minor pains, but then we find growing limitations on our activities, well-being, and quality of life. After 1959, when jet planes began flying here and Hawaii became a State, Maui's business and political leaders had to make a decision as to what kind of tourism should be supported on Maui. They could have chosen small-scale tourism with visitors staying in B&B or ohanas, allowing local residents to earn a supplemental income. However, since plantation workers' homes were usually small units that could not accommodate additional visitors and were far from the beaches, the business leaders designated West Maui's Kaanapali and later South Maui's Wailea for large-scale hotel resort developments operated by off-island corporate investors. With the steady growth of tourism in the past few decades, Maui has become bloated and many residents feel a need to moderate our tourism diet. We must eat selectively and carefully. In fact, we probably need to go on a modest diet to limit actual negative impacts that have been listed by others today and are well documented. We now recognize the symptoms and impacts of overtourism and we should selectively manage the various aspects of the tourism industry. What we need to do now is to protect our tourism industry from destroying itself, rather than allowing tourism and hotel construction and illegal vacation rentals to grow and kill both our economy and our community's quality of life. Maui has been traveling on a road that has taken us from an agricultural, plantation economy into one based on tourism. We have now reached a fork in that road and we must decide which branch of the path we will take. The left fork will continue the present road of rapid population growth, increasing tourism dependence, more McMansions, gated communities, and a decreasing quality of life for Maui's long-term residents. The right fork will mean that we will change our direction significantly by preserving and restoring a high quality of life that residents of Maui deserve, while carefully protecting our existing tourist industry from overdevelopment. Although there are financial forces that might try to seduce County decision-makers down the left road of over-development, Maui has the legal tools that can keep us on the road of long-term stability and prosperity. Let me just...one last thought.

CHAIR SINENCI: Please conclude.

MR. MAYER: What do we need to do? We have to recognize the importance of preserving Maui's high-quality tourist industry, and not let it be eroded by continued, excessive development. With our present full employment, any new development will mean more people moving here, further damaging and diminishing our quality of life.

CHAIR SINENCI: Thank you, Mr. Mayer. Any questions? I have question, Mr. Mayer, and thanks for meeting with me earlier. You know, earlier, you mentioned in our meeting

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about certain types of funding that goes towards the Kahului Airport. Can you speak to that?

MR. MAYER: Yeah. The Kahului Airport, and all the airports in the State, are under the State Department of Transportation, Highways...excuse me, Airport Division. There are three Divisions in the Department of Transportation. And all the funding collected, on the runway, from landing fees, rental car fees, all those type things, concessions at the airports, all that money goes to the Airport Authority, and not to Maui County, for example. And that funding can only be used on the airport premises. So in other words, even though the traffic generated by all the rental cars and the tourists who come through that airport are all affecting, as I just said, all of Maui County, all of Maui Island, and with Kahului Airport, Lanai and Molokai Airports, all of that...the Airport Authority has this enormous amount of funding. So much funding, they spent money, \$2 million, to build a waterfall as you enter the airport, to build this \$340 million parking garage. That money could much better have been used to fix the problems that were mentioned, like pullouts along the sides of roads, fixing the bathrooms along the beaches the tourists go to where all those rental cars end up. So what we could do is shift...if we could only shift some of that money from the airport to solve the problems that are being generated as a result of tourists coming into the island, I think we'd be a lot better off. It means changing some of the State rules, but I think that's something this County Council, and probably the other counties, should also be working on.

CHAIR SINENCI: Thank you. We have a question, Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Mayer, for being here. I was wondering if you could give some examples of what you meant by legal tools?

MR. MAYER: The Maui Island Plan, which I worked on, has a number of provisions in there, statements in there, that give some authority, and let me mention this. For one thing, all eight, this is from the Maui County Code, all eight of these shall comply with the General Plan, and administrative actions by agencies shall conform to the General Plan. That includes the Maui Island Plan and the Countywide Policy Plan. In other words, you're required. All agencies, all Departments of the County are required to follow it. And in that Plan, it makes a number of statements about limiting the effects of tourism. One of the most important statement it makes, is that there should not be a ratio greater than one tourist for every three residents. That's a very important number. Right now, and I'll just give you some very quick numbers to give you...roughly, the population of Maui Island is 156,000. One-third of that is 52,000. Right now, the average on Maui in a year...over the year, is roughly 65 to 66,000 people, and it peaks in the summertime at 75,000. We're way, way over that number. So, how does that translate into policies and actions? The Planning Commission, right now, is looking at giving authorization to, for example, the expansion of the Grand Wailea. We do not need that. We already are oversaturated with hotel units on the island and tourists, and all the effects that are caused here. The directive to the Administration to work with the Planning Commission to make recommendations that this not be approved, that's the type of thing that the Maui Island Plan says. All agencies and departments of the County should be working

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to implement the Plan, not make it worse. I mean, that's one of many, many citations...there are many other statements in the Maui Island Plan, for this island, that talk about the fact that the County should be working to improve the quality of life of the residents and make sure that the tourist industry does not damage the quality of life of our residents. And we have many examples...

COUNCILMEMBER PALTIN: So, for example, like no new hotels in Waikapu?

MR. MAYER: Nope. No hotels. Right now on Maui, there are, I think seven hotels that are at various stages of being proposed or being suggested, one of which was just mentioned, in Waikapu; there's one right near the airport, and the other, the Costco gas station there; the Maui Beach Hotel is planning one; there are two being proposed in Wailuku town; Grand Wailea is proposing a major expansion of 224 rooms; and there's another hotel being planned within Wailea itself, I think of, roughly 200 rooms. So, putting all those together--not to mention the fact the Maui Lu is now constructing, I think, six, seven, 800 rooms on both sides of South Kihei Road--all of that is going to add to the problems, and our County Plan says that should not be happening.

COUNCILMEMBER PALTIN: Thank you. Thank you very much.

CHAIR SINENCI: Thank you, Mr. Mayer, for your testimony. Mahalo.

MR. MAYER: Thank you. You have a question, Kelly?

CHAIR SINENCI: Chair King?

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here, Mr. Mayer. So I was looking at your numbers, and I thought you had sent me a...I'm not sure what year this is, but I thought you had sent me a graph earlier that said there were 169,000 residents in the County.

MR. MAYER: That's the County.

COUNCILMEMBER KING: This is just Maui Island?

MR. MAYER: Yeah. Maui Island's roughly 156, probably by now it's maybe 158.

COUNCILMEMBER KING: Okay. And then in that...in that same graph, there was an estimate of, average of 70,000 tourists at any one given time on the island. Is that on the island or was that through...in the County?

MR. MAYER: The County number's a little bit under 70,000. It's roughly, I think--

COUNCILMEMBER KING: Okay.

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MR. MAYER: --68,000. It goes...it's...there are variations. May, for example, and in October are less than December and July.

COUNCILMEMBER KING: Okay. So are the...so the numbers, the one-to-three ratio, is in the Maui Island Plan?

MR. MAYER: That's the Maui Island Plan for the Island of Maui.

COUNCILMEMBER KING: 'Cause we don't have that described in...for Molokai and Lanai.

MR. MAYER: No, we do not.

COUNCILMEMBER KING: Okay.

MR. MAYER: That's...their own community plan may have some numbers, but I'm not familiar with that.

COUNCILMEMBER KING: I thought...yeah, I don't remember seeing them in the Community Plan, but I'll check.

MR. MAYER: But certainly that, you know, it gives authority to the County Council and to the various departments and agencies to look at that Plan. In fact, they should be required to look at the Plan and say, when they are approving projects...now the construction industry obviously would like to build, and what they should be building are the affordable homes, not the additional hotels, building our infrastructure instead of building mansions.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR SINENCI: Thank you for your testimony.

MR. MAYER: Thank you.

CHAIR SINENCI: Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Mark Sheehan, to be followed by Kenny Barr.

MR. SHEEHAN: Good afternoon, Chair and Councilmembers. It's very difficult to deal with limits. Nobody wants to live within limits. The developers in Waikiki, the hotel developers, they want more rooms. And the employees over there, they want more jobs. So even if we were to just let this phenomenon totally take over the island, which it has, we're really at about 40 percent of visitors to residents now, instead of the 30 percent of the Maui Island Plan. We have to really admit that...when I look at it, I compare it to other places that I have known where I used to go on vacations, and I don't go anymore. When I lived in California 50 years ago, I would go to Acapulco, which became overrun

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and crime-ridden. And then I went to Puerto Vallarta, and the same thing happened there. Just the money drove out the local residents, and so the original experience, cultural experience that I was looking for, wasn't there anymore. And it's...the same is true here. The runaway tourism, the overgrowth tourism, is antithetical to maintaining the environment, and to maintaining the cultural experience that is the unique beauty of Maui. And so day by day we are losing it, and there is no denying it. It comes down to numbers. Do we have the ability to limit the number of people who come here? But, what, of those numbers, can we limit? We can't limit the number of airplane seats, we can't limit...but could we limit the number of cars? We should have asked years ago, and we can still ask, or require that the hotels pick up their visitors at the airport and take them to their destination. But no, they don't want to do that, and so we have this phenomenon where people fly for 12 or 13 or 15 hours, and get off, and get in a car. And many of those people are used to driving on the other side of the road. You wonder why there are so many accidents. You know, it's designed that way. So we've designed kind of our own obsolescence and we're tolerating it. The analogy of a weight issue with an eating disorder that Dick Mayer mentioned, I think, is really appropriate. We're no longer the, you know, the fit solution to a problem. It's seriously out of balance, and that's what we're looking at, whether you look at the highway or the airways or the ocean. We have a problem. And even though other...your previous Councilmembers may have allowed this to happen, it really falls on this Council to decide what it is they're going to want to do something about it. But the time is...we're well past the time to take action to limit the amount of tourism that is going on or we'll have...we'll look like Waikiki very shortly. That's it.

CHAIR SINENCI: Mahalo. Mahalo, Mr. Sheehan. Questions? Seeing none, thank you for your testimony. Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Kenny Barr, to be followed by Nick Crowley.

MR. BARR: Good afternoon, Council. My name is Kenny Barr. I'm a 40-year resident of Kihei. I drive a taxi over there, and I haven't been here for years, as many of you know. From back in the day, when very few people spoke out about the overrunning of Maui by the tourism industry, people like Wayne Nishiki, Dick here, Dick Mayer, Herman _____, Dana Hall, Tony Ranken, Maui Tomorrow people. But after watching your show this morning, not your show, but the show of people, of the younger people of Maui, I was moved to come down here today, because there is a whole generation now that is speaking out and they are tired of being overrun. We were just...I was...we, the people, mention, we were kind of in a minority. We would be the one person to testify, two people, and then the unions would stand up and say, we need jobs, and the visitor industry would need more people. So, I just want you to take note of that, that as a new Council, and it isn't just us old people anymore testifying, and the young people are aware of what's going on and they want to keep what's Maui, Maui, for what they have left. I want to make two more comments about, like, the Grand Wailea that Dick mentioned, and I know it's not in your privy right now, it's in the Planning Commission, and they are going to deal with the conditions, but the whole idea of adding these hundreds or 200 rooms and taking that chapel out, it's a cultural chapel in a way, and

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it's going to be 200 more rental cars, is what it's going to amount to. And on our side of the island, how many...you're talking about Hana, how many people head down to La Perouse and the bay and Makena, and as you heard about Kauai now, they're taking it into their own hands. They're limiting the amount of cars that go down at a dead-end road. So, I hope you'll consider that also. And my last comment is about short-term rentals, having to do with cultural preservation in neighborhoods. You know, you've been through this so many times, it's constantly coming up in the Planning Commission. My opinion is that short-term rentals should never have been allowed in residential areas, or one or two or three, only in the resort areas, you know. These people who want to go about short-term rentals, they should buy a house or a condo in a resort area, or along Kihei Road in all those condos. And that's all I wanted to say. I just wanted to get that off my mind. I'm seeing so many of the meetings on TV without coming down, and this morning really struck a chord with me. Thank you.

CHAIR SINENCI: Thank you for being here. Chair King?

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here. I got your written testimony. I just wondered if you had sent that in to all the Councilmembers--

MR. BARR: Yes.

COUNCILMEMBER KING: --Mr. Barr? Okay.

MR. BARR: Okay.

COUNCILMEMBER KING: Okay. I just wanted to make sure that was your testimony --

MR. BARR: Good. Thank you.

COUNCILMEMBER KING: --and I really appreciate you showing up in person.

MR. BARR: It's easier to write a letter, but to come down...

COUNCILMEMBER KING: Yeah.

MR. BARR: You just really want to do it when you come down here.

COUNCILMEMBER KING: Yeah.

MR. BARR: Okay.

COUNCILMEMBER KING: It's good to see you at the Council again.

MR. BARR: Thank you.

COUNCILMEMBER KING: Thank you.

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CHAIR SINENCI: Thank you for your testimony. Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Nick Crowley, to be followed by Kai Nishiki.

MR. CROWLEY: All right. Good afternoon. Hi. My name's Nick Crowley. I have also not been here in about ten years or so. I've been a cab driver for 13. I was here with Kenny 10 years ago. We were talking about raising the meter, and we haven't since, so prices stay the same, which is because it's all we need. But I'm here because sort of on another side of what...meeting Napua, she's kind of in the war zone down along the Hana Highway, seeing the aftereffect of all the overcrowding. And a pretty substantial size percentage of this is completely illegal tour guides, which are totally easily manageable. This is not Honolulu, this is not Oahu, this is not New York City. There's choke points on Maui where all these people start from, and they have to go through, and it's easily eradicated, and if...Yuki Lei, I've been working with sometimes, she even mentioned to me--no, she's not here--but, how she had driven by the Maui Mall and I had mentioned things in the Maui Mall and she goes, oh, is that what those people standing outside the Maui Mall, outside that ship are doing? Those are all illegal tour guides that just solicit stuff. That used to be taken care of in a day. You'd call the police, usually the police would ticket them, and they'd be out. That has like, completely changed. Nobody knows. It's all confused. There seems to be...the people are there, but the enforcement is not happening. So all of these things, there's nothing that needs to be changed. It's all there already, because we've spent, since, probably the 1960s, before my time here, figuring this out, until you got to what you get to today, where things like the County, right here on this...I'm new at this, so I don't have copies for everybody, but, like the one that Kenny gave me, you control the transportation. The State controls the PUC. You control transportation. You control anything that basically has changed the language to public passenger vehicle service, so that is taxis and some other things. I just don't want to keep it being called taxi. So you have, just, other forms of all these types of transportation, just getting away with it, getting away with it. No one's catching them. No one's doing anything to them. No one's ticketing them. So what are you going to do? You're going to keep going, and just keep going, and these are a lot of the people, by the way, that are desperate to show, like, a good time. So these are the ones that are usually the culprits in what we call, at least me and my buddies who do some Hana trips sometimes, sort of the monkey-see, monkey-do effect, where if you see somebody pulled over at the Hana Highway, you pull over, because something must be there. So these guys are usually huge culprits, like at Waikamoi Falls, and things like that. And so...30 seconds left. I had, like, an entire list of things in here, that's about 25 things that I'm supposed to do as a cab driver in the County, that are all fair, and there's entire companies driving around here with none of these, and they're easily found and stopped and nothing has been happening. We complain all the time, and it's just a small part of that problem that I wanted to talk particular about, and three, two, one. That's it.

CHAIR SINENCI: Thank you. Chair King?

COUNCILMEMBER KING: Thank you, Chair.

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CHAIR SINENCI: You have a question?

COUNCILMEMBER KING: Thanks for being here, Mr. Crowley.

MR. CROWLEY: Yes, thanks.

COUNCILMEMBER KING: So I was curious when you said that we control... 'cause aren't you regulated by the PUC--

MR. CROWLEY: No.

COUNCILMEMBER KING: --which is a State...you're not?

MR. CROWLEY: No. The PU...

COUNCILMEMBER KING: I thought all the taxis--

MR. CROWLEY: Yes. Taxicab, what happened was...I have some of the paperwork. It's, you know, a little bit to pick it out online. I'm kind of doing this myself. Somewhere around the '90s--Kenny would be able to help me--but somewhere around the '90s, it split, because Oahu tried to just blanket what they do on everybody, and then they made the decision to...Maui's small, and Kauai's small, they need to control the limit. So there's a limit on taxis, there's not a limit in Honolulu, so they broke it up where they control PUC in some forms, you control taxi, and basically, any other small passenger carrier. So it's a strange line, but taxi for sure is, like, you guys.

COUNCILMEMBER KING: Oh.

MR. CROWLEY: That's why we never come here. We don't really have a problem, you know. Like, ten years ago with the meter, and that was about it, but yes.

COUNCILMEMBER KING: Is that the same...same is true for the tour buses, they're not PUC-regulated?

MR. CROWLEY: So, some of the smaller, more private ones are sort of up in the air, but the large people like Robert's and everybody, they're State.

COUNCILMEMBER KING: They're State.

MR. CROWLEY: That's State, which you can do something as the County and tell them. It's not just, you have to be quiet on it, but it's mostly, they go through the State to get their permits, I mean, but I just did everything here in the Maui Mall.

COUNCILMEMBER KING: Okay. So maybe we need to get an inventory of what we actually do control for transportation.

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MR. CROWLEY: Yes. You do. Yeah.

COUNCILMEMBER KING: So I didn't know that...I thought the taxes were PUC-regulated.

MR. CROWLEY: No.

COUNCILMEMBER KING: Okay. Thank you.

MR. CROWLEY: That's all you guys.

COUNCILMEMBER KING: Thank you for that information.

MR. CROWLEY: Okay. Anybody else?

CHAIR SINENCI: Thank you for your testimony.

MR. CROWLEY: Thank you.

CHAIR SINENCI: Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Kai Nishiki, to be followed by Thompson Aipa-Rivera.

MS. NISHIKI: Aloha, Councilmembers.

CHAIR SINENCI: Aloha.

MS. NISHIKI: Thank you for having this item on the agenda. It's very important. Mahalo. Tourism replaced the plantations of old. It was supposed to work for us in a balanced way, but the visitor industry has just become our new luna. We now find ourselves run like an overworked brothel, fetishized, used, abused, and marginalized. In today's paper, there was even a quote regarding overtourism in Kauai. They've turned our island into a cheap whore. I agree. Our people, our culture, our beaches, parks, roads, water, housing, our way of life, is suffering terribly from overtourism. Some solutions that other places use are capping visitor numbers, restricting rental cars, tourist-free areas, commercial-free areas, visitor impact fees, restricting access to certain areas, pay-to-park for all visitors to beaches and parks, and I'm thinking that possibly we need to create a new Department, Land and Recreation Department, or within Parks and Recreation, a separate department that would require permitting for all activities on our beaches, and monetize all rentals of umbrellas, activities, beach chairs. We're missing out on millions and millions of dollars of visitor industry income for our County, and I will be providing some numbers from Waikiki, how they manage their ORMA's there. And I just really believe that our County could be benefitting from all of the tourism that is occurring here, and that money could be used to mitigate the impacts that we're

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feeling, and I would suggest that if any of you have not read Haunani-Kay Trask's, From A Native Daughter, to please pick it up. It's good reading. Mahalo.

CHAIR SINENCI: Thank you, Kai. We have a question. Ms. Paltin?

COUNCILMEMBER PALTIN: Oh, I just wanted to thank you for coming, clarifying ORMA, you mean Ocean Recreation Management Area.

MS. NISHIKI: Yes. Thank you.

COUNCILMEMBER PALTIN: Okay. Thanks.

CHAIR SINENCI: Mahalo for your testimony.

MS. NISHIKI: Thank you.

CHAIR SINENCI: Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Thompson Aipa-Rivera, to be followed by Jenny Pawai.

MR. AIPA-RIVERA: Aloha.

CHAIR SINENCI: Aloha.

MR. AIPA-RIVERA: My name is Thompson, but I like to be called Nawai. I'm originally from Kauai, the North Shore of Kauai. Moved here about 10 months ago, and, to help the, you know, the visitor management over there on that side. And I've been opening also, taro patches in Honomanu. So I'm one of the taro farmers down in Honomanu Valley. I've been dealing with a lot of tourism that been driving into the muliwai, and we, we pulled out maybe like three cars a day, so we decided to regulate Honomanu everyday as a taro farm, you know. So it's taking up my time to, you know, farm, to pull out those people, also damaging o'opu and, you know, livestock, in the oceans. So, yeah. And then also I've been doing Waikamoi Stream these past two weeks to make sure everybody's parking legally. Yeah. That's about it. And I support the visitor's management for the Hana Highway. Thank you.

CHAIR SINENCI: Mahalo for being here. Questions for the testifier? Seeing none, mahalo. Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Jenny Pawai, to be followed by Mary Ann Pahukoa. Jenny Pawai? Our next testifier after that is Mary Ann Pahukoa, to be followed by Ray Hutaff.

MS. PAHUKOA: Aloha.

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CHAIR SINENCI: Aloha.

MS. PAHUKOA: Aloha, Chair. My name is Mary Ann Pahukoa, this is Meleana Pahukoa, descendant of Ko'olau, Maui. I'm going to read a little fast just to get through this. As a member of Hana Highway Regulation, actively involved in volunteering, it is very clear that the Hana Highway Regulation deserves the support to protect our resources, by educating our visitors for the safety of our visitors and community. When we talk about solutions, Hana Highway Regulation has them...from watershed management to land management, environmental protection, cultural preservation and awareness, to safety protocols. Without regulation on our road, I've personally seen repel guides at our gathering grounds, countless commercial activities within grounds reserved for subsistence gatherers. And just to be clear, I'm not against tourism. We own fruit stands and we work with shave ice that, you know, a majority of the economic revenue stems from visitors. So, I'm not against tourism, my family just wants the proper management of tourism. The numbers and data our community holds is jaw-dropping. Fifty-three helicopters per day, wow. I just was at the pond with my cousin the other day, the same pond that feeds the over 50 lo'i on Keanae Peninsula. And so while at the pond, I seen about 20 tourists, and of course, you know, someone's spraying the most toxic sunscreen on them. I have three children, so politely, I regulate. And regulate's nothing scary, you know. It sounds like a scary word. It's not. It's education. So, in other words, I educated, and I said hey, that sunscreen's banned. I need you to remove yourself from my waters. And she goes, oh, why? And I said, you see those three kids right there, swimming? Those are my children. And I go, you see this silk in the water? That's poison, and it gets fed to the lo'i, which my children eat from. As simple as I could, she said, I'm sorry. I'm so sorry, I had no idea. I go, that's okay, you know, politics. Sunscreen doesn't come off of our shelves 'til like what, February 2020? And she goes, I'm so sorry. I go, it's okay, you didn't know, but now you know. She goes okay, thank you. And so, she left, but that's regulating. That's educating. While there, a hunter, my cousin, sat down next to me. He's like, cousin, thank you so much, like...now this hunter is semi-tearing, and like for a hunter to be semi-tearing, you kind of get struck, you know, like wow, something's really getting to him. And so he tells me, you know, I got stopped the other day by DLNR, and he asked me, where's your waiver form? And I said, waiver form? He's in his own gathering grounds, DLNR Officer's asking for his waiver form. He looks at the Officer and goes, what about the 30 cars that was just illegally parked? What about all the visitors in the forest right now? Do they need waiver forms? And the DLNR Officer laughed, you know. Let him go, but nonetheless, he asked him that question with his hand on his gun. And so my cousin felt very threatened.

CHAIR SINENCI: Conclude.

MS. PAHUKOA: Almost with the understanding that, you know, he felt like tourism had more rights than he, as a seven-generational gatherer, and that's a hunter's perspective. I'm astounded that we heard the perspective of a commercial operator, saying that we have an overload of tourism. Wow, for a commercial operator to say that, wow. Must be true. Kupuna perspective, my tutu, I quoted her, she goes, what are they doing in our

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mountain? And then a helicopter gotta go get them. What are you...what are they doing? So that's...the fireman's perspective, I just, you know, this is the fireman's perspective. Hand on the head, looking down. So to conclude...

CHAIR SINENCI: Do we have questions for Ms. Pahukoa?

MS. PAHUKOA: I'm going to conclude real fast.

CHAIR SINENCI: Okay.

MS. PAHUKOA: We have a code of conduct, supported by Hana...published by Hana Highway Regulation, and I support it wholeheartedly. As a mother, it's my kuleana to protect. The data shows how many deaths we have, it's astounding. If you have any questions regarding the specific regulation or education for our visitors that, you know, we disclose as community members, please ask me. Thank you.

CHAIR SINENCI: Mahalo for your testimony.

MS. PAHUKOA: Mahalo.

CHAIR SINENCI: Questions? Seeing none...

MS. PAHUKOA: Thank you.

CHAIR SINENCI: Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Ray Hutaff, testifying on behalf of Hawaii Ecotourism Association, to be followed by Faith Chase.

MR. HUTAFF: Mahalo, Chair, Council men and women, members of the audience. I must be a little more truthful. Not only am I the President of Hawaii Ecotourism Association, I am also Vice-President of Valley Isle Excursions. My wife is the President, and she has allowed me to be here to speak today. Hawaii Ecotourism Association is changing their name at my request to Hawaii Sustainable Tourism Association. Ecotourism is a shibai, and no one should be allowed to use it. Your comment, what would happen if we decided to limit tour companies? We have. We, about 10 years ago, realized that we could not give a good tour if we had too many vans out there with limited facilities. We spoke to Kalani English about it briefly, and no one else since there, and that's my fault. When we limited the number of vans we took out there, we opened a door, a floodgate, for illegal tour operators, for irresponsible tour operators. HEA, at this point, is in the process of certifying tour companies to make sure we follow a certain code of conduct, if you will. Much different, but much aligned, with what's been spoken about here already. We have to teach the culture. We have to malama the aina. We have to be responsible to the visitors. We have to be responsible moreso to the residents. We have to contribute to the benefit of the residents. Some will be able to testify to that fact that we do that, but we also want to get other tour companies to do that also, and the first

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step is to get the illegal ones, legal. Because illegal ones, we have no consequence with. We cannot help them. We cannot guide them. We cannot fine them. Getting them legal gets us the opportunity. Something that Napua has been working on, and we support. I have way too much to talk about today. What I would really like _____ to do, is that we all get together, and come as a Committee and people of information, and all of us use our information, our beliefs, to maintain tourism as it should be. It's been mismanaged. Tourism sucks, tourists are good, we lost it when we forgot the culture. One last thing. Comment from somebody I got this morning. I usually don't send letters like this, but my family and I were so touched by your driver's attention to detail, knowledge, and generosity, but I felt I needed to make you aware. We truly enjoyed our day with him. He taught us about the Hawaiian culture, and the aloha way of life, as well as ohana, and me made me, on tour, feel like I was that family, providing me with the insight of all the best places. His van has felt more like family member than a tour guide. I can't just say enough about how much we enjoyed our day with your tour guide. Don't get rid of the tour guides. We can help. Let us help, please.

CHAIR SINENCI: Mahalo, Mr. Hutaff, for your testimony. Questions? Seeing none, thank you. Ms. Matthews, how many testifiers do we have left?

MS. MATTHEWS: Chair, we have three testifiers signed up in the Chamber left to testify.

CHAIR SINENCI: Okay. We will finish up with testimony.

MS. MATTHEWS: Chair, our next testifier is Faith Chase, to be followed by Tiare Lawrence.

MS. CHASE: Aloha, Committee Members, Chair. Wow. I just want to say, thank you. I think this is a really interesting topic for...to be in your Committee, because the environment, agriculture, and culture, you have great potential to act, you know, create action steps, and to make up the difference of lost time of where we are with the Hana Highway situation. I think that it's a multi-prong approach. I sympathize for commercial operators. I understand the community members in our home community that are making money have gotten used to the traffic, but I think in the future, and I just want to say this to you, I know I need to address to you, but I know that all these committees have...you know, all your committee leaders in their sub...specific committees, have the chance to support the farms. Because as we're desperate, like where are we gonna put these people? There's too many people going. There's not enough bathrooms. Every single little micro-grant, or every single little support measure that you can do for the farms, that's another place for them to go, and it's expansive, yeah? And you can rely on the tour vans. And so, find that balance, because it's all in your Committee, the agricultural, the cultural, and the environment, so...and there's a lot of things, I know I've bored you with resource recovery and compost and what Hana can do, the most beautiful dump in the world, but. So as you see those microfarmers, those microgrants come up, or those farmers that are trying and struggling, do whatever you can, because that's extra, that's overflow. And where we're at right now, how far we got with this problem, it's, you know, I'm scared of like, it took us this long. I mean, don't get me...I used to sell juice outside Palapala Ho'omau, where Charles Lindbergh's grave was, so

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I've watched this. Except for the time I went to college, I've been watching the Hana Highway businesses, you know, go up and down and suffer, and what be it. But, you know, all that time...what? I just had my 30th high school reunion. So for 30 years, we've been over-advertising. We're not going to wait another 30 years to fix it. We can't possibly. So I...it would behoove you to be creative, to be expeditious, to think out of the box. It's okay if you try things and they don't work out. Check that box, we tried it, because we need to make up for lost time, and so each one of your committees is really important in that aspect. So, farm support. And I, you know, Nawai, I, he's a soft-spo..., he's a big Hawaiian man, but he's really soft spoken. The day that he was regulating one of those drivers at Honomanu, just to give you some graphic, my grandchildren were at the water's edge, and this wahine, you know, pulls into the big stones, like, the blocks are like good size, right? And she's trying to peel out, you know, like to reverse, and so what's happening is those stones are flying in the direction of my grandchildren. So like, talk about, you know, bottle the rage or whatever. So the work that they're doing out there, not just him, everybody along every single valley, you know, everybody who does whatever they can to try to educate, is really important, because people just don't know. They're reversing into these big stones and so, not just my grandchildren, but other people's children or safety is at risk.

CHAIR SINENCI: Mahalo, Ms. Chase--

MS. CHASE: Thank you.

CHAIR SINENCI: --for being here. Members? Seeing none, thank you for your testimony. Ms. Matthews?

MS. MATTHEWS: Yes, Chair. Our next testifier is Tiare Lawrence, to be followed by Albert Perez.

MS. LAWRENCE: Aloha, Council. It's been a long day. Hope you guys enjoyed your lunch. My name is Tiare Lawrence. I wanted to share some numbers. So, I mean, I'm sure you guys already know this, but in a recent report by the HTA, around 2.9 million visitors traveled to Maui in 2018, which was a 6 percent rise from the previous year. I would encourage you to go look back at Linda Lingle's...I believe she did, like, a carrying capacity report that was years ago, but our carrying capacity was, you know, a safe carrying capacity was like, about 1.5. So we've grown, like, double, I mean, almost double, so, it's just astronomical. For the most part, the biggest beneficiaries of the tourism industry are off-island investors who export their profits. The industry has failed to provide much needed affordable housing, promised affordable housing. We desperately need a rental car cap, enforcement of illegal vacation rentals, illegal tour and commercial operators. Most recently, I've also seen postings on Craigslist for visitors to rent RV's from people, so people are now renting out RV's for visitors, and we've been seeing them along our coastlines on Honoapiilani Highway. A study completed by the State Department of Business, Economic Development, and Tourism on the impacts to Native Hawaiians stated, Native Hawaiians, for the industry's growth, has contributed to a degradation of their cultural values, compromised their cultural

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integrity in the global marketplace, diminished their presence in Hawaii's visitor centers, devalued their wahi pana sacred places, and seriously compromised the Native Hawaiian sense of place. I would like to propose the County to consider taking advantage of the industry by doing the following: charging visitor parking fees at every County park and parking lot; in West Maui, the Lahaina Restoration Foundation manages the...some of the parking lots, as well as Moku`ula used to manage the parking lot across of 505, which used to generate...I mean, was generating about \$350,000 a year. So as you can imagine, we should be maximizing and taking much advantage of our County parking situations. I would also encourage, you know, I commend you guys for raising the property tax on hotels, but I still think we could do a little bit more, you know, and take advantage of that. And encourage you to implement the same system that is being implemented on Kauai, on the roadways to Haena, where they are now implementing a reservation system, and I think this is a system that would work well for Hana, as well as like perhaps, the roadway out to Kahakuloa. I know it's a State Highway, but, you know, it just...the issue keeps falling on deaf ears, and so perhaps, you know, the County could assist with that. Use of funds to support enforcement efforts on illegal vacation rentals, improve roadways, County infrastructure, and provide funding for community-based enforcement and outreach efforts. Please don't use this opportunity for another study. We've had our fair share of studies. We don't need any more studies. The numbers are clear. And, you know, we heard from many, many west side people today, the feeling of being pushed out. You know, I personally felt it, and I mahalo you for putting this on the agenda. So mahalo, everyone.

CHAIR SINENCI: Mahalo, Ms. Lawrence. We have a question from Chair King.

COUNCILMEMBER KING: Hi. Thank you for being here, Tiare. So, I was just curious about the roadway reservation system you're talking about on Kauai. Is that on a County road or a State highway?

MS. LAWRENCE: It's State highway.

COUNCILMEMBER KING: And the County was able to do that, or the State did that?

MS. LAWRENCE: The State is doing...so it's the first of its kind, but if the State can do it, I don't see why the County couldn't do it. Yeah.

COUNCILMEMBER KING: Was that at the request of the County, or did the State just...

MS. LAWRENCE: It was the request of the community--

COUNCILMEMBER KING: Okay.

MS. LAWRENCE: --after the flood.

COUNCILMEMBER KING: Working directly with the State.

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MS. LAWRENCE: And so it's something that's being implemented.

COUNCILMEMBER KING: Okay.

MS. LAWRENCE: Yeah.

COUNCILMEMBER KING: Thank you.

MS. LAWRENCE: Which is great news for us, because now they can't say we can't do it too. I mean, if the State can do it, we should be able to do it too, so.

CHAIR SINENCI: Yeah. I just wanted to add that the Haleakala National Park, in 2017, they established an online reservation system, because they felt that there was just too many cars going up to the mauna.

MS. LAWRENCE: Absolutely.

CHAIR SINENCI: So very similar. Thank you for your testimony.

MS. LAWRENCE: Absolutely.

COUNCILMEMBER KING: And that's, that's State funds, so they get...they keep all that, that they charge.

CHAIR SINENCI: They keep their own.

COUNCILMEMBER KING: It's on State property.

MS. LAWRENCE: I do want to say, I did try to ask, well, two years ago we put in a bill. It didn't get a hearing, but it was a conservation fee bill, and it was to add a little bit of a fee onto rental cars to use for restoration of our watersheds and stuff. Putting it out there, 'cause, you know, that's another thing that we need to think about, but, I totally kakou that.

CHAIR SINENCI: Mahalo for your testimony.

MS. LAWRENCE: Mahalo.

CHAIR SINENCI: Ms. Matthews?

MS. MATTHEWS: Chair, our last testifier signed up to testify is Albert Perez, testifying on behalf of Maui Tomorrow Foundation.

MR. PEREZ: Aloha, Chair, Councilmembers.

COUNCILMEMBER KING: Aloha.

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MR. PEREZ: Albert Perez, Maui Tomorrow. Thank you for convening a hearing on this important issue. I thought that I would just list a few of the problems that haven't been mentioned before, and then I would go into solution mode. Gridlock at Haleakala is not just at sunrise, it's at sunset. And when you go up there for sunset, there's actual gridlock in the parking lot. People are having problems with the altitude, and if any of them has a heart attack, there's no way that they can get down, so that's a serious concern. I've actually seen people trying to make it up to the summit parking lot from the skyline trail head, and they're running up the side of the pu'u, causing erosion, just so they can get up there and take their picture, and there's not a ranger in sight. So that's one thing I've witnessed. There are so many tourists now that they outnumber local residents in many areas, and when tourists outnumber locals, they develop their own culture. I'm starting to call it, like, the spring break culture, or the Disneyland culture, so, and in this culture, we are intruders. I've actually been told to get out of their sunset, and that was very offensive, but I was...at the time, I was seeking peace, and so I chose not to confront them about that, but it was very upsetting to me, to be told to get out of their sunset. They're not even from here. Local residents often don't react well, and when that happens, then, I believe that aloha itself is at risk. When we get used to being irritated by visitors, it can spill over to our relationships with each other. This Disneyland culture involves risky behavior that endangers the tourists themselves, local residents, and the rescuers. And then the other impact that we're probably all aware of, that I'll verbalize, is that the wealthy tourists decided that they would like to live here, and then they out-compete us for housing. So this is a by-product of our visitor-oriented economy. I'm not saying that we should eliminate tourism, but why do we keep increasing it, and why do we not object when the State tries to expand our tourism industry by building a huge rental car facility, by talking about extending the runway? We really need to change the incentives of our tourism promotion industry agencies so that they're not judged by how much they increase the numbers. Rather, if we can develop some measure of quality, we should do that. And I find that when I talk to the operations side of the tourism industry, that they get it, because they're the ones that receive the complaints from the visitors, that the experience is declining. One more thing, and then I'll stop. I have a lot more solutions that I haven't gone through. But I was thinking that in combination with toll roads, we could have some kind of traffic lights. I don't know if you folks have been to the mainland where you see the freeway has a red light, and when there's capacity on the road, then it turns green, and we could do the same thing. We could have a red light at Huelo, for example. And when a car exits at Kaupo, then you let one more in, and we determine whatever that capacity is. So thank you.

CHAIR SINENCI: Thank you, Mr. Perez. Members? Member Molina?

COUNCILMEMBER MOLINA: Thank you, Mr. Chair. Good afternoon, Mr. Perez. On that last topic, you mentioned toll roads. It's an interesting subject, because in my District, of course, we have the long-awaited Paia bypass.

MR. PEREZ: Yes.

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COUNCILMEMBER MOLINA: Is that something, maybe, as a potential revenue generator to help get additional funding for this long-awaited bypass, in your opinion? Is that a possibility?

MR. PEREZ: In my opinion, yes. Yes. I think that was actually considered by the DOT, although I'm not sure. There was some objection to it. There's politics involved, obviously. But yes, if we have the ability to do that. And some roads are State roads, some roads are County roads. But where we have County roads, then why not?

COUNCILMEMBER MOLINA: Okay. Very good. Thank you. Thank you, Chair.

CHAIR SINENCI: Thank you. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Mr. Perez, for being here. We're having issues similar to, I guess, the Hana Highway in discussing the Honolua Management Plan and parking in inappropriate areas, and I was wondering what you thought. One of the situations, because also, you know, the State doesn't give very much money to DLNR to manage these types of things, about applying boots to those cars and having them pay to take them off, that are parked illegally?

MR. PEREZ: I think that's a great idea.

COUNCILMEMBER PALTIN: Okay.

MR. PEREZ: Go for it.

CHAIR SINENCI: Okay. Thank you. Mahalo for your testimony, Mr. Perez.

MR. PEREZ: Can I just comment, that I don't--

CHAIR SINENCI: Real quick.

MR. PEREZ: --know, I don't know if when a visitor receives a traffic ticket if that goes on their rental car bill, so that's kind of where maybe tickets don't work as well as boots would work. So, thank you.

CHAIR SINENCI: Mahalo for your testimony. Ms. Matthews, is there anyone else that wanted to provide testimony before we close testimony?

MS. MATTHEWS: Chair, it looks like we have one more testifier, Jacee Lau.

MR. LAU: Hey, Shane. Hey, everybody. Thanks for staying here. Hey, everybody was talking about the cars and stuff, the visitor impact. But what about these? So, yeah. Don't worry. Look, I know you got it, and I would just like to challenge, and not only the visitors, but the people who live here. I'd like to speak and eat, Mr. Mayer, at the next

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Kula Community Association Meeting. Please use different kind of cutlery there. So I don't know what to do with all the ones we already got on the island. We probably have a 100-year supply of plastic utensils, so maybe we'll send them back to the mainland where they come from.

CHAIR SINENCI: Thank you, Mr. Lau, for that public announcement. Members, if there are no objections, I'll close public testimony.

COUNCILMEMBERS: No objections.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR SINENCI: Okay. We've reached the midpoint of our meeting, and if anybody want to take a quick break. I know we've had a...we've had some patient panelists here waiting to share some information with you. So if you don't mind, we can take a five-minute recess? Thank you. Okay. EACP is in recess. Mahalo. . . .(gavel). . .

RECESS: 3:58 p.m.

RECONVENE: 4:06 p.m.

CHAIR SINENCI: . . .(gavel). . . Will the Environmental, Agricultural, and Cultural Preservation meeting please come to order? Chair would like to recognize Member Keani Rawlins-Fernandez. Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha, Chair.

CHAIR SINENCI: Thanks for being here.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for having me.

CHAIR SINENCI: Yes. So I just wanted to thank all those testifiers that came earlier. What a great bunch of testifiers which came, that who came with a lot of solutions, so mahalo for your contributions.

**EACP-6 VISITOR IMPACTS TO COUNTY ENVIRONMENTAL AND
INFRASTRUCTURAL RESOURCES (CC 17-231)**

CHAIR SINENCI: At this time, we wanted to go ahead and have our panelists...some of them have been patient all day, and have traveled quite a ways to be here, so maybe we can go ahead and start with Annette?

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MS. MATSUDA: Okay. Let's see. Is this on? Oh. Good afternoon, Councilmembers. My name is Annette Matsuda. I'm the Maintenance Engineer for the Department of Transportation, Highways Division, Maui District, which includes Molokai and Lanai. I didn't really prepare any information for you. We maintain the highways with patching potholes, replacing signs, striping, landscaping, those sorts of things, and we have a large fleet of equipment, several crews in different areas. So I will be happy to answer any questions if I can on those issues.

CHAIR SINENCI: Thank you, Ms. Matsuda. Before we go on to Ms. Davis, I wanted to, without objections, designate our panel as resource persons pursuant to Rule 18(A) of the Rules of the Council.

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Thank you. Chair recognizes Member Kama. Go ahead, Ms. Davis.

MS. DAVIS: Thank you, Chair. Thank you for the opportunity to share my thoughts regarding sustainable tourism. Councilmember Sinenci invited...

COUNCILMEMBER KING: Is your mic on?

MS. DAVIS: I don't know, is it? Okay. I had to hold it up here. So I'm just saying thank you, and Councilmember Sinenci invited me to speak...to talk story about the Road to Hana. I had gone to his office because I have had several feedbacks from different places, and I am kind of, like, a person that likes to pay attention when little things kind of pass over. I think life is kind of magical and when you're paying attention, you can make a bigger difference, and I really am all about being of service. Single mom for a long time, Maui resident, and I am the Executive Director for the Activities and Attractions Association of Hawaii. I've been involved with tourism for a very long time, 22 years, and I have a couple of examples that...the Haena that was mentioned before in Kauai is a great example of managing a place that's being loved to death. I look at sustainable tourism and kind of look at, what's the opposite of sustainable tourism, and it's overtourism. It's where the tourists are taking priority over the residents, and I believe that's happening. There were stats shared about the levels, and one of the things that wasn't mentioned is that our resident numbers are going down by 1 percent. It's 166 in 2017, it was 153 this last year. So that whole ratio of one to three that's in the Maui plan, right now we're at 1 to 2.5. It's 40 percent if you do an average. Someone had mentioned the different months, it's much higher. Like, if you looked at December at 72,000, we're at 49 percent, but if you look at a really...a much slower month, we're actually below the 33 percent, and that was September, was the lowest month, and this is for 2018. But overall, the average is 40 percent, so we are 7 percent over. Skipping over my sustainability stuff. So managing tourism is challenging due to the various needs, wants, and desires of the many people and interests involved, and the solutions that we should seek should unite us, and not feed antagonism. One needs to educate, which was mentioned, pre-arrival and during their visit. Visitors in an unorganized, unsupervised capacity caused increased conflict, detriment, and safety hazard. So we

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need to advise against free exploring of this place, whether it be on water or land. That was part of a marketing initiative that started, I think, two years ago, from our State, and which was more on a, free on your own, explore destinations there. You might recall, there were some commercials where people kind of got lost, they ran out of gas, right, and then started exploring, and they went...it was like, I was watching this, going, no. That's not what we need. People, if they're with a guided group, are much more controlled, and guided activities align with the sustainability. They serve our industry best when incorporating best practices and unique culture of this place. I would suggest creating a government sustainability certificate program, with oversight capabilities, that educate tour operators, increase public awareness, and provide a bridge between communities, visitor industry, government agencies, and environmental partners. It's like what Ray was talking about with Hawaii Ecotourism. On the topic, specifically with the Road to Hana, the things that were shared with me, that crossed my path, that got me very interested, were rocks being thrown through windows of visitors, and tour operators; visitors being driven off the road and yelled at by local youths; County workers instructing guided van tours that had gone for decades to County parks that they weren't even allowed to drive through, let alone stop in the County parks. There's a rule that's never been enforced which is now being enforced. Vehicles of all sizes getting stuck on the road to Wainapanapa State Park, and PUC issuing licenses for an already saturated market. The Road to Hana is definitely experiencing overtourism. I don't think anybody doubts that. Here's a couple examples of other hot spots that are...it's in my, the paper that you have, the Hanauma Bay is an excellent example of a place that was being loved to death and then saved through smart management, capacities controlled and followed. Parts of the conservation plan required first-time visitors to watch a nine-minute video before entering the park so they can learn about the marine life, preservation, and safety rules for the park. All visitors are required by law to refrain from mistreating the marine animals, and from touching or walking on the coral. So the lesson from that is to set capacities and educate visitors. Another is the Haena State Park, which was mentioned, on Kauai North Shore, which recently reopened. They're limiting access by parking spaces and so there's 100 stalls, 30 are floating stalls for residents, and then 70 are for visitors, which must be reserved online. And the intention is to limit the number of daily visitors to 900, where before they were estimated getting around 3,000 a day at the park. So the third alternative for park goes is a North Shore shuttle, which provides transportation from Princeville to the area. So the lesson there is also set capacities, and then include all users. And lastly, in our own Haleakala park, which again, was mentioned with the online reservations. But another lesson from Haleakala was that instead of sunset [*sic*] being the thing to do in Haleakala, the visitors that go there kind of got spread out, someone was mentioning sunset now is a big deal, but all those people used to be just at sunrise, so it is spreading out that impact. 'Cause the definition of overtourism is too many people in the same place at the same time, right? So here's some suggestions that I had, is to set up a visitor's center and a website at the beginning of the Road to Hana, where visitors are educated on the do's and don'ts, install signs instructing cars to pull over when safe and allow other cars to pass if there are more than, whatever, how many cars. Normally I think on the mainland it's like five cars, I'm not sure. But I would say we should go lower. Support guide tour operators as the equate to control visitation and few vehicles.

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There's fewer vehicles on the road compared to them being in this one, 12-passenger van. Build a new entrance to Wainapanapa State Park, beginning at the Hana Airport, going through, as people do now, through that residential area. I just...it's really surprising to me no one has complained about that. The road's in really bad shape. There were plans at one time to build a road from Hana Airport to Wainapanapa, and work with the legal guide tours to stagger times of their tours. And that's the things I came up with. Thank you so much.

CHAIR SINENCI: Thank you, Ms. Davis. Ms. Hueu?

MS. HUEU: Aloha, Councilmembers. My name is Napua Hueu, seven generation resident of Keanae, halfway to Hana point. Grew up in the fruit stand. My grandma started her banana bread stand in 1983, so I've observed the visitor industry along the Road to Hana my entire life. Aside from that, the last five years, I've managed a tour company, Platinum Tours, where we catered to luxury experiences along the Road to Hana. In taking that position, it had been, you know...I was adamant that the owners of the company understand that my values were to ensure that we wouldn't be an impact, but moreso a benefit to the Road to Hana, which they acknowledged from the very beginning. And so everything that...all of our operations have been in line with resident perspective, as far as approaching the Road to Hana as a commercial operator. It would be my family that would be, you know, torturing me on the side of the road, or calling me out at the dinner table about what one of my drivers did, so it's very important to me that we train our drivers, and, you know, have policies and procedures that were in-tune with community preference. Aside from that, when I was in my second year of managing my tour company, I realized that there was a really drastic imbalance along the Road to Hana. One of my fellow legal operators had advised me if I was aware of the unlicensed commercial activity on the road. I did kind of know about the illegal operators, but wasn't sure what the exact numbers were, and so he encouraged, or inspired me, to stand roadside June 2016, four days in a row, along the Road to Hana, and count cars, just so that I could get an idea of how many illegal operators there were. Turns out there were 23 illegal operators I counted on my first day, and the averages were 23 for that year that I counted. Then I decided to host a meeting with my fellow legal operators and just the general community put out a reach and said hey, let's talk about the Road to Hana and what's going on. So I had, you know, people who have been in this industry for 30 years sit down at the table with me, along with, you know, about 12 other legal commercial operators, to say hey, yes, there is a problem going on here. What are we going to do about it? And so from there, I went town to town, Paia, Haiku, Kula, we went everywhere to gauge community input, and it was basically, there's no rules for the Road to Hana. So our first objective as an organization, which we were adopted in 2017 by the Hana Community Association as our parent non-profit, and from there, we established a set of rules that we could put out to the industry to, you know, have them suggest that they follow them. So code of conduct came out in 2017, and towards the middle of 2017, we offered in a registered commercial partners program to try and encourage commercial operators to come to the table with Hana Community Association, really understand the code of conduct, help us help them educate their drivers, and create an opportunity for them to be distinguished as a compliant operator.

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A lot of our residents have come to this place of blurring operators all into one category, and you know, there are...there's a really significant line. You know, we have operators who have been in business for 30 years, doing everything the exact right way, every permit certificate that you need in order to operate legally. And then we have this other, we call it the black market, where they have absolutely nothing, and this end of the market is actually thriving; and we have our legal operators struggling to keep all of their employees, you know, employed and taken care of, when we have the illegal operators doing extremely, extremely well because they don't have any compliance, you know, no need for compliance on their end. So for the most part, we've just gone community to community to gauge input, and so aside from that, we've been collecting data along the way. It's been sporadic, so where our volunteers are able to, stand roadside, count cars, count operators, we have a decent estimate, as far as the impact goes along the Road to Hana. We've now moved into the solution area end of it. I've heard solutions my entire life. There should be a toll booth, there should be more signs, there should be videos on the airplane, there should be brochures. So I've incurred this my whole life, and then in the capacity of Hana Highway regulation, I'm going out and serving our community...you know, heard it all over again, but this time with more intricacy. So our fellow legal operators have provided, you know, their concepts as far as what we could really do to get a handle on this. My concern is safety. We have extreme traffic hazards on the road every day. The Road to Hana incurs many fatalities every year due to the lack of just basic enforcement. And so we've compiled it down to four offences, four things that we're dealing with that lead to all of the unfortunate circumstances along the Road to Hana. It's illegal parking, trespassing on private property, unlicensed commercial activity, and then commercial activity within sacred sites. And so that last one would mean that we have providers who...tour providers who are legal, but they're doing illegal things. They're, you know, charging a fee to take people into Red Sand Beach, which is technically, you know, entails trespassing. So, those are the four things that lead to all of the problems along the Road to Hana, and in trying to figure out what the most sort of immediate solution would be, it would be field advising, it would be somewhat of a hybridized security guard service, where there's, you know, security guards you can contract that are trained specifically for the Road to Hana. Their narrative, their instructions are programmed to help keep these people safe. And so there's 15 different sites along the Road to Hana that are seeing immense impact. We've identified all of them and what their specific impacts are. A lot of them share the same impacts, some of them have different variations. In Kaupo and Kahikinui, we see really interesting variations of impact out there, being that it's the backcountry, it's really rural, there's really no oversight there, so people are doing some really crazy things. They're pulling off Manawainui, you know, hiking people down to Kanaio Beach...just things that really jeopardize visitor safety. And so from my understanding, you know, all of these property owners that own these, you know, 15 different parcels that are seeing the impact and causing all of this chaos, you know...County of Maui owns a few of them, State of Hawaii, East Maui Irrigation owns a lot of them, Hana Ranch Partners, I'd really like to see recommendation that these companies merely hire a Road to Hana-specific guard service. If Alexander and Baldwin, East Maui Irrigation, Mahi Pono, whomever it is, can hire security guard services for their Wailea properties to ensure that there's no illegal parking on their properties, to

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ensure that people aren't trespassing on their Wailea properties, on their Central Maui properties, I don't see why they wouldn't be able to hire security guard services for their East Maui properties. And same thing goes with the ranches, and also the parks and whatnot. It just merely comes down to having somebody in the field to provide oversight, but again, with the Road to Hana situation, they would need to have an entire Road to Hana training program to make sure that...they're not just there to say hey, you can't park here, but here's your alternative. There's a State park four miles up the road, there's, you know, Garden of Eden up the road, kind of give them the alternative. So for the most part, we have a visitor safety system curated and proposed based on the County Council providing some sort of glimmer of hope that there is financial support for Hana Highway visitor education. We have refined that plan to focus on the County properties. The County is the only person that answered the knock at the door. We've been knocking on East Maui Irrigation's door for quite a long time to have them manage their bamboo forest, which is a large culprit, as far as all the unfortunate circumstances. That's one of the number one spots in the State of Hawaii that we see visitor fatalities at. So being that the County of Maui has actually answered the door and provided some glimmer of hope, we'd like to focus on implementing this hybridized security guard service for the County properties along the Road to Hana, so that you guys can be the proof of concept for your fellow peers, East Maui Irrigation, Hana Ranch Partners, and you guys can be an example for them. Hey, we, you know, tried out this specialized security guard service for our Road to Hana properties and it was extremely effective. You know, we make recommendation that you guys do the same thing. That's kind of my most immediate advising as far as solutionary action goes so that we can get this sorted out sooner than later. Thank you so much for having me.

CHAIR SINENCI: Thank you, Napua. Ms. Terryl Vencl?

MS. VENCL: Aloha, everyone. My name is Terryl Vencl, and I am representing the Mayor, the Office of the Mayor. I have been in the industry for 26 ½, in many different capacities. I am now still working for the industry, but in a totally different type of capacity. I'm looking at the industry from a new set of eyes, that includes the communities and our resources. Before I retired three years ago, we were the Office of Economic Development, as well as the Bureau, the Visitor's Bureau, worked and completed a new tourism plan for the next 10 years. It's a two-volume plan, and our Mayor took a look at it and felt that it required some help, and wanted to have someone who knows tourism in his Administration, and so he asked me if I would use that plan, he liked it, he liked the things that were in it, and keep it from gathering dust on a shelf, make it work. So I came out of retirement, and that's what I've been doing since January. He suggested that...it's very nice, I might say, to be welcomed by the communities that I've been in, and I would like to go to more, so you can pass that word along, and it's...I'm happy to be engaged again, and I love listening to people who not only have complaints, but also have their ideas of solutions, because it's very, very helpful. The tourism plan, as I stated, is two volumes, and it is a management plan. It is not a marketing plan. It is not a legislative plan, per se. It is, try to...how do we get our arms around this thing we call the visitor industry, and make it work for all of us? He asked that I put together a small group of people to help review some of the things in the plan, and so we have

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representatives from culture, history, marine and ocean life, Lanai and Molokai, the resort area associations, airport, rental car, businesses, marketing, and the hotel association. So I took the plan, and I broke it down into subject matters, and we have been inviting resource people in to talk to us about what's happening in each one of these subject areas, if you will. So we've been meeting two times a month, two hours at each meeting, to try to talk to people and learn from people about what's happening in some of those...these subject areas: water quality and coral reefs, traffic, culture and history, transportation, education of visitors, ocean safety, vacation rentals, harbors, and commercialization of beaches. Our focus is to garner information that will help enable us to come up with some sort of suggestions or recommendations to the County, to the Administration, maybe in some cases, to the State Legislators, or whomever we might call upon to be able to help us to manage the things that are happening out there in our communities. We need to keep the industry viable, but we must protect our resources, our communities, and our residents. So right now, we are, we, this committee, is in gathering stage...gathering information from the subject matters we just talked to, other people on the street, people who call me and say what are you doing? So after we finish gathering information, we will then offer the Administration, the Council, the State Representatives and others who might help us, suggestions or recommendations. We fully expect to look at ideas that may need funding or regulations or ordinances from not only the County, but the State, and maybe, in some cases, private owners. As I mentioned earlier, it feels good to be engaged again from a different perspective than my previous careers in the industry, and it's very enlightening to listen to the communities that I've visited and listen to them share and tell us what's happening and what their concerns and issues are, and I have to say they've been very thoughtful and they've all been very welcoming. So, it's been a pleasure to go out into the communities. I began this path with the Alliance of Community Associations--thank you, Dick, for pulling those people together for me--and I did that because I didn't know that there was such an entity, but I thought at least at one point I could talk, or share, with all of the different community associations. From that point, I volunteered to go to community associations and speak to them, including Lanai and Molokai, if they'd like me to share what we're trying to do and if they'd like to share their concerns with us. So as I've been out there, lightbulbs just go on all the time when people start talking about what's happening, and from the lightbulbs, of course, then we begin to look for solutions, and I'm very excited about where we've been and where we're going to go. I have been to Kaupo, I have been to Hana, and I've been to Maalaea. Certainly some of the hotter spots, such as west side and Kihei, I'd love to be able to go out there and to talk to those folks as well. As we move forward, what I see now is possibility of low-hanging fruit, things that we could do very quickly that might not cost us a lot of money. I see a longer-term, a middle-term, and a longer-term goals that will take more time to address, but I think right now, the important thing is to find suggestions, find solutions on how we can begin to implement this plan that we have before us, and to break down the silos. What I've experienced over my years is that we don't...we're all in this together, but we don't talk to each other about it. Ocean stays in its place, and hotels stay in their place, and et cetera, et cetera, et cetera, and what I want to do is to be able to talk to everybody, and I want people to be able to talk to each other about the concerns that we have and possible solutions for those. We all have a heavy stake in the visitor

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industry, but I believe that it should be what we want, and not what just happens to us, because we've been successful. I think if we do this in our terms, I think we will all be able to thrive, businesses, as well as the industry, as well as our County and our communities, and I thank you for inviting me to come and share with you today. I'm in the Mayor's office. Anybody who has a suggestion or would like to talk further at any point in time, my door is open. So, thank you very much, and thank you, Mr. Chairman, for having me.

CHAIR SINENCI: Mahalo, Ms. Vencl.

COUNCILMEMBER LEE: Mr. Chair? I have a question.

CHAIR SINENCI: We have a question.

COUNCILMEMBER LEE: Hi Terryl.

MS. VENCL: Hi.

COUNCILMEMBER LEE: Okay. You know, you're...I think it's really commendable what you're doing, and I'm glad you're in that role 'cause of your vast experience in the field, but when we're talking about close to 3 million people coming to Maui, shouldn't the industry be more active in solving the problems...because actually, they control the problem? Well, we don't control the airlines and, you know, we don't control all the hotels. Couldn't they...because they have so many resources at their disposal, and they know the market better than we do, and they know their future plans better than we do, shouldn't they be more taking the lead and try to solve this problem?

MS. VENCL: Well, I certainly intend...I'm certainly intending to pull them into these conversations and to ask them to do their share, if you will. I think a lot of things could be helped with messaging, and I know people think that's kind of flippy-floppy, but I tend to disagree, and I think that's where the properties, as well as those in business, as well as those promoting, can help us a lot. And I have to tell you something, I was so excited when I came down, I've kind of cooled down now, but, when I first came down here, I had just gotten off the telephone with someone from the Hawaii Airlines Committee of Hawaii...the Airlines Committee of Hawaii. Never have I gotten a call never have they returned a call, and I'm thrilled that I will be able to have an audience before those folks, because when I, and everybody, everybody asks about putting messaging or putting things on the airplanes, the videos, the messages, and this might be an opportunity for that to happen. So the Mayor and I will be going over and talking to them as soon as I can get a firm date, and I was just, I was very excited that they would actually return my call. To further...one more thing, and I'll be quick, is the, you know, the HTA, the HVCB, they are all talking the same way as we are talking with regard to managing. HTA is just about to start its next 10-year tourism plan, to which I have been invited to be a part of, and we will be sharing the same kinds of messaging and the same kinds of things that are happening here. How do we get our arms around it?

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What is it going to take? And looking for solutions. So, I do expect they'll come to the table.

COUNCILMEMBER LEE: Well, Terryl, the...I know in the old days, we tried to lure the free and independent traveler, right? Because we didn't want to bring them in by the truckloads. Well, now they come by the truckloads, yeah?

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER LEE: So, how do you message something to people so that they don't come in such big numbers? I mean, how do you...what kind of messaging do you give a person, or a group of people? It's kind of an unwelcoming kind of a message, isn't it?

MS. VENCL: Actually, I don't know that I would message, you know, don't come, but I believe there are a lot of ways that we can express what we need to express. First of all, let's go back to, you will remember, shoulder seasons. And frankly, we don't have a lot of shoulder seasons anymore. We do have them, but the dip isn't as deep as it once was, so we can do that. There was a time, as you mentioned, when we went for the higher-end, longer-staying visitor, thinking in those days that that would not bring us the masses, that we would have the same kind of economic value with lesser people. Came the advent of short-term rentals, and that kind of changed things a bit, and so I don't know where our suggestions and our recommendations are going to be with regard to messaging, but certainly, I believe that there are messages that can be put out there. Every once in a while, I just throw something out and float it, and people are like, yeah, yeah, we should say that.

COUNCILMEMBER LEE: No. What I'm talking about, my last question, what I'm talking about, is I know what you're thinking, and many people in here are thinking about doing new and more effective things to educate the visitor so that the visitor would be more enlightened before they get here--

MS. VENCL: Correct.

COUNCILMEMBER LEE: --and they know what to do, what not to do, et cetera. What I'm talking about is the sheer volume of these people. How do you tap that down, is the question?

MS. VENCL: That's a good question, and I don't have an answer for you today, but it will be looked at.

CHAIR SINENCI: Members, I'm going to just include Mr. DuPont, and then I'll open it up for questions. Mr. DuPont, you had something to share?

UNIDENTIFIED SPEAKER: Sorry.

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MR. DuPONT: Mahalo, Chair. Aloha, everyone. My name is Michael DuPont. I am the Maui County Department of Transportation Deputy Director. I've been asked to come and speak today to let you all know what our initiatives are for our Department. So currently, right now, we are working with many community members, hotel members, trying to see what we can do to limit the carbon footprint on our roadways. How do we get the vehicles off of the roadways to Kihei and Lahaina? Is it doing more education to our visitors coming, letting them know that we do have transportation that leaves the airport, that goes to all of the hotels? Okay. The Westin Maui properties in Lahaina, they operate six buses, and they currently have about 750,000 passengers a year that ride their system, compared to our 1.9 million for public transportation. All of those visitors that stay at that hotel are all owners, and they do not rent cars, so we are tapping...we're...I'm meeting with them to try and tap into their philosophy and how can I bring that to the rest of the County? How can our Department help the rest of the County with that? We are looking at different ways on how can we add buses to the roadways to get visitors from the airport to the hotels? We do offer baggage space. Visitors can bring baggage onto our buses. Do they know that? How can we get that out to the visitor? We have been working with Terryl and her group, and just trying to come up with the different types of ways that we can get the cars off of the roadways. I do invite comment, or even talk story sessions, if you guys want to come to our office. And that's pretty much what I have, unless you have questions.

CHAIR SINENCI: Mahalo, Mr. DuPont. We also had Ms. Fukumoto in the audience, and so if you have any questions for her, we could ask her to join the panel before we start our questions. Would you like to come down, Ms. Fukumoto? No? No scared . . .(chuckle. . .

UNIDENTIFIED SPEAKER: Oh. Okay.

CHAIR SINENCI: Thanks.

UNIDENTIFIED SPEAKER: We need a chair.

CHAIR SINENCI: Okay, Members. If you'd like to...we have some time for a q and a. Ms. Kama?

VICE-CHAIR KAMA: Thank you, Chair. So this question is for Ms. Vencl. You know, this morning, we had a Chamber full...was actually crowded with people from mostly, I guess, from the west side, who are totally frustrated with what's going on, and a lot of it has to do with the visitor industry. But there was a gentleman who testified and he said that, something to the fact that he felt like it was genocide. You know, I don't hear that word too often, but when I do hear it, my ears pick up, because there's somebody's feeling that, there's something deep that's going on, and so that concerns me because it's real. It's just not something that happened a long time ago. It is something that people if they're feeling that today, then how do you, or how could you, and maybe that's a question you can't answer today, but, that's what we're talking about when we talk about remedying some of these situations that are going on with our people and the visitor industry. That's how deep it goes. So how do you, and what are some of the...and

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I heard some things that Ms. Hueu said this afternoon too that I felt was really profound, and I'm thinking that we have to have a deeper conversation about this stuff. It's not one stuff that you do in an afternoon with Council.

MS VENCL: Right.

VICE-CHAIR KAMA: It is something that you need to have with people in distinct communities, and to get to the heart and to the core of what's hurting them, and then maybe we can start talking about educating the tourists. Because no matter how much education you give our tourists, if the people are still hurting, you're not addressing the situation, and that's my statement. Thank you, Chair.

MS. VENCL: Sure.

CHAIR SINENCI: Thank you, Ms. Kama.

MS. VENCL: I don't have answers for everything today. I do hope to come up with solutions and regulations. I have heard it out in the areas where I have been. I look forward to going into some of our other communities and hearing what their particular...because they're all different, even when you go out there. But like you said, the core thing is the same thing, and yes, it's stressful, and I will continue do this work. I will continue to try to find answers for you. I hope that by August we will be able to begin to put some things together in the way of, what if we could try this, or what if we could try that...some solutions for the Mayor to look at. I would like to have some things on their plate before we do budget again, before we do State Legislature again, because, I think that you can't wait any longer. There are some things that could happen between now and then, and that's what I'm shooting for right now.

VICE-CHAIR KAMA: So I just wanted to just kind of like reiterate that the problem that we're talking about is not our people.

MS. VENCL: Correct.

VICE-CHAIR KAMA: It is an industry.

MS. VENCL: I agree.

VICE-CHAIR KAMA: Okay. So I just wanted to make sure we all are on the same page with that.

MS. VENCL: I agree.

VICE-CHAIR KAMA: Thank you.

MS. VENCL: Yeah.

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VICE-CHAIR KAMA: Thank you, Chair.

CHAIR SINENCI: Thank you, Ms. Kama. Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I have a question. I'm not sure who would be able to answer it, possibly Corp Counsel, or I'll just leave it out there to whoever thinks they can answer it. Just wondering who controls the number of flights that come to Hawaii and the neighbor islands, specifically Maui, and if there is a public process to comment when a new airline wants to start flying here, or say, the community wants to limit number of mainland landings on a daily basis? You know, we just had that HSAC conference, and the carbon footprint and everything like that, on top of everything. Just wondering if us being an island, you know, we can't realistically handle a 100 million people, so I mean, what's the...how do we know that kind of information?

CHAIR SINENCI: Ms. Thomson?

MS. THOMSON: Thank you. Maybe some of the other panelists have additional information, but my understanding is the Federal government, through the FAA, Federal Aviation Administration, would control lift, the capacity coming into the islands and to each of the airports, since they're Federal facilities. And I can look into what the process is, in terms of how the FAA approves additional capacity. And then...

COUNCILMEMBER PALTIN: But no community input, to your knowledge?

MS. THOMSON: That I'm not...I'm not aware of what their public participation is. They probably do have something, because most government functions would, but I'll have to get back to you on that part.

COUNCILMEMBER PALTIN: Okay. Cool. Can I ask one more?

CHAIR SINENCI: Sure. Go ahead.

COUNCILMEMBER PALTIN: Maybe State highways or not sure, but, could we use the, you know if...I think accountability is kind of an issue, and a lot of tourists feel like they can come here and they won't be held accountable. Unfortunately, some people are accountable with their lives, but wondering about the boot idea for a car, car clamp if they're parked illegally on the side of the road? Seems like they have a Hana Highway Regulation Committee. We could get a group together out at Honolua, boot clamps are like 20 bucks on e-bay, could get like a hundred of 'em and, you know, stop parking illegally. Stop illegal parking.

MS. MATSUDA: That is MPD enforcement. That doesn't have anything to do with the State highways.

COUNCILMEMBER PALTIN: Oh. Okay. Maybe, does Corp. Counsel know anything about that?

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MS. THOMSON: I know that we have laws in the County ordinances that include prohibiting, you know, stopping or standing or illegal parking, so it might be that we could talk to MPD about what increased enforcement they could provide. I don't know the details of what their operations are in Hana, though.

COUNCILMEMBER PALTIN: And then, is it true that the revenue, like say if it were just a ticket, like a parking ticket for parking illegally, that goes to the State, or does it come to the County?

MS. THOMSON: Good question. I believe it goes to the County for the most part, although in Wailuku, I know that it was...some of the parking ticket revenue was going to the State. Again, sorry, that's an incomplete answer, but I have to get back to you on it.

COUNCILMEMBER PALTIN: Okay. Is the getting back to me through the Committee or...?

CHAIR SINENCI: It would be through the Committee.

MS. THOMSON: I could do it either way; through the Committee or directly to you.

COUNCILMEMBER PALTIN: If you go through the Committee, will all of us get the answer? Thank you.

MS. HUEU: I wanted to know, if possible, that we've talked about the boots in the Road to Hana capacity, and somebody had shared with us that there's like, the barnacle, that it goes on the windshield now in some areas on the mainland. But for Road to Hana, we had determined that it would be like more of a detriment, because of the time that it would take for maybe, like, the enforcement officer to come and like remove the boot or whatnot. And so for us out there, we're really hoping for, like I said, like, preventative care to not allow it to happen to begin with. I understand that there's some, you know, benefit fee-wise to the boots and whatnot, but for us, if we could just prevent illegal parking by having somebody there saying, hey guys, you're parked under a no-parking sign, you gotta keep going, that would prevent...it starts right there. That prevents, like, a lot of other things from being able to unfold; the trespassing wouldn't happen if they weren't able to illegally park and whatnot. So that's Hana's perspective on the boot.

CHAIR SINENCI: Thank you, Ms. Hueu. Member Rawlins-Fernandez, you had a question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Mahalo, Chair. I just wanted to make sure that all the voting Members of the Committee had an opportunity to ask their questions before... Okay. Okay, cool, mahalo. Okay. I wanted to ask a quick question about the boot, the tire clamp. So, if it's on private property, the owner would be able to put the boot on the car? They do that on Oahu at the, at, like, parking lots there. I don't know if Corp. Counsel has any comments on that, 'cause it's private property, there's a sign. If you don't pay for parking, then you get a clamp on your tire, and then it's like 150 bucks to get it off.

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MS. THOMSON: I hate to have to say that I don't know the answer to the parking enforcement opportunities for private properties, although I, you know, obviously I've seen the same similar signs myself. But I'll add that to my list.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Thomson. Yeah, 'cause I think it would act as a deterrent if enough people get a clamp on their tire--

COUNCILMEMBER PALTIN: Social media.

COUNCILMEMBER RAWLINS-FERNANDEZ: --and they have to pay, you know, large fines. I think that would, you know, circulate on the coconut wireless, like, really quickly. I know it did at that parking lot that I was at. My friend got a \$150...she had to pay \$150 to get the clamp off; otherwise, she wouldn't be able to move her car, and people are very vigilant about making sure that their parking meter didn't run out. So, just an idea that I agree with Member Paltin on. So, Ms. Vencl, so you're going to be meeting with the Hawaii Airlines Committee? And, so, my office is working on an aloha pledge, like a visitor pledge, and I was wondering, if when you meet with them, if that is something that you would be willing to also bring up as something that the airlines would be willing to distribute when flights into Maui County from outside would arrive here?

MS. VENCL: Yeah. If you...oh, sorry.

COUNCILMEMBER RAWLINS-FERNANDEZ: No, it's on. You just had to be a little closer.

MS. VENCL: If you, you know, if you share with me what it is, I'll take a look at it, and, yeah, I could possibly share that with them. Anything that will help us get messages out.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right.

MS. VENCL: You know, I know that in the past, we had once upon a time talked about putting something on the...this had to do with the alien species issue a long time ago, and we talked about putting a flyer, if you will, on the seats of an airplane, and they pupu'd that, because it takes manpower to do that sort of stuff, but...and I don't know where it'll go, I certainly can't say that I'm going to get anywhere, but I'm going to be able to talk to them, I hope, and then we'll figure out what we can or can't do.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Thank you. So when they hand out the invasive species form, like they could--

MS. VENCL: Right.

COUNCILMEMBER RAWLINS-FERNANDEZ: --hand out the pledge at the same time, so it wouldn't be additional manpower. It would be the same amount of manpower. And the pledge that I'm speaking of, Palau started doing that, and I believe Hawaii County does,

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but Palau, you know, I mean as like, I guess, as a country, they have a better handle on it and more control over who they, you know, when they allow in, these are the conditions that will allow you to come in. And in agreeing that you will be, you know, responsible, respectful visitors when coming here.

MS. VENCL: Right.

COUNCILMEMBER RAWLINS-FERNANDEZ: And if, you know, education will help those coming here to be more responsible and respectful, then, you know, I would hope that the airlines industry would be supportive of that.

MS. VENCL: Okay. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo.

CHAIR SINENCI: Thank you, Ms. Rawlins-Fernandez. Mr. Molina?

COUNCILMEMBER MOLINA: Yeah. Thank you very much, Mr. Chair. First of all, Mr. Chair, what is your time parameters for today? Seven, eight, nine 'o clock we're going up to or... ..(chuckle). . .

CHAIR SINENCI: Something like that. Yeah. . . .(chuckle). . .

COUNCILMEMBER MOLINA: 'Cause I had about 20 questions each, for each of our panelists, but I'll reduce that to two. Just kidding. First of all, thank you very much for all of your presentations. My first question relates to the condition of the road, and I guess, for Ms. Matsuda from the State, with increased traffic now into Hana, is the State now looking at having to basically increase maintenance of the road? You know, we get all kinds of vehicles on it; heavy vehicles and everything, and the condition of the bridges. Any thoughts or comments on that for us?

MS. MATSUDA: I can only speak on the maintenance that we provide. As far as improvements, that would be more of a design and construction that I really don't have knowledge of. We do...in fact, the Legislature, they unfunded some of our positions, so the vacancies that we did have, some of them we can't fill at this time because of that happening. But luckily--and I don't want to jinx myself--but our budget did not get cut, so we are...we have pretty good budgeting and manpower, and then we also have open-ended contracts for landscaping to help our crews. So, I don't know. We're doing the best we can with what we have, and we address complaints as soon as we possibly can, because we feel that residents that are driving the roads, they see things, you know, much sooner than I do, because I'm in the office, and I appreciate everybody's input to help us maintain the roads.

COUNCILMEMBER MOLINA: Okay. Yeah, and I bring that up only because we heard one testifier mention, I guess, out in Hana, saying they were counting 300-plus vehicles an hour, and it is quite concerning, 'cause then...Mr. Chairman, you know, we went out

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there for a budget hearing and for me, I don't go to Hana as often as you do, and I saw the difference in the amount of traffic in and out of Hana. So, I started thinking about the safety aspect of the road itself too, yeah? Okay. And then my second and final question, I guess for maybe Ms. Davis or Ms. Vencl, the issue of carrying capacity study. I don't know when the last one was done. I know the testifier mentioned during the Lingle Administration. Do you feel it's time that we need to do one now as part of the management of tourism so we don't get into a position like some of our other communities, having to basically stop or slow tourism down? Like I read, or heard, about one article where I guess it was in the Philippines, where the mayor in this particular city put a stop on things, because there was just too many people on the beaches. From a visitor standpoint, any thoughts on that as industry specialists?

MS. VENCL: I don't know when the last one was. I heard someone testify, I believe, that it was in the Lingle Administration. I, frankly, don't know a lot about, how to go about doing a capacity study, but it may be something that could be...that would come out of recommendations.

MS. DAVIS: And I'm aware of capacity studies being done with the CORA groups, for the commercial operators that work off of the beaches in Maui County, but other than that, and they did specific activities at different beach parks to see which...what would adhere to it, but in the examples that...I think that's the first step, is setting capacity. And then how we control it is, you know, that's the big question, because of the different jurisdictions regarding the Road to Hana. Yeah.

COUNCILMEMBER MOLINA: And this, lastly, on the issue of taxing rental cars, do you folks see any problems with any challenges from the industry? 'Cause I know some places, they do put a limit or cap on rental cars because of the size of the community. One particular place I recall is Catalina Island. Because of the size of the island, they've had to put a limit on the amount of rental cars. Do you foresee that could be a problem for us in the future, because we're getting too many cars on the road here?

MS. VENCL: Well again, I'm still waiting for what will come out of the solutions and recommendations, and that could be one of them. Could be something that gets talked about. And then it'll be up to, you know, other folks than us, us meaning our little group, to determine what that is. I have heard of having caps on cars in other places, but I don't know what the system would be. I don't know how it would work, but that could be something we could look into.

COUNCILMEMBER MOLINA: Yeah. And, you know, Terryl and Mr. Chairman, Ms. Davis, to be fair, yeah, I know that the tourists do cause more vehicles, but also we get vehicles from our neighbor islanders; our family and friends that visit Maui, or people that come do business on Maui. They rent cars, they stay in hotels, too, so they may not generate as much numbers in terms of the visitors, but they still create some...or contribute towards the impact of the island as well. So, that certainly would be an interesting discussion, at least from the rental car perspective too, yeah? Anyway, but thank you.

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CHAIR SINENCI: Well, just a response to that, Member Molina. We would want to find out how many people have moved to the County just to provide jobs for the tourism industry, and kind of take some of the jobs away from the local families that already live here. So, I think seeing that influx of people from the mainland coming here just to startup businesses here and to, you know, profit off of the tourism industry, is yet another issue that we also need to deal with. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I agree. And the other thing that I wanted to know, you know, along the same lines of accountability is, I think a big thing that I heard from the testifiers was addressing the illegalities, like, you know, the illegal tour companies. And I was wondering maybe, Ms. Vencl, if that's something that all the legal operators can work together with the Administration to do, and to take that out of the equation, the illegalness, because it kind of sounded like the legal tour operators were limiting themselves, and in the absence of them providing that extra, more service and being kind of a greed thing, all these illegal things sprung up. And so that was the...that seems like the missing piece, is the responsible tour operators limiting themselves, and then the illegals springing up and there being no regulation whatsoever on that end. And then along those same lines, I was wondering, like, who is watching the emerging issues, like outdoorsy.com, \$200 a night sleeper vans for people, like, they're not contributing anything into the impacts. They don't pay TAT's, they're not, like, regulated. You're not...I mean, when local people used to sleep at the beach in their car, it used to be like, you get knocked on your thing, but now it's just like big free for all, you know. And I drive by the RV coming to the other side. I drive by all the school buses that people are living at down the beach, the vans people are living at down the beach, and, you know, I think people on vacation might see that and be like, oh, you know, I don't have a job waiting for me on the mainland, I'll just rent a bus and move in oceanfront property or something, you know. So I think that the lack of enforcement, the lack of attention to the emerging issues is compounding everything else, and it's the legal operators in the tourist areas that have been set up that are also getting the backlash from the illegal people and that's contributing to the misunderstanding as well, and the people just lashing out at tourism in general when it's the people that are just, you know, move here and start a surf school on the side of the road. And I think we spoke about our County park rangers earlier, but if I understand correctly, they only enforce the County parks. So if we have, like, an illegal surf school, or an illegal scuba dive company just going off the side of the road at thousand peaks, there is no enforcement for that, and that's where...adds to the misconception that, oh, these people have the whole miles and miles of coastline to operate in, when in reality, our CORA permits are specifically for our County parks, which we have a limited number of County parks. But when people see all the rest of the commercial operators just pulling off the side of the highway, then the legal operators then get the backlash from the illegal operators, and it's a totally messed up situation, I think. So, who is gonna take the lead in regulating that, or enforcing it, or holding the illegal operations accountable? Is it...are you working with the State? Are you working with the legal operators, or is that a idea that could be pursued?

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MS. VENCL: I expect that there will be many deep conversations about permitting and regulations, and they'll all go to whomever the territory is, you know. In some cases, it may be DLNR. In some cases, it may be County. It may be...I don't know where it will all go, but I do know that those are two items. And then if you look at regulations, while they may be needed in certain areas, you're exactly right. If we don't have the enforcement, then what good is the regulations? So I think that when we talk about those kinds of things, we need to be aware that there will be enforcement needed, and be prepared to...if we want to do something in a certain area, of a permit or a regulation, then we have to be ready to give what's needed for enforcing it.

MS. DAVIS: Unencumbered lands and State parks are through DOCARE or DLNR, and there is a lot of duplicity that happens in our island, and because they're in such close vicinity, there's a lot of scofflaw, people that are illegal. And it...one solution is to stop and have home rule here instead of having this sharing of State and County for water, lands, beaches, that are right next to each other. If we had one enforcement under one hat, it would be so much simpler. The State...the County won't take it without money. We need the money, is what I have always heard, and the County...and the State won't take it from the County without money. But the way that it's structured right now is so dysfunctional, and, Councilmember Paltin, you're spot on with what you just said. I mean, my heart was happy. That's exactly what's going on; enforcement is the issue.

MS. HUEU: If I can chime in a little bit? So we've identified, you know, there is agencies that are supposed to be overseeing and providing regulation for all the different variations of illegal activity, you know; Department of Health for the illegal food and beverage; Public Utilities Commission, for the, you know, illegal tour operators that are doing motor-carrier-for-hire services. And in my first year, discovering the illegal...the severity of the illegal operations, you know, participated in the process of submitting, you know, declarations, evidences to each of these different agencies, and it's always been, you know, lack of staff to be able to provide the adequate amount of regulation and oversight. So that's kind of the primary issue. What we've done merely out of survival, you know, mechanism, as a community out there in Hana, was formulating Hana Highway Regulation so that we could have a little bit of clout under Hana Community Association to be able to impress by merely an email or a letter in the mail to these illegal operators, who have all of their identity, you know, online. The community of Hana, you know, advise what laws they're breaking, please refrain from, you know, continuing your actions of, you know, illegal activity. And when we first started, there was 23 illegal operators. The next year, when we did another survey, you know, it had come down to 18. We had two people go out of business, we had all the rest of them become legal operators. So we had figured that that was somewhat of a success, that just by having community, you know, organization to present their concerns to these illegal operators that are in their areas, that that has proven a little bit effective so far; just community organization and, you know, that communication reach effort.

COUNCILMEMBER PALTIN: Just from the discussion, I was wondering, you know, if the tourism industry or the activities industry, like if they would think about putting out a list annually of all the legally permitted businesses so that the public knows...I mean a

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lot of times, the public, you know, not everybody feels confident enough to go up to somebody and say hey, can I see your permit? And so there is a lot of misunderstanding on that too, like if people are...anybody with like five, ten surfboards on their truck, teaching a surf lesson, you just kind of sometimes assume that they have permits. But, like if you know that Olowalu isn't a designated area to teach surf lessons, then you see the same truck every single day as you pass by with 10 surfboards on there, like it's kind of obvious if you know, but not everybody knows those types of details. And I was wondering, you know, that could kind of bring a spotlight to the people that are operating illegally, if the community and the public knows., even like the visitor industry, like, choose someone from this list that gets updated annually. Anyone else, you're jeopardizing your safety, they're not permitted, they're not contributing members of the business industry. Like, is there anything like that in the works?

MS. DAVIS: That's what Activities and Attractions Association does; we vet activities and attractions. They have to be properly registered with the State, properly licensed, and insured for whatever it is they do, as well as permitted. Those are conditions to be a member, but it is...and we do have a list by island, and we also offer it to kamaaina with kamaaina.org. But if you went to mauifun.org, there's an alphabetical list of Maui operators that I have to preface, or qualify that, though, with, you know, there's membership dues, which keep our organization running, which are \$45 a month for a small company. So, they're very small, but it is a way for us to cover expenses, but we're self-supported, yes.

COUNCILMEMBER PALTIN: So everyone not on your list isn't legal?

MS. DAVIS: No, I wouldn't say that.

COUNCILMEMBER PALTIN: Oh.

MS. DAVIS: But you can't be on the list without being legal, so we do present that to the visitor as a way to know for sure, and we also have a, three strikes you're out. So if we get consumer complaints, we also monitor a 800 hotline for consumer complaints throughout the State, and that's partly how I got the Hana complaint things to me. And if you get more than three complaints and they're not resolved, it's pretty easy to weed out, just in discussion with that operator. We have kicked out one, Mango Mitch, or Mango...remember the guy back at Cove Park? Old-timers might remember. Anyway, we kicked him out of the Association, even though he was paying.

COUNCILMEMBER PALTIN: Yeah. I think it might be good for the community to have a list of all the legal operators as well, so that they know, you know, and there's not the type of backlash, so that we can build support in our community for the legal folks, and quickly identify the illegal folks. That might make people feel empowered, that they're supporting the businesses that do things the correct way and, you know, helping to hold those that don't, accountable.

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MS. HUEU: And us, as Hana Highway Regulation, had seen that. You know, that was the issue with the legal operators, was that hey, we're being grouped into the bundle of, you know, people...all the legal operators, they wouldn't dare take somebody to Red Sand Beach, because they know that hey, there's all these different organizations and government agencies, State, County, that are watching us, our behaviors, and our operations. And so we needed a way to start identifying, you know, the compliant operators, and so that's when we created our registered commercial partners program. We've certified seven so far, but that's up on our website, just as an effort to try and communicate to our community, hey guys, these guys are playing, you know, the right way, legally. And then we did, at one point in time, in our first year publish a black list. We didn't put that out publicly, but we did send that on the back end to the industry, because there were resorts that were actually selling illegal tours unknowingly. They had no idea that they were vouchering a ticket by an illegal operator, and so that really helped the industry kind of tighten up the process of, you know, who they sell.

CHAIR SINENCI: Thank you, Members. We have one more question.

COUNCILMEMBER MOLINA: Chair, yes. It's one quick question--

CHAIR SINENCI: Member...

COUNCILMEMBER MOLINA: --Chair? For Ms. Hueu--

CHAIR SINENCI: Yes, go ahead, Member Molina.

COUNCILMEMBER MOLINA: --and maybe Corporation Counsel can listen in on this. We heard in testimony today about a possible, like the crater, a reservation system for, maybe, commercialized businesses that come into Hana...a system set up where, you know, you can do business on whatever, maybe, "x" number of days a week. Any thoughts on that, Ms. Hueu, because as a, you know, a person that's lived out there? You've seen a lot. Is that something that's doable, or would be too hard to manage?

MS. HUEU: That's something we really look forward to, you know, a mechanism to just get quality into place for the Road to Hana. We have three years of data. Again, I said, it's sporadic data, so it wasn't entirely consistent. This next year, we want to collect consistent data from Paia all the way through to the backside so that we can have, you know, the means to provide an educated opinion as far as what the numbers should be, how many people should be let in, at what time how many rental cars, how many tour buses; also, synchronizing the time frames of, you know, waves of tour buses so they're all not hitting the road at the same time. We have heard and talked about, you know, the toll booth option for a long time, and we understand that that's a really future, long-term goal. But for the near term, we don't...we'd really like to work towards even just a security mechanism of observation, you know. At the floodgates, you could have somebody just making sure, recording every single license plate that went in, at what time, potentially deterring illegals from even entering the area, but just security-wise, we do need some sort of mechanism to, you know, reduce the crime because we've had,

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you know, instances of people going missing in East Maui, people dying in East Maui, and we feel that even if there was somebody there, you know, accounting for everybody that went in, that we'd be able to, you know, diminish the amount of criminal activity that goes on in the rural East Maui. But we really look forward to a reservation system and having, you know, a capacity for Hana.

COUNCILMEMBER MOLINA: Okay. Thank you for that. And maybe, Ms. Thomson, from a legal standpoint, I mean, 'cause you're talking about now restricting commercialized businesses potentially, or telling when you can or when you cannot come into Hana. Just wondering about any potential legal challenges to that, because we're talking about entering a community on a, you know, public road, and I'm just wondering what kind of challenges, if any, there could be for establishing a reservation system.

MS. THOMSON: It gets more complicated because we would have to involve the State, obviously--

COUNCILMEMBER MOLINA: Yeah.

MS. THOMSON: --because it's a State highway. But in terms of regulating business through business licenses, you know, or working with the commercial industry to establish some kind of, like scheduling program. I think those are things that we could look at, but it would involve the State, since it's a State road. As far as doing a traffic count and doing some of those security measures, you know in that, that would be completely within the County's purview.

COUNCILMEMBER MOLINA: Okay. Thank you. Thank you, Chairman.

CHAIR SINENCI: Thank you. Members, any other questions? Ms. Fukumoto, do you want to add anything? Sorry, I'm just...thanks for being here.

MS. FUKUMOTO: I guess just from the economic development standpoint, you know, obviously anything we do that would affect residents' opportunity to earn a living, you know, any time we cut a specific industry, we are hoping that they can get jobs in another industry. So that would just be my concern.

CHAIR SINENCI: Thank you. You know, before we close, Members, I was...I'm reminded of Ms. Lawrence's testimony about businesses and hotels coming to Maui and investing in Maui County, and I'm reminded that with the sale of the Ritz Carlton and the Grand Wailea, a New York equity firm is now the largest employer in the County, including, well, outside of Mahi Pono, they're also the largest landowner. So it seems like the industry is not highly regulated, and so having this discussion, we'll see where our purview and where we can look at regulating where we can. You've been given a resolution that was given to the Committee last year in October from the IEM Committee, and so this is just, even though we don't have any legislative action today, this is something to begin that process, and if you want to just look at this for future Committee meetings. And so with that, if there are...I did want to thank the panelists for staying

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with us all day today, and being patient. We appreciate you coming all the way out here, Wailuku, to the Chambers, and contributing positively to our discussion and so mahalo. And if there are no objections--

MS. YAP: Chair?

CHAIR SINENCI: Yes?

MS. YAP: Chair, here. I just wanted to clarify if it's the intent of the Chair for Staff to initiate the request from Member Paltin to Corporation Counsel, those two questions that she asked and Richelle stated that she was going to answer. So would you like to confirm that Staff would send those letters, to initiate that?

CHAIR SINENCI: Yes.

MS. YAP: Okay. Thank you.

CHAIR SINENCI: Thank you for bringing that up. So, Members, if there are no objections, I'd adjourn the EACP Committee meeting today.

MS. MATTHEWS: Chair?

CHAIR SINENCI: Oh.

MS. MATTHEWS: Chair, did you want to defer this item?

CHAIR SINENCI: Oh. Sorry. Members, without objection, I'll defer this item.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: KTK, YKS).

ACTION: DEFER pending further discussion.

CHAIR SINENCI: Thank you. The Environmental, Agricultural, and Cultural Preservation Committee is now adjourned. Mahalo. . . . *(gavel)* . . .

ADJOURN: 5:21 p.m.

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APPROVED:



SHANE M. SINENCI, Chair
Environmental, Agricultural, and Cultural
Preservation Committee

eacp:min:190618

Transcribed by: Nicole Siegel