

# **AFFORDABLE HOUSING COMMITTEE**

**Council of the County of Maui**

## **MINUTES**

**June 19, 2019**

**Council Chamber, 8<sup>th</sup> Floor**

**CONVENE:** 1:31 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Tasha Kama, Chair  
Councilmember Michael J. Molina, Vice-Chair  
Councilmember Riki Hokama  
Councilmember Alice Lee  
Councilmember Keani N. W. Rawlins-Fernandez  
Councilmember Shane M. Sinenci  
Councilmember Yuki Lei K. Sugimura

NON-VOTING MEMBER:

Councilmember Tamara Paltin (in at 1:35 p.m.)

**STAFF:**

Alison Stewart, Legislative Analyst  
Leslee Matthews, Legislative Analyst  
John Rapacz, Legislative Attorney  
Stacey Vinoray, 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 Sinenci

**ADMIN.:**

Seated in Gallery:

Linda R. Munsell, Deputy Director, Department of Housing and Human Concerns

Michele C. McLean, Planning Director, Department of Planning

Corey Tom, Police Officer III, Maui Police Department

Clyde "Buddy" Almeida, Housing Administrator, Department of Housing and Human Concerns

Michael Du Pont, Deputy Director, Department of Transportation

Representatives of Kipa Centennial, LLC

Representatives of Hope Builders, LLC

**OTHERS:**

Shauna Buckner

Kuulei Palakiko, Na Kanaka O Kauaula

Doug Kimo Weber

Steve Hire

P. Denise La Costa

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

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Doris Lang  
Keeaumoku Kapu, Aha Moku O Maui Inc.  
Uilani Kapu, Kuleana Kuikahi LLC  
Kaipo Kekona  
Alohalani Smith  
Jim Petersen  
Tricia Petersen  
Kim Baley  
Hans Michel  
Stan Franco  
Kai Nishiki  
Lori Sablas  
Gordon Firestein  
Jeff Anderson  
Mark Nigh  
Craig Studwell  
Donna Brown  
George Brown  
Sybil Lopez  
Dave Nutter  
Michelle Griffoul  
Rick Nava  
Lori Gomez-Karinen  
Ivan Lay  
Suzanne Albers  
John Belles  
Stephen Smith  
Bruce Uu  
Lawrence Kauhaahaa  
Dave Minami  
Charlie Palakiko  
Kimokeo Kapahulehua  
Lauren Kang  
Laurent Joly  
Kalei Kauhane  
Myrna Ah Hee  
Abraham "Snake" Ah Hee  
Lauren Rego  
Noelani Ahia  
Trinette Furtado  
Gary McFarlane  
Karyn Kanekoa  
Tiare Lawrence  
Yolanda Dizon  
Kanani Puou  
Jinny Dean-Yap  
Kau Keahi

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

Joshua Dean  
Dylan Payne, West Maui Land Company  
Kyle Chong Kee  
Mark Deakos  
Albert Perez, Executive Director, Maui Tomorrow Foundation  
Lawrence Carnicelli

Additional attendees (87)

**PRESS:** *Akaku--Maui County Community Television, Inc.*  
*Colleen Uechi, Assistant City Editor, The Maui News*

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**ITEM AH-1(1) AFFORDABLE HOUSING PROJECTS CHAPTER 201H, HAWAII REVISED STATUTES – INDEPENDENT DEVELOPMENT OF POLANUI GARDENS WORKFORCE HOUSING PROJECT (LAHAINA)**

**ITEM AH-27 DISTRICT BOUNDARY AMENDMENT FOR POLANUI GARDENS WORKFORCE HOUSING PROJECT (LAHAINA)**

**ITEM AH-1(2) AFFORDABLE HOUSING PROJECTS CHAPTER 201H, HAWAII REVISED STATUTES – INDEPENDENT DEVELOPMENT OF MAKILA RURAL EAST WORKFORCE HOUSING PROJECT (LAHAINA)**

**ITEM AH-28 DISTRICT BOUNDARY AMENDMENT FOR MAKILA RURAL EAST WORKFORCE HOUSING PROJECT (LAHAINA)**

CHAIR KAMA: *... (gavel) ...* It is now 1:31 and I'd like to call the Affordable Housing Committee to order on June 19, 2019 at 1:31 p.m. I'd like to ask everyone to please silence their cellphones or anything that makes noise including your lips. And so, my name is Tasha Kama and I'm the Chair of the Affordable Housing Committee and my Co-Chair [*sic*] Mr. Mike Molina is here today. Aloha, Mike.

VICE-CHAIR MOLINA: Aloha, Madam Chair.

CHAIR KAMA: Also, I'd like to introduce other Members of the Committee. Mr. Shane Sinenci, good afternoon.

COUNCILMEMBER SINENCI: Good afternoon, Chair.

CHAIR KAMA: Ms. Alice Lee, good afternoon.

COUNCILMEMBER LEE: Oh wait, wait, I'm getting my notes. Madam Chair, *ni hao* and that is hello in Mandarin.

CHAIR KAMA: *Ni hao.*

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER LEE: Ni hao, yeah. Not Niihau but ni hao.

CHAIR KAMA: Okay, ni hao. Everybody say, ni hao.

EVERYONE: Ni hao.

CHAIR KAMA: Okay. Thank you. Also, our Vice-Chair of the Council Keani Rawlins-Fernandez, aloha, Keani.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha auinala, Chair.

CHAIR KAMA: Aloha auinala. And also, to Mr. Riki Hokama.

COUNCILMEMBER HOKAMA: Good afternoon, Chair.

CHAIR KAMA: Also, Yuki Lei Sugimura. Aloha, Yuki.

COUNCILMEMBER SUGIMURA: Happy New Year! Aloha.

CHAIR KAMA: Our non-voting Members are our Chair Kelly King and Tamara Paltin. They're non-voting Members but they're certainly welcome to be on the Committee and to come in whenever they feel like they have time to come and sit with us. Today, we also have from the Administration the Department of Housing and Human Concerns – Linda Munsell, the Deputy Director. I saw her here earlier. Oh, there she is in the front row. Planning Director Michele McLean from the Department of Planning is right adjacent to her. Department of Public Works Rowena Dagdag-Andaya soon to be here I assume. And Corp. Counsel Jeff Ueoka who will be here with us later. We also have with us our Committee Staff – Mr. John Rapacz who will be coming later I'm sure. But we have with us Alison Stewart, the Legislative Analyst; Ms. Stacey Vinoray, our Committee Secretary; and Ms. Leslee Matthews, another one of our Legislative Analyst. So, aloha to you all. We also have representatives from our Project Developers – representatives of Kipa Centennial, LLC and representatives of Hope Builders, LLC. So, we have on call with us today also the Department of Environmental Management, the Fire Department, the Police Department, the Department of Parks and Recreation, the Department of Transportation, and the Department of Water Supply. And so, as you can see, we're having a lot of people here, which means that you all might have a lot to say to all of us and so, we're going to listen with our ears, our hearts, and our minds open today. So, Members, I'd like to preface these proceedings by stating that whenever feasible this Committee will endeavor to meet in the district where proposed housing development sites are located. However, as we know, this is not always feasible. We encourage and remind anyone who is unable to provide testimony in person that they can do so by e-mailing the [ah.committee@mauicounty.us](mailto:ah.committee@mauicounty.us). I'd like to affirm this Committee's commitment to expanding housing opportunities for residents. Everyone in our community deserves affordable housing and everyone deserves a well-planned community. It is not an either-or situation. So, I urge all of you to keep that in mind as we discuss the items on today's agenda, which are as follows: *AH-1, Affordable Housing*

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

*Projects Chapter 201H, Hawaii Revised Statutes – Independent Development of Polanui Gardens Workforce Housing Project in Lahaina; AH-27, District Boundary Amendment for Polanui Gardens Workforce Housing Project, Lahaina; AH-1(2), Affordable Housing Projects Chapter 201H, Hawaii Revised Statutes – Independent Development of Makila Rural East Workforce Housing Project in Lahaina; and AH-28, District Boundary Amendment for Makila Rural East Workforce Housing Project in Lahaina.* So, we will begin with public testimony. So, to testify we would ask that each of you sign up with our staff. Testimony is limited to the items on the agenda. And in order to be fair and reasonable and within legal limits, testimony is limited to one and a half minutes per item. And this amounts to three minutes per project. When testifying please state your name and who you are representing. And I would also like to ask our testifiers who are opposed to one or both of these projects to please let us know that and, if you can, what would it take for you to support the projects.

**. . .BEGIN PUBLIC TESTIMONY. . .**

CHAIR KAMA: So, before we begin, I'd like to check in with our District Office. Mavis Oliveira-Medeiros in the Hana District Office, do you have any testifiers waiting for us?

MS. OLIVEIRA-MEDEIROS: Aloha, Chair. This is Mavis Oliveira-Medeiros from the Hana Office and there is nobody here right now waiting to testify.

CHAIR KAMA: Thank you, Mavis, and we'll check in with you later on --

MS. OLIVEIRA-MEDEIROS: Okay.

CHAIR KAMA: --in the afternoon. Thank you. So, we're going to go to Denise Fernandez in the Lanai District Office. Denise, do you have any testifiers for us?

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

CHAIR KAMA: Thank you, Denise. And we'll be calling on you later on again this afternoon. And now we're going to go to the Molokai District Office and Zhantell Lindo, do you have any testifiers there?

MS. MATTHEWS: Madam Chair, we were unable to establish connection with the Molokai District Office. We have not received indication that they have testifiers.

CHAIR KAMA: Okay. Thank you. So, can we just keep talking to them throughout the day?

MS. MATTHEWS: Sure.

CHAIR KAMA: Okay. Thank you. So, Ms. Mathews, will you please call our first testifier here in the Chamber?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. MATTHEWS: Yes. Madam Chair, first testifier signed up is Shauna Buckner, testifying on County Communication 249 and 250, to be followed by Kuulei Palakiko, testifying on AH-1(1) and (2).

CHAIR KAMA: Thank you. Good morning.

MS. BUCKNER: Morning. Morning, Chair.

CHAIR KAMA: Good afternoon. It's afternoon already.

MS. BUCKNER: Oh, yes, it is. And Council Members or Committee Members, my name is Shauna Buckner and I'm actually just to clarify so I used the CC numbers – AH-27 and 28. With much aloha and on behalf of my husband and myself, we would like to voice our opposition to those resolutions as they call for 30 acres of agriculturally-zoned land in Launiupoko to be rezoned to Urban. We live in Launiupoko on Punakea Loop and our agricultural land is being used for its intended purpose – agriculture. We are not people who misuse our property in ways that we're not allowed to, such as, illegal short-term rentals. We are good stewards of the land and expect the same from others in Launiupoko, including developers. We'd like to share a few concerns for your consideration. This is really about land use planning not affordable housing so it shouldn't be fast-tracked as such. We need smart and meaningful development that goes through the proper channels. The State of Hawaii Land Use Commission indicated that the applicant is deliberately engaging in parcelization so as to prevent or circumvent the comprehensive review of the project by the LUC. If the State has an issue, I think the County should too. In addition, the local community recently participated in the West Maui planning process and all of the planning options maintained Launiupoko as agricultural land. Proposed changes to the land like this should be looked at holistically, all three projects, in part of the broader planning process. It looks like the developers are doing it this way to maximize profit without care for the fact that the area cannot support that much housing. Affordable housing is a very serious issue on the island, but it needs to be well-planned and appropriately located. It also needs to be permanent, not just for ten years. It must be done right in the right places with the right services, transportation, infrastructure, et cetera. The projects are not truly about affordable housing but rather a way to get the broader development projects approved under the radar. Water – based on our experience in the past year with the shortage of non-potable water, show me the water needs to be proven. It's important to be done right and there needs to be enough water for everyone now and in the future. My understanding is that the two proposals are being presented with water data from prior years. A lot has happened since then. It would seem logical that a new independent study be prepared with current data and the new water plan for demand. And since we know there's a third project out there that's planned, the County should look at all three at the same time. I'll let the experts speak to the specifics around the impacts to the environment as a few of them shared at the last Council meeting for the proper independent environmental impact study should be done. Considerations for various impacts to coral reefs, what it means for septic and or some sewage facility, pollution, and so on. So, please, we plead you to decide against approving AH-27 and 28. Mahalo for your consideration.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Thank you, Ms. Buckner. Do we have any questions from Members? Yes, Member Keani Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Buckner. Mahalo for your testimony.

MS. BUCKNER: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: You said you received comments from was it the State LUC or who was that?

MS. BUCKNER: It's in the packet of the 600-page thing. There's a letter from the Land Use Commission that's in there. And so, I would look at Page 272 to 274 where that's referenced.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Buckner.

MS. BUCKNER: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KAMA: You're welcome. And thank you all for bringing your encyclopedias to work today.

MS. MATTHEWS: Chair, next testifier is Kuulei Palakiko, testifying on AH-1(1) and (2), AH-27 and 28, to be followed by Kimo Doug Weber.

CHAIR KAMA: Thank you.

MR. PALAKIKO: Aloha mai kakou.

CHAIR KAMA: Aloha.

MR. PALAKIKO: Before we start, I would just like to get some clarification.

CHAIR KAMA: Yes.

MR. PALAKIKO: Since I have signed up to speak on the four items on the agenda --

CHAIR KAMA: Yes.

MR. PALAKIKO: --so that would be a total of six minutes. Is that correct?

CHAIR KAMA: Correct.

MR. PALAKIKO: Okay. Mahalo nui.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: You're welcome.

MR. PALAKIKO: (*Spoke in Hawaiian*) My name is Kuuleialoha Palakiko from the valley of Kauaula and I am here speaking on behalf of myself, my ohana, my ancestors, and our continuous struggle as kanaka maoli. And I'm here, in the short time that I have, to clarify and redirect the narrative. And I can do so by providing you the Environmental Impact Statement right now and right here. It is the daily experiences that we, who live in the valley, have experienced over the last few decades as we continue to battle with the decreasing resources, we're seeing but the increasing development we're seeing. And so, my first plead is for all of us to be reminded that we live on an island with very, very limited resources that are fragile. And there is a ceiling and at some point, you'll reach that ceiling and beyond and there's no going back. So, there has to be smart development. I really like the way that your opening statement made that particular point known that we need affordable housing, but it needs to be smart planning. And so, I am absolutely in opposition to these two projects and to the amendments, District Amendments [*sic*] as they are being proposed for those purposes. I would like to say the Bible tells us that by your fruits you will know them. By your actions you will know who they really are. So, I come here to let you know that over the last 20, 30 years of having to struggle against these development agencies for every piece of our own kuleana and our own rights is my testimony. And so, some may say and argue, well, you know what, over the course of time people can change, and that is true. And I always want to give everybody the benefit of the doubt. But as recent as June 6<sup>th</sup> which mind you was the day after CWRM came back up to Kauaula to assess and further look into our recent . . . the recent ruling regarding the waters in the streams and where the water levels were. The very next day, I came back from work at about 5:30 and I have on my phone, I wish I had downloaded this and sent it to you to all of you Councilmembers beforehand, but if you want to see it, I have video showing the river dry in Kauaula, our auwai dry in Kauaula, and I was frantic for our kalo. I was frantic for the life living in that river. And in this entire week, I also have video here that I took before I came over to this side this morning of the lower part of Kauaula Stream as it goes underneath the freeway over into Puamana Subdivision and out into the ocean, bone dry. And it wasn't too long ago that we were looking at this same issue happening at Kahoma and Kanaha, the river bone dry. And so, if I'm sounding like I'm passionate is because I am, because I speak for myself. I'm shaking right now because I am appalled that people would hide behind the pretense of something else and not just use common sense. And so, I'm imploring you not as politicians or as our people elected to be our voice in the political arena but I am imploring each and every one of you, including everybody here who may stand on all different sides of the issues, I am imploring you to forget politics, to forget economics, and let's really concentrate on being human beings . . . being human beings. We have a responsibility to this aina and whether you're a kanaka or non-kanaka is irrelevant. This is the heritage we'll be giving to our keiki after we leave. And so, projects that we have right now have to have that kind of a long-term vision in place so that long after we're gone, we haven't poisoned this aina beyond the point of return for the generations after us. And I am absolutely for affordable housing. I have five children – three have graduated high school, two have graduated college. They want to be here in Hawaii. Look at the median prices of

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

homes. Look at the calculation of what it requires as far as the average income rates for qualifications for what's supposedly low income. Already my kids are talking about what the numbers are telling them is the practicality that they may not be able to live here. And that's eha to me and that's ewa, that's wrong. My children may not have the opportunity to live on the land of their ancestors for all kinds of different reasons that I cannot even begin to understand. So, I just implore you all as we discuss these things together. Let's not pretend that there isn't a housing crisis or that we aren't in a situation with real estate is rising beyond what is even affordable for 80 percent of our population. But on top of all of that, we gotta do right by this aina. We gotta do right for our kupuna before us, our makua, for ourselves, and for our keiki, and moopuna. So, that's what I'm imploring you guys to look at. The numbers . . . those are the numbers. Somebody else more eloquent than me can talk about the hydrologics of things and the environmental impact of things. But I can tell you from the day-to-day walk, as a kanaka maoli of Kauaula, I see when the water is low. I see when the water is high. And when we try and speak out to these development agencies and their representatives the answer gotten that we get back, if we get any answer, is never informative or is never cooperative or in the spirit of aloha. When our river went dry, no action. Nobody called us and said our pipe burst at the siphon or we were cleaning the reservoir. And so, I just want to remind you just look at the past actions of these development entities and then decide if you want to put our trust in these entities. Mahalo nui. Aloha.

CHAIR KAMA: Members, any questions before I . . . Keani, do you have a question?

COUNCILMEMBER RAWLINS-FERNANDEZ: I do. Not for the testifier, for you.

CHAIR KAMA: Okay. Thank you. Tamara, did you have your hand up?

COUNCILMEMBER PALTIN: Yes, please.

CHAIR KAMA: Okay.

COUNCILMEMBER PALTIN: I was wondering, in regard to the water, if you were also participating in the CWRM IFS proceedings last year in the Kauaula Stream?

MR. PALAKIKO: In the capacity that because I have a vested interest in Kauaula, my ohana is from there and living there, I gotta admit that I didn't move back to the valley until the latter part of last year. My dad got deathly ill and soon after passed away, so we moved back into the valley to be with him. And as a result of that, while I was living Upcountry I have to admit that I wasn't a part of those processes but not unaware of what was happening 'cause I had my brother Charlie, I had my Uncle Keomoku, I had everybody giving me an update of what was going on. So, I'm not coming into this blindly by any form. Thank you.

COUNCILMEMBER PALTIN: Yeah, thank you.

MR. PALAKIKO: Mahalo.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER PALTIN: I will ask the update from them then.

MR. PALAKIKO: Yeah, please do.

COUNCILMEMBER PALTIN: Yeah, thank you.

MR. PALAKIKO: Mahalo nui.

CHAIR KAMA: So, Kuulei, I have a question.

MR. PALAKIKO: Yeah.

CHAIR KAMA: So, when you filled out your form upfront, --

MR. PALAKIKO: Yeah.

CHAIR KAMA: --did you put your contact information?

MR. PALAKIKO: I did. Absolutely.

CHAIR KAMA: Okay. Thank you.

MR. PALAKIKO: Yeah. Call me.

CHAIR KAMA: Thank you. I will do that.

MR. PALAKIKO: Mahalo, you guys.

CHAIR KAMA: Thank you.

MR. PALAKIKO: Aloha, a hui hou.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR KAMA: Oh, yes, I'm sorry.

COUNCILMEMBER RAWLINS-FERNANDEZ: I do have a question for the testifier.

CHAIR KAMA: Go ahead.

MR. PALAKIKO: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Do you know if the Kauaula River has an interim instream flow standard?

MR. PALAKIKO: Yes.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER RAWLINS-FERNANDEZ: Do you know --

UNIDENTIFIED SPEAKER: What it is?

COUNCILMEMBER RAWLINS-FERNANDEZ: --what it is?

MR. PALAKIKO: It's set to be three million aggregate eventually, but there is a phase project to have that implemented in steps.

CHAIR KAMA: Okay.

MR. PALAKIKO: Is that correct, Uncle Keomoku?

MR. KEOMOKU: Yeah.

MR. PALAKIKO: Started with one million, --

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo.

MR. PALAKIKO: --which we are . . . we are dangerously below even at now. Thank you very much.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for your testimony. Mahalo, Chair.

CHAIR KAMA: Ms. Matthews?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, before we --

CHAIR KAMA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: --go to our next testifier, I wanted to ask you a quick clarifying question on our Council Rules?

CHAIR KAMA: Yes

COUNCILMEMBER RAWLINS-FERNANDEZ: Rule 17 regarding oral testimony.

CHAIR KAMA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Item 2 – Duration of oral testimony. Each testifier shall be allowed to speak up to three minutes on each item.

CHAIR KAMA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: If approved by presiding officer, one minute to conclude.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: But the question that I had was that it may be modified if the modification is initiated by the presiding officer --

CHAIR KAMA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: --and approved by the majority of the voting members on the Committee. And so, you had proposed the one and a half minute per item --

CHAIR KAMA: One and a half minute per item, three minutes per project.

COUNCILMEMBER RAWLINS-FERNANDEZ: --but it wasn't approved by the voting Members.

CHAIR KAMA: Oh, sorry. Okay. Ms. Matthews?

MS. MATTHEWS: Chair, the Rules state that it's up to three minutes. The testimony needs to be equal in time.

CHAIR KAMA: Uh-huh.

MS. MATTHEWS: And so, it's up to this Chair and this body as to how long up to three minutes --

CHAIR KAMA: Right.

MS. MATTHEWS: --it will be.

CHAIR KAMA: Right. So, what Keani was saying is that although I instituted that that the body has not approved that. Is that correct? Is that what you're saying, Keani?

COUNCILMEMBER RAWLINS-FERNANDEZ: That is the question.

CHAIR KAMA: Yeah.

UNIDENTIFIED SPEAKER: I approve.

CHAIR KAMA: No, so I'm just saying maybe this is the time so, Members, if we could just do a poll? Mr. Sinenci?

COUNCILMEMBER HOKAMA: I'll make the motion, Chair.

CHAIR KAMA: You make the motion?

COUNCILMEMBER HOKAMA: I'll make the motion.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Okay, Mr. Hokama's made the motion to --

COUNCILMEMBER SUGIMURA: Second.

CHAIR KAMA: -and it's been seconded by Member Sugimura.

COUNCILMEMBER SUGIMURA: To support your . . .

CHAIR KAMA: Any discussion? Yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: So, we're saying that we can have up to three minutes per item or you're . . .

CHAIR KAMA: Per project. It's . . . there's four items on the . . .

COUNCILMEMBER SINENCI: Four items.

CHAIR KAMA: Right, so each item is the DBAs or the District Boundary Amendments for each of the projects. So, the two projects and two District amendments, so that's four items. So, each of the items get a minute and a half. So, the project, each get three minutes each because there's, for every, each project gets a District Boundary Amendment attached to it. So, that's why we have three minutes per project, or one and a half-minute per item.

COUNCILMEMBER SINENCI: I will support three minutes per item, Chair.

CHAIR KAMA: Thank you. Any other, yes, Ms. Lee?

COUNCILMEMBER LEE: I will support you, Madam Chair, because due to the number of people in the audience, I'd like to see that everybody has a chance to have something to say, otherwise, we're going to go home disappointed waiting for so long and not having an opportunity to say anything.

CHAIR KAMA: Thank you. Mr. Molina?

VICE-CHAIR MOLINA: Yeah, Madam Chair, you know this morning we had the Planning and Land Use meeting and it was stated by couple of our Members that, you know, we support the Chair's intent to maybe not make a decision on that project earlier. Some of us wanted to or was hopeful about taking action but we never challenged, and we let it go. So, in all respect to you, I respect your call as the Chair. And in essence, even if you leave it at a minute and a half, you have four items, you know, so testifiers can co-mingle all of this in one.

CHAIR KAMA: Yes.

VICE-CHAIR MOLINA: You can mix the District Boundary comments in with the project itself.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: That was the intent of doing the one and a half minute, three minutes total.

VICE-CHAIR MOLINA: Right, right.

CHAIR KAMA: Yes.

VICE-CHAIR MOLINA: And so, either way it's your call, Madam Chair.

CHAIR KAMA: Yes. Thank you, Mr. Molina. Anyone else? Okay, thank you, Ms. Rawlins [sic] for that. So, all those in favor of the motion, please say "aye".

COUNCILMEMBERS: Aye.

CHAIR KAMA: All those opposed, say "no".

COUNCILMEMBER RAWLINS-FERNANDEZ: No.

SOMEONE FROM THE GALLERY: No.

CHAIR KAMA: Sorry, you have to be on the Council to vote no. Okay, so it's been moved and seconded that, oh, let me see . . . it's one, two, three, four, five, six, seven, eight. It's eight ayes, zero noes. Motion passes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR KAMA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: I voted no.

CHAIR KAMA: You voted no?

COUNCILMEMBER RAWLINS-FERNANDEZ: I did.

CHAIR KAMA: Okay, I'm sorry. So, it's seven ayes, one no, and one non-voting Member. Is that right? One, two, three, four, five, six. Six-one-one.

COUNCILMEMBER SUGIMURA: Motion carries.

CHAIR KAMA: Thank you. Motion carried.

**VOTE: AYES: Chair Kama, Vice-Chair Molina, and Councilmembers Hokama, Lee, Sinenci and Sugimura.**

**NOES: Councilmember Rawlins-Fernandez.**

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

**ABSTAIN:       None.**

**ABSENT:       None.**

**EXC.:         None.**

**MOTION CARRIED.**

**ACTION:        Recommending that allotted testimony time be up to one and a half-minute for each item.**

CHAIR KAMA: Okay. I'm sorry. Thank you very much, Ms. Rawlins-Fernandez, for that. Ms. Matthews, our next testifier, please?

MS. MATTHEWS: Yes, Madam Chair. The next testifier is Kimo Doug Weber, testifying on AH-1(1), to be followed by Steve Hire.

CHAIR KAMA: Thank you.

MR. WEBER: Aloha kakou, Members and Lady Chair. My name is Doug Kimo Weber. Graduate of Kamehameha Schools. Born and raised in Hawaii. Local resident and I oppose the rezoning in Launiupoko on these two projects. Three main reasons: 1) is the water issue; 2) traffic; and 3) poor infrastructure. Launiupoko is zoned agricultural. As part of the land use in the Maui Island Plan zoning, most parcels in Launiupoko have a farm plan. Thus, there is a heavy dependence upon water provided by the Launiupoko Irrigation Company. Launiupoko, as you know, is very dry. It doesn't receive much rainfall. As of March 2018, non-potable water had been regulated and restricted. All of the properties were forced to shift to more usage of portable water at much higher rates. Add in restrictions of non-potable water for irrigation and the water resources in Launiupoko are maxed out. It would become burdensome for the Launiupoko property owners to have much needed water for agricultural use to be redirected for Urban use for the 50 units and, I guess, over 200 people proposed. No. 2 – increased traffic. We know the issues going into Lahaina. That 13-mile stretch from Maalaea and Launiupoko is only one lane in both directions. In an event of an emergency or natural disaster, that affects the stretch. West Maui becomes effectively cut off from the rest of the island. No. 3 – poor infrastructure. The current infrastructure desperately needs to be built up and improved upon to support the growing population of West Maui. While building more high-density subdivisions for affordable housing is needed, what is more important is building more infrastructure to support the people already in the area. And don't get me wrong! I'm all in favor of getting affordable housing but Launiupoko is not the right area for it. It should be more centralized. Wailuku, Kahului, Kihei where more schools, hospital, retail outlets, the airport is a better location for affordable housing. The available water, the comfortable traffic conditions and proper infrastructure are already in place. That's where the housing should be proposed. Hawaiians always believe that land and water belong to the Gods. The aina, the wai were for the Gods and we, as the people, were its servants.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

Launiupoko was designated agricultural land and that's how it should be kept. I oppose this rezoning. Mahalo for your time and malama pono. Any questions?

CHAIR KAMA: Thank you. Any questions from the Councilmembers?

COUNCILMEMBER SUGIMURA: Yes.

CHAIR KAMA: Yes, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. Thanks for being here and testifying and for the information. So, are you a resident of Launiupoko?

MR. WEBER: No, I'm not. I have my friends and family up there.

COUNCILMEMBER SUGIMURA: Okay. So, you live in the Lahaina area?

MR. WEBER: Yes. No, I live in Wailuku, but I go to the West side quite often. And like I said, I have friends and business associates up in Launiupoko.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR KAMA: Any other questions, Members? Seeing none. Thank you, sir.

MR. WEBER: Thank you.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: The next testifier is Steve Hire, testifying on AH-27 and 28, to be followed by P. Denise La Costa.

MR. HIRE: Aloha, Committee Members.

CHAIR KAMA: Aloha.

MR. HIRE: My name is Steve Hire. I'm here to urge you to disapprove of AH-27 and 28, the affordable workhouse . . . housing projects. I want to say I'm all for affordable housing and workforce housing. In fact, I'd love to see my son be able to afford a house here on Maui. But this is not the right project nor the right area to fulfill this goal. My first objection to this development is the water shortage in the area. I have 16 acres up the road from the proposed development and grow fruit and citrus trees. I've worked for eight years developing a farm to help benefit the community. Unfortunately, the past few years have become more challenging with the water situation as it is in Makila. I've had to spend hundreds of dollars to put in diversion lines to move my potable water to irrigation due to the lack of water. I've recently cut down 14 trees to use less water for irrigation. We live in an area that has little rainfall. The streams that were available for irrigation are now being cut off and I understand why. Farm owners are now being forced to use potable water for irrigation. This is going to make a big difference in the

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

water table as we draw down that water for irrigation. I was told when I bought in Makila that there were no water problems. I was fooled once. I won't be fooled again and don't let them fool you. Water is a problem. My second objection is to the random spot zoning the developers are proposing. The County should not go willy nilly making spot zoning changes without planning. That's why we have a Planning Commission, and that is why your own current Maui General Plan reads and let me quote "while Urban expansion is oftentimes the most sufficient and cost-effective means of accommodating growth, it should be done carefully to prevent sprawl. The location and character are potential Urban expansion should be closely scrutinized to prevent land use patterns that consume valuable farmland and open space". Remember, this is from your own County General Plan. This project goes against the County General Plan. It expands Urban areas into the middle of agricultural zoning. It has no water. It has no planning. It is a way for a few people to get rich by pulling the wool over your eyes by offering you the carat of workforce housing. Don't fall for it. The developers will build on, will build and move on leaving you and the community holding the bag. This project is bad for the West side, it is bad for Maui, and it will be bad for the workforce people that you're trying to help. I don't have time to go into all the problems of this project, but I believe unless massive planning changes are made through proper channels regarding the water, sewage, traffic, and fire protection in this area it would be an absolute irresponsible for anyone to approve this project. Thank you for listening.

CHAIR KAMA: Thank you. Members, questions? Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you for coming here and thank you for your testimony.

MR. HIRE: Sure.

COUNCILMEMBER PALTIN: I was wondering if. . .who is your water provider in Launiupoko?

MR. HIRE: West Maui Irrigation.

COUNCILMEMBER PALTIN: And did they send you notifications about the water when the CWRM hearings were on last year?

MR. HIRE: I don't remember that specifically. I mean, they've given me notifications that I've had to change my water; that the water was going to be cut off for my irrigation.

COUNCILMEMBER PALTIN: But they didn't say why?

MR. HIRE: Well, I believe it was because they're trying to get the flow of the stream back into the stream, which I can see. So, the water is not going into the irrigation as far as I know.

COUNCILMEMBER PALTIN: Okay.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. HIRE: It's not going in so what we have to do now is draw the water out of the ground. So, all the water that's going down the stream that's great for the stream but now that you're pulling . . . everybody that has farms is going to start pulling water out of the ground instead of the stream, they're going to lower that water table fast.

CHAIR KAMA: Thank you.

COUNCILMEMBER PALTIN: Thank you.

MR. HIRE: Thank you.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: The next testifier is P. Denise La Costa, testifying on AH-27 and 28, to be followed by Doris Lang.

MS. LA COSTA: Aloha, Madam Chair, Members of the Committee.

CHAIR KAMA: Aloha.

MS. LA COSTA: I'm P. Denise La Costa and for disclosure, I am a member of the Planning Commission; however, I am speaking on my behalf as a resident of Launiupoko and a resident of West Maui on Maui for almost 30 years. This project has great bones it, but it is not situated where it should be. If you go on the highway and you have to wait more than 40 minutes just to turn up to go home every day, it becomes annoying. If you turn on your spigot outside because all of your grass and everything is dying and nothing comes out for nine days, what's going to happen if there are more houses below? As the prior gentleman said, you pull from the groundwater and pretty soon that water table is make (*dead*), and then what happens to people who have been there for years and years and years and years. I have to have a separate pump system just to get enough water pressure from my household water to deliver to my home because there is no water pressure where I live. So, that's the biggest thing . . . show me the water. Life cannot be sustained without water and when you get rid of the wai and the kai, what happens? Everything dies. The loi are affected, the animals, our grass, the beautification. I mean, I have spent thousands of dollars putting in landscaping. I'm a single woman. I have worked my okole off all my life and everything I have put in my home I have worked for. To see it die because of lack of water that is not only disheartening but it occurs to me that what's going to happen if you add more and more and more people, the water is going to get less and less. It's not . . . we can't survive without decent water. The other thing is, there were 3,300 people who participated in the community plan and the General Plan. Thousands of hours combined. Now, someone wants to change that because they want to change Ag, which there are a lot of farms up there to Urban to put more money in their pocket. We all agree we need affordable rentals and we need affordable housing desperately, but it needs to be located where there are already sewer and water laterals. It needs to be located where people can walk to school, to church, to their jobs, have easy access where there are bus lines. There is a lot of property on West Maui side. And if the developers are being altruistic to

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

build affordable housing, which will only be for ten years and then it can be sold at market. Then look twice at why they really want to build here. Has nothing to do with housing. It has to do with money in their pocket.

CHAIR KAMA: Members, questions? Yes, Tamara?

COUNCILMEMBER PALTIN: I just was wondering, you know, because of your real estate background and the housing is up there. If there is no water, then what is the value of the house?

MS. LA COSTA: Well, interesting you should ask that because I have my neighbor's house is for sale. It has been for sale for almost seven months. The biggest question that I have been asked and the biggest stumbling block is, what's the situation with the water up here? And I, you know, I'm a real estate broker of my own company and I disclose everything as I did initially in this testimony. If you don't have water, you don't have a home to live in. So, yeah, it's tough, very tough.

COUNCILMEMBER PALTIN: Thanks.

MS. LA COSTA: Thanks, Tamara. Mahalo.

CHAIR KAMA: Thank you.

MS. LA COSTA: Appreciate very much. Thank you for your work.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: The next testifier signed up to testify is Doris Lang. We need clarification on which items she's testifying on, to be followed by Ke`eaumoku Kapu.

CHAIR KAMA: Can you tell us what items you're testifying on?

MS. LANG: Oh, I'm just . . . I didn't know what those numbers really meant because I didn't look 'em up but it's about the 201H --

CHAIR KAMA: Okay.

MS. LANG: --and all of that.

CHAIR KAMA: Okay. Thank you.

MS. LANG: So, thanks for asking.

CHAIR KAMA: Sure.

MS. LANG: I'm in favor of affordable housing; however, I'm opposing this application for the reason that it is too soon to apply because we're in the middle of the West Maui

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

Community Plan update, a five-phase process that began in 2017 and is expected to end in 2021. Phase I is completed with research. Phase II has completed through community workshops. They've spent hundreds of overtime hours on workshops, meetings and interviews with the community. During this time, 3,300 people have been a part of this process. The Committee has sorted through the information from the past two years and has selected their Community Plan Advisory Committee. Phase III is where we are now. The Community Plan Advisory Committee meetings is where the community can voice their concerns in front of the Committee. The Committee will take these concerns into consideration when they enter into Phase IV, the Maui Planning Commission review; and Phase V for the Maui County Council for approval. The West Maui Community Plan people have been doing a great job in bringing information to the public. And the community has been taking advantage of their efforts. Through dialogue, the County and the community have been slowly building trust with one another. If this is approved, our delicate trust will be severely damaged and for what – one developer. This developer has been well-aware of the West Maui Community Plan Update being on the way, and yet, he submits his 201 fast-track application to the Council anyway. Attached to his application are a few hundred market-priced homes in an area that does not have infrastructure in place, is a high fire zone, and has limited water supply. From the information off the West Maui Community Plan website, there are 700 affordable units established and there are six affordable housing projects either under construction, pending, and or planned adding up to additional 750 available spaces. All of them have the infrastructure. Please let the County do their job with the West Maui Community Plan Update to the end before making this very important decision. And I'd like to ask you that before you consider to voting to approve that you look deep into your heart and you ask yourself – is it worth being the one who has significantly contributed to the unraveling of the trust that is currently being built between the community and the County? Thank you.

CHAIR KAMA: Thank you. Members, questions? Seeing none. Thank you very much. Ms. Matthews?

MS. MATTHEWS: Yes, Chair, our next testifier is Ke`eaumoku Kapu, testifying on AH-1(1) to be followed by Uilani Kapu.

MR. KAPU: Aloha kakou.

CHAIR KAMA: Aloha.

MR. KAPU: Ke`eaumoku Kapu . . . (*spoke in Hawaiian*) . . . I just want to remind this Council the 45-day clock started. And the shetty part about this whole thing is the State Planning is forcing you guys to either make one decision and, if you don't within 45-days, it automatically passes. So, what kind of jurisdiction is placed upon this body right now, basically I like ask? We've been through this road many times. My relationship with this company is totally separate. I've been in litigation with this company for over 21 years based on title. The individual that is claiming to build all these luxury homes and all this kind of crap right below our valley, yeah, is all self-interest. He even started one homeless shelter, one camp, for homeless people but

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

then at the same time try to deprive kuleanas of their rightful place up in the valley? I mean, look at the ludicrous about this whole thing. This is bullshit. You guys gotta realize you guys being pushed up against the wall to make one stupid decision based upon a few trinkets, yeah, that comes from people who really don't understand the plight of the kuleana. I'm a kuleana and I attest to this . . . this way of . . . this so-called governing body of how you guys being pushed up against the wall to make a decision within 45-days. What is it less than 45 days now? I know they already submitted the application. So, the whole gist about this discussion is what I'm hearing from the community that lives in there at Launiupoko is – where the water stay? I've been following this case for a long time on the instream assessment by the Commission on Water Resources Management. The total amount of water that has to go back in Kauaula Stream is 3.34 million gallons of water. Right now, they only putting one million eight hundred thousand gallons of water in the river. So, when the total amount of water is placed in the river, what going to be left for us, all of us? We was the ones that made the push to make sure that it's not just the water that goes to replenish that aquifer, but to make sure that water going provide for the indigenous fauna and species that is required by State law because this court case basically stems from, yeah, the Waiahole water case decision 40 something years ago. Now, all of a sudden, the Supreme Court said that the State gotta mandate that water be placed in that river. That's the law. Now, all of a sudden, you guys getting forced with a 45-day window to make a decision. If you don't, then automatically passes. This is bullshit. And you guys are the ones that will hang, yeah, on one nail as trinkets for everybody to see whether or not they going pass this or you ain't going to pass this. I'm appalled. I'm totally appalled, and all these people that are being hired to think that you guys are going to lose jobs, come on, look at the reality of what this whole damn bullshit is putting us into. What are you guys . . . you guys all looking for treatments and favors and all these kinds of things but you guys missing the main component. We're an island people. We live on an island. We're supposed to be ohana.

CHAIR KAMA: Mr. Kapu?

MR. KAPU: We're all supposed to be ohana. I get ohana that working on the other side, yeah, and they're being forced over here, yeah, to give testimony in support of what – something that may kill us down the road? Think about it real seriously guys. You guys coming and . . . (*inaudible*) . . . being a prime example for some damn stupid asshole that coming over here and try invest money of \$15 million for 5,000 acres one warranty title frickin deed? I challenge that palapala.

UNIDENTIFIED PERSON FROM THE GALLERY: I challenge you.

MR. KAPU: I challenge that palapala.

CHAIR KAMA: Whoa, whoa, whoa. Okay, you guys.

MR. KAPU: You see, you see. That's my own ohana.

CHAIR KAMA: Excuse me.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. KAPU: That is my own ohana.

CHAIR KAMA: Excuse me.

UNIDENTIFIED PERSON FROM THE GALLERY: Born and raised in Lahaina.

MR. KAPU: This is my own ohana.

CHAIR KAMA: This is in recess. . . .*(gavel)*. . .

**RECESS: 2:16 p.m.**

**RECONVENE: 2:37 p.m.**

CHAIR KAMA: . . .*(gavel)*. . . The Affordable Housing Committee of June 19, 2019 will now come to order. Thank you all for being so patient with us. And I'll ask your indulgence in being a little bit more patience as I read the Rules of Conduct that we have for these Chambers. It's called the Maui County Council Standards of Decorum. In a democracy, it is necessary to provide for public input an official deliberation on an environment that is safe and free from disruption and interference. The conduct of all meeting attendees and participants should confirm the equal worth and dignity of every individual. To these ends, the following Standards of Decorum are established for the Council Chamber and the adjacent lobby pursuant to the Maui County Code and the Rules of the Council: 1) Testimony shall be limited to commentary on agenda items. Testifier shall direct their testimony to the body through the Chair and not to observe any other individual, officials or members of the public personally. Applause is appropriate only during ceremonies. Any person who engages in heckling, shouting or other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Council or Committee meeting shall at the discretion of the presiding officer a majority of the present Councilmembers be removed from the Council Chamber. Behavior that disrupts, disturbs or impedes the orderly conduct of any Council meeting includes profane, slanderous or threatening remarks made to any Member of the Council Staff or general public. Displays, posters and signs may not be erected or posted on walls or other fixed locations. These items may be held or carried but not in the way that unreasonably obstructs another's view of the proceedings where risks causing injury to others. While a meeting is in progress, the use of cell phones or any other noise making devices is prohibited. Conversations in the galley and the lobby should be conducted in a matter that does not disturb others in the Chamber. Photographs and video recordings may be taken from the gallery without flash or lamps if it does not distract others or detract from the proceedings. At all times, only Legislative personnel and other persons authorized by the presiding officer or the Council Chair are allowed on the Chamber floor, which is the area where we are seated right here. Furthermore, while a meeting is in progress, only Legislative personnel and other authorized persons may approach a seated Councilmember. News reporters from established news organizations may access the area around the press desk on the Council floor and may take photographs or video recordings from that location without flash or lamps. If a

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

meeting is not in progress, reporters may approach Councilmembers on the Chamber floor for the limited purpose of arranging for discussions later. The presiding officer or Council Chair may authorize other arrangements. The consumption of food and beverages in this galley is prohibited unless required for medical purposes. These standards shall be enforced by the meeting's presiding officer who shall have the authority to order violators removed from the Chamber. For clarification, please contact the Office of Council Services at 270-7838 or the County Clerk at 270-7748 on the 7<sup>th</sup> floor. Ladies and gentlemen, these are the Rules of Conduct that we are going to have to reimplement again today and remind everyone here. So, basically, what it means is if you're going to be yelling and you're going to cause a disturbance, we're going to ask you to be removed. So, thank you so very much and our apologies for the disruption earlier. So, I'd like to be able to continue our testimonies. Ms. Matthews?

MS. MATTHEWS: Madam Chair, our next testifier signed up to testify is Uilani Kapu, testifying on AH-1(1) to be followed by Kaipo Kekona.

CHAIR KAMA: Thank you.

MS. KAPU: Aloha mai kakou.

CHAIR KAMA: Aloha.

MS. KAPU: Uilani Kapu of Kauaula. This reminds me of Puunoa all over . . . everything that happened that took place a Puunoa. Same area, same developer, same development. I'm going to put that on the side right now. My husband has a lot of anger. For me, I'm the balance. I try to put things in perspective. He does also but in different ways. As a representative of Kuleana Kuikahi and as a kuleana member of Kauaula, we've lived our lives in so many different aspects and ways that you wouldn't even believe. Only the Land Company knows, and they have to hold with that. I'm here to let you know that I'm against all of these developments. Wrong place, fire twice, and we're still here to talk about it. No water all the time and we're still here to talk about it. Traffic . . . everything. For me, I'm a proud Kanaka Maoli. My blood runs on this island. Although I was not born here like my husband, he wasn't born here, but our kupuna still walked these paths that we walk and we leo every day - environmentally, physically, safely, educationally. We are proud of who we are and where we walk. But with this development knowing that there's burials there, knowing that there's no water there, listening to all the people that live there testify that we had to go against in the LUC years ago to make sure that this place stays in agriculture, my hats off to you folks because we were on your defense before but now we're together because we live it. We know it. We walk it. And for me, I will stand behind my husband no matter what . . . through thick and thin. I married this man who he was and who he believes in, what he believes in no matter what happens. So, I just want to let you folks know we are not here to make trouble. We are here to let you know there is no water for this development. This place is a fire area. Lahaina is hot, you know that. How many fires we had? How many deaths did we have on the roads? How many accidents did we have on our bypass? We that live there know that's why we're here to share with you that is not the proper place. It's not the right place, it's not the right time. That land we fought

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

for two years to leave in agriculture and we're here again. Leave it in agriculture. That's how we can sustain. We all need affordable housing, yeah. But this isn't the place for it. You know, I gotta give you folks hats off for this because you guys are trying your best to find affordable housing for everybody to stay home in Hawaii. There are places that can keep this capacity of traffic and water. Like the testifier before said, you know, you have to keep it in the central place where there's enough for schools. Our schools are over capacitated already – high school, intermediate, elementary, they're overflowed with kids already. This is not going to help it. Our roads are not going to help. 2035 it states 65 percent of Lahaina will be impacted. Sixty-five percent. Can you see that? I sure can. Is that beneficial for us in Lahaina? No, we have no hospitals. We have no roadways. Nothing. So, I apologize for what happened. And like we say, we are ohana. Mahalo nui. A hui hou.

CHAIR KAMA: Thank you. Members, questions? Ui, come back. We have a question from Member Paltin.

COUNCILMEMBER PALTIN: I just was wondering on the affordable housing aspect, what your feelings were about Waiee and, yeah, where the . . . *(inaudible)* . . .

MS. KAPU: They bought that property in Waiee. That property is more suitable because there is already infrastructure put in place. But you know what, that's not a place either only because of traffic and our schools. We can't handle any more.

COUNCILMEMBER PALTIN: Okay. Mahalo.

MS. KAPU: Thank you.

CHAIR KAMA: Thank you. Ms. Matthews?

MS. MATTHEWS: Our next testifier is Kaipō Kekona, testifying on AH-1(1) to be followed by Jim Petersen.

MR. KEKONA: Aloha mai kakou.

CHAIR KAMA: Aloha.

MR. KEKONA: Kaipō Kekona, born and raised in Lahaina. Father of four children, single source of income for my family, fortunate enough to have a very good job. Doing a farm right next door to this development area. As far as the numbers go with our County's annual median revenue or whatnot for one family household that I disagree with the numbers and I know that's outside of the scope of the project that we was focusing on but we cannot have type of numbers, forms set up at 72,762 is the median average. And that's at a hundred percent for this scale that they're setting and then it goes up to 140 and I think that falls out to be 101,000 something dollars. Fortunate enough for me, I get paid really well. I fall in the lowest bracket in the 80 percent. And as a single source of income, my wife is disabled not an excuse but that's our situation and when you look at the difference in the numbers if you go off of a scale where the average job in

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

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Lahaina for just an average high school graduate is \$16.00 an hour, maybe 18 they would have to maintain four jobs just for try and qualify into the 80 percent bracket. Four jobs – you can't even make that fit in 24 hours. So, that's impossible. That would make two parents having to work two jobs. And if you have two parents working two jobs and I work as a farmer; I farm 12 and a half acres it takes a lot. If you just want to do a little garden in your backyard, that's enough work for one person that's maintaining one job. So, to scope in on an agricultural or ag roll however they when word 'em in that big encyclopedia, Webster's dictionary book thing, they made 'em look real happy and proud and something that you can be really proud to have something take place, mind you, I'm well aware of all of the water concerns issues. I've been a part of it. Being not only . . . my wife is also a kuleana parcel owner to that properties in Kauaula so I'm aware of all of the land litigations and water issues that take place in the area as well as my farm situation. We are tapping off of a well on our farm system that's an old A&B well for our backup in case our water doesn't work out. When the intake system is blocked up from excess weather, if you will, or if you want to go further out, say lack of proper maintenance, when that thing blocks off, we can go up to 69 days without any water on the farm. So, we put in one secondary system. That system is salty. We found out through the hard way that we can only water our fields three days consistently with that well system without tarnishing our plants, our crop. So, that well system from A&B is not suitable for our farm, very well not suitable for housing. The H201 [sic] fast-track process supposed to have been limited to 49 units, I believe. This one states 50, I'm not sure why. I might be wrong. Might be 50 and then you're in the clear. But pushing that limit, pushing that budget then they have 16 additional lots, of course, they avoided units in that phrase but lots for agricultural use. Just the ideas for me being familiar with the use of water, is trying to roll that idea around – how many toilets, how many sinks, how many people per household, ag lots added on, how much water is this single development going to require to continue on? Much like the gentleman, Daniel Palakiko, had mentioned earlier in June 6 in front of the CWRM Board was mentioning video, on video that they can no longer, if the CWRM standard was set and gone forth in the numbers that they projected, there was a release of 1.2 million in the first year. Three years go by or a year go by they keep adding on more and more. The end result is three million point four something gallons. But if you look at that factor and you --

CHAIR KAMA: Mr. Kekona, can you please conclude?

MR. KEKONA: --consider that all into fact one development with you guys know the multiple other proposals that they have coming forward going to demand more water. It's a given already. It's not available. It wasn't available in June 6<sup>th</sup> and it's not available today but it's still here in front of you. I wouldn't be worried if this wasn't up for discussion but for some reason it's up here and that's what kind of gets me worried that you guys might even be considering having this thing passed, but I hope not.

CHAIR KAMA: Thank you.

MR. KEKONA: Mahalo.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Questions, Members? Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you for being here today. I just was wondering about that June 6<sup>th</sup> CWRM meeting the same water company that is going to be providing it was making statements to the CWRM. Were you aware of what the statements were?

MR. KEKONA: I cannot give you the word for word thing but I do remember them recalling them saying that if the water was put back in the stream, they would have to charge the current users more water and that they would be having to switch off from the river stream flows and taking water out of the potable system out of the ground and then raising prices for water as well.

COUNCILMEMBER PALTIN: Okay.

CHAIR KAMA: Okay.

COUNCILMEMBER PALTIN: 'Cause were you aware at that time that they were drilling a well that came online in August?

MR. KEKONA: You know what, I kind of question that idea. I was . . . I'm aware of the wells that's been existing for quite a few years. I wasn't aware of any new well that they've been putting in over the short-term, time frame. So, I can't say that there's a new well being drilled that I'm aware of.

COUNCILMEMBER PALTIN: Okay. All right. Thank you.

CHAIR KAMA: Thank you. Ms. Matthews?

MS. MATTHEWS: Madam Chair, I've been notified that we have a testifier at our Hana District Office.

CHAIR KAMA: Okay. So, let's go to our Hana District Office.

MS. MATTHEWS: Hana, are you there?

MS. OLIVEIRA-MEDEIROS: Hi. This is Mavis at the Hana District Office. I have Alohalani Smith, testifying on AH-1(2), AH-1(1), AH-27 and AH-28.

CHAIR KAMA: Go ahead.

MS. SMITH: Aloha, Chair and Councilmembers. My name is Alohalani Smith and I'm testifying as myself. I oppose the affordable housing projects due to poor planning. The question, you know, think about it, is there mechanisms to sue the developers or the Planning Department due to the failure in the long run? Who's accountable for poor planning? The answer is, no, right? So, how do we work on this? I've been supported on smart development and we need to be proactive. We need affordable homes. Make

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

no mistake on that. But not in a decision \_\_\_\_ of water area. The water resources is constantly being diverted and our aquifers are being capped out. Fire – I was at the Red Cross sheltering the Maui High when the fire went on and we had all these people coming into the shelter. That was something else. Have you guys factored that in for safety? So, I would say to wait for the West Maui Community Plan to be completed for community input and work on that. Our East Maui Community Plan is 25 years old. We don't want poor or foolish development in our eastern sector either. We also need to be activated and revise our community plan of 1994. So, we're learning from this process. And the big thing right now is the West Community Plan [sic]. We need to work together. So, thank you for your time.

CHAIR KAMA: Mahalo. Ms. Matthews?

MS. MATTHEWS: Chair, the next testifier is Jim Petersen, testifying on AH-27 and AH-28 to be followed by Tricia Petersen.

MR. PETERSEN: Thank you for the opportunity to speak to you all today. Aloha.

CHAIR KAMA: Aloha.

MR. PETERSEN: My name is Jim Petersen and I own a renewable energy company here on Maui. And I employ over 500 people installing solar panels and roofing and so forth. I looked to buy a home last year. I looked all over Maui and my wife and I decided, with our children, to settle in Launiupoko and we did specifically for the agricultural plan. We felt that growing our own fruits and vegetables and teaching our children and so forth was tend to not to being here and living on the island. Many of the people that we employed were displaced when the sugar plantations were closed down due to environmental impacts. You know, I gotta tell you what really burns me up and my wife is the fact that when we bought the home that we're in now in Launiupoko we bought it through West Maui Land Realty arm. And we talked extensively with that firm and their real estate agent who told us emphatically this was ag land, there was a shortage of water, there was no new sources, and that the land below us was designated one home per five acres. This was ten months ago. I brought some pictures if I can show you. Within a month of living on the property and not having water. So, our water was shut down no less than three times in the first three months that we've lived on the property. This is the subject area completely burned up, and I think most of you know about it, completely caught fire and all that was lost. This area here you can see the fire burned all around these homes. This home here down below the thing that saved it was the sprinklers went off due to a shortage caused by the fire. You can see the fire burned all the way up the hill. And this is something we're learning that is a regular occurrence. These fires go on all the time up there. So, we're living the lack of water. Just this past week we were shut down for nine days. Our lawns are brown. This plantation or agricultural land that we have has turned brown. Our fruit falls from the trees before it should and so forth. The other day when we came in, we landed at the airport it took us an hour and 20 minutes to get from Kahului to Launiupoko. That was on a Saturday. We started thinking again about emergency vehicles and services and first responders getting to a fire or getting to a flood. When there was a flood, which happened a month

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

after the fire, it took us seven hours to get from Launiupoko to Kahului. Seven hours. I couldn't imagine what first responders would be faced with in trying to get out there for a disaster. As a business owner, I understand the need for affordable housing. I'm an employer. I have over 500 people that work for me that I want them to find affordable homes. But this project, to me, is a wolf in sheep's clothing. It is nothing but a pure profit center for the developer. We feel we've been sold a bill of goods when we bought the property due to not disclosing the real water shortages up there. I beg you to vote no on this project. Thank you all very much for your time.

CHAIR KAMA: Thank you. Questions, Members? Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: I just was wondering were you home when the fire happened?

MR. PETERSEN: No, ma'am. We were on the mainland at the time.

COUNCILMEMBER PALTIN: Okay.

MR. PETERSEN: But let me tell you my wife . . . I wake up at 4:30, 4:45 every morning. The morning of the fire I came down and my wife was up, we have four kids and we were on the mainland, so the time she was up and in tears and immediately said we've lost the home due to the fire. My first reaction was where's the insurance policy? We started contacting everybody up there to look around, the Fire Department and so forth. The MFD did a fantastic job. But the fact of the matter is, we waited days on end to find out if we lost our home. Many of the people we've met, know did lose their home up at Hokiokio and around there lost their home and their entirety. So, I implore you, please to, as people have said to study the plan, to look at the lack of water because that's a reality. I've been living there every day. My kids have to wonder whether it's potable or non-potable water to drink or to use on a daily basis. That wasn't told to us when we bought the property from West Maui Land Development.

COUNCILMEMBER PALTIN: Thank you.

MR. PETERSEN: So, I have real questions about that.

COUNCILMEMBER PALTIN: I appreciate it. Thank you.

MR. PETERSEN: Thank you all for your time.

CHAIR KAMA: Ms. Matthews?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, before the next testifier comes up --

CHAIR KAMA: Yes.

MS. MATTHEWS: --I'm not sure if the testifiers are clear on how to explain how they're testifying so that they can get the full time that they would need to identify the items as AH-1(1), AH-27, AH-1(2), AH-28 to get the six minutes if that's --

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: --what they're looking to do.

CHAIR KAMA: Ms. Matthews, on the papers that the testifiers fill out, is it not listed on their sheets of paper? Could you mention that too in case they forget what they signed up for?

MS. MATTHEWS: Yes, Madam Chair.

CHAIR KAMA: Thank you. Thank you, Ms. Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

MS. MATTHEWS: Our next testifier signed up to testify is Tricia Petersen testifying on AH-27 and 28.

MS. PETERSEN: These are the District Boundary Amendments. For clarification, I'm also testifying regarding AH-1(1) and AH-2(2).

UNIDENTIFIED SPEAKER: Yes.

MS. PETERSEN: Aloha, esteemed Committee Members and lady Chair. My name is Tricia Petersen. And I'm a newer proud owner of a lovely five-acre farm in the agricultural zone of Launiupoko adjacent to one of the proposed projects and rezoning propositions before the Council. I strongly oppose the projects and rezoning of Launiupoko due to several areas of concern. I absolutely understand that there's a great housing shortage on Maui and even a critical shortage of affordable housing. The quintessential mantra in real estate is location, location, location. These locations in this agricultural region of Launiupoko, Maui, are simply put the wrong locations for affordable housing. Affordable housing should be more centralized, closer to schools, closer to public transportation, hospitals, health care providers, retailers, public safety, et cetera. On the mainland, affordable housing development seems to have always sprung up around schools, hospitals, and mass transit. This isn't by chance or happen-stance. Build affordable housing communities out in the middle of nowhere amongst the farms and traffic situation worsens. The residents of this new community will need to drive their own cars as there is no public transportation to these parts. As it is, there is only one road in and out of West Maui. The approximately 13 plus miles stretch of highway between Maalaea and Launiupoko is only one lane in both directions. There aren't any exists and there aren't any places to turn around and be sent back the other direction. In the event of an emergency or natural disaster that affects this stretch, West Maui effectively becomes cut off from the rest of the island. Approving and building three large housing communities with upwards of 200 plus acres developed would add even more cars on that already congested stretch of highway to the point where it will be more than likely a safety issue. The current infrastructure in West Maui desperately needs to be built-up and improved upon to support the continually growing population

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

of West Maui. And by population, I am merely referring to the residents of Maui. We've often forget that Maui and especially West Maui depends heavily upon tourism. That adds to the transient population of the area exceptionally . . . exponentially. While building more high-density subdivisions for affordable housing is desperately needed, it is more emergent to build and improve the infrastructure to support the current residents and tourists. As I said before, there is only one way in and out of West Maui and that becomes a dire safety concern in the event of a natural disaster or emergencies. On September 27, 2018, Maui had an episode of torrential rain coupled with high tides. The one way in and out of Maui, West Maui was flooded and parts of the subway, highway were submerged. The region already faces wildfires every year. It has become a common place, but concerns are somewhat limited since the current population of Launiupoko is not dense. For example, August 24, 2018, Lahaina and Launiupoko experienced an unprecedented fire storm. The only road in and out of West Maui was shut down for many hours and impassable to allow for emergency personnel to be able to fight the fires. So many residents were evacuated in the dead of the night, roused out of sleep by knocking on their doors by Police and Fire. The courageous first responders – Maui PD, Maui Fire and residents worked together to protect life and property as best they could. We were lucky. While there was much loss of property, including the Maui Dragon Fruit Farm, there was no loss no life. That story may have a very different ending if these projects pass. Launiupoko is zoned agricultural. As part of the land use in the Maui Island Plan and the zoning as it currently stands, most, if not all of the parcels in Launiupoko, have a farm plan. In furtherance of these farm plans, there's a heavy dependence upon water provided by the Launiupoko irrigation company. Launiupoko is very dry as we know and doesn't receive much rainfall as it were. In fact, as of March 2018, we were notified that non-potable water will be regulated and restricted because they have to, you know, they can no longer divert water from the streams for agricultural use. So, we had to put these converters in and switch much of our use to potable water at much higher rates. In fact, after the fire, we were unable to use non-potable water for irrigation for weeks because the fire actually damaged the water lines for agricultural use. So, we were watering our farm and our plants and our landscaping with potable water. We didn't have a choice. We had to pay the higher rates. We didn't have a choice. As I said, we are new homeowners in Launiupoko. We bought into all the restrictions. We bought into the water restrictions. In fact, this morning, completely unrelated to this hearing I got a text message from my landscaper. Hi, Tricia, Jim. I am so sorry everything looks so dry and dying. I just spoke to the neighbor about the irrigation water. Explained that the Water Division shut water down for the last week. This is not normal. I don't think it would help to switch over to domestic line because of the poor water pressure and cost. Let me know if this is what needs to happen and we will manage as best as we can. I urge you to vote no on all of these proposals in front of you. The projects and the rezoning the area cannot sustain any more farms, any more the one-acre farming parcels, cannot sustain the number of people that are going to be in these three projects with over 200 acres of new development. If you --

CHAIR KAMA: Thank you, Ms. Petersen.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. PETERSEN: --vote yes on this, you set a very dangerous precedent. How will you ever be able to deny the next proposal that comes up to rezone from Agricultural to Urban. We need to preserve our agricultural lands.

CHAIR KAMA: Thank you, Ms. Petersen.

MS. PETERSEN: Thank you for your time.

CHAIR KAMA: Questions, Members? Ms. Matthews, please call the next testifier?

MS. MATTHEWS: Madam Chair, our next testifier is Kim Baley, testifying on AH-27 and 28, which is the District Boundary Amendments, to be followed by Hans Michel.

MS. BALEY: Good afternoon, Madam Chairwoman.

CHAIR KAMA: Good afternoon.

MS. BALEY: Good afternoon, Council and guests. My name is Kim Baley and I am blessed to be able to move in Launiupoko. I also am new. I have no Hawaiian lineage. I don't speak the language. I have no heritage in Maui, but I have a heart for Maui. I care for Maui and the reason I am testifying today is because of that. I could speak, I have plenty of notes and a prepared statement and I could speak about the sewers and the water issues, and I think that that's all really been handled and taken care of and you're familiar with that. The one thing I would like to say and think about is also the fire dangers. But the biggest issue I see with fast-tracking and hurrying these developments, which are really just one big development, is unintended consequences. And without proper comprehensive independent studies this development could produce very real and dangerous unintended consequences. Who will be responsible for this? Who will pay for the damages and be named in potential lawsuits? The legacy of the Council and the future of Maui are important and serious matters and they deserve careful and complete consideration. And I'll close with asking the Council to remember the motto of Maui from King Kamehameha III – the life of the land is perpetuated in righteousness. I thank you very much for your time, Council and Madam Chairwoman.

CHAIR KAMA: Thank you. Members, questions? If not, Ms. Matthews?

MS. MATTHEWS: The next testifier is Hans Michel, testifying on AH-1(1) and AH-1(2), which are the 201H projects, to be followed by Stan Franco.

MR. MICHEL: Hello, Chair --

CHAIR KAMA: Aloha.

MR. MICHEL: --and Council. My name is Hans Michel from Lahaina – 56 years. All these people when testify today, I haven't seen nothing yet. That little bigger problem we had with the hurricane and the fire, Lahainaluna in the back that four houses when burn down, and those houses were not even ten years old. The people are already building. . .

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

*(inaudible)* . . . they are fire insurance they're down there from work and time and the houses are coming up. But my problem is actually we're short on affordable housing. No matter which way you put it 1964 we applied for housing. Never had anything come about. Thank God for Pioneer Mill who made houses for all their employees in Kelaweia Mauka, but you have three families living in one house. That means three generations because there is no affordable housing nearby. But then again, the people buy \$40,000 worth of truck for go to work. If a small little Datsun could do the job, you know, I mean, if you want a house you need to sacrifice. But they don't look at them that way. But for my part why I'm talking about affordable housing on West Maui the people who have money from Wailuku can buy a house in West Maui, they don't have to drive over the Pali or get up at 4 o'clock in the morning to go to work at 6 o'clock at the hotel. It's all the traffic you've been talking about. Well, I know I've been here, I've seen it. I only came Wailuku today, I hope I don't get stuck when I go home, you know. But the problem is this, if people have affordable houses they can stay in Lahaina. And the water problem is not only in Kauauala or wherever. It is also around Maui. Somebody wants to take all the water for certain things which they don't need. Everybody wants to do agriculture. That agriculture they do doesn't even support for pay the water, excuse me, to have free water. But it would not even pay for they can feed the family. So, if this people are all they can work at the hotel and make real decent money and then you can live a decent life. And that's up to you Council to decide because every time it tells you affordable, affordable. This is the, excuse me, Lahaina News. Molina, go get the piece of paper what they when write about affordable rental. That's what you have to push for also. How can you go get a house when you have no money? But you can rent affordable housing. So, it's you guys who have to push something like Weinberg apartment. Anyway, it's all good. It's up to you guys. You people know what we need, and it's been on the board for the last 50 years. Okay. No more excuse. I've seen it. I've been here. I'm 80 years old. Nobody can tell me any lies.

CHAIR KAMA: Thank you. Questions, Members? Yes? Sir, can you come back, please? Mr. Michel, Ms. Paltin has a question for you.

COUNCILMEMBER PALTIN: I just was wondering if you lease land from West Maui Land Company?

MR. MICHEL: No. I got my land from Pioneer Mill. In fact, I got my first house I bought in 1964 for \$6,000. And I remodeled that thing. It was all full with termites but we worked little by little, little by little and us guys was working two jobs. Today, I'm sorry I shouldn't tell you that, I got 20 acres you want to go and farm with me? Hell no. I don't need nobody who gives \_\_\_\_ ID only for talk and no do nothing. It's me and my wife and my son in-law.

CHAIR KAMA: Thank you.

COUNCILMEMBER PALTIN: You're not . . .

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. MICHEL: Thank God I wake up blessed. And if you guys wanted to know why we no more rain on Maui, the curse is up on the land because people live in sin up to their nose.

CHAIR KAMA: Thank you, Mr. Michel, for your testimony. Mahalo. Aloha. Ms. Matthews?

MS. MATTHEWS: Our next testifier is Stan Franco testifying on AH-1(2) and AH-1(1), which are the 201H projects, to be followed by Kai Nishiki.

CHAIR KAMA: Can you check with the District Office on Molokai? Can you check with them? Okay.

MR. FRANCO: Chair Kama and Members of the Affordable Housing Committee. I'm Stan Franco and I speak for myself. Planning has been an issue for me for a long time. I was part with Hans on the Advisory Committee, the General Advisory Committee for plans that were made. And we tried to put housing in each district so that we would have a planned way of developing our island for the needs of our people. The 201H process that we are using to plan this island is insane. Is insane. We cannot continue doing this like we're doing it. We have to have a General Plan of how we're going to build the housing, where we're going to build it, how are we going to afford it? I've been saying this over and over again. You've heard it. I don't think we should do this. I don't think . . . we should stop this one \_\_\_\_\_ process for affordable housing because of that reason. I think, in fact, Riki Hokama made a statement some time back on this Council in another Affordable Housing Committee about this what I'm just saying. The second reason I'm kind of concerned about these projects that we do with 201H's was shared before. When we had Jeff Gilbreath from Hawaii Community Assets talked to this Committee back on February 27<sup>th</sup>, this is what he said, the 2015 Housing Demand Study done by DBEDT at the State concluded that the County will need 17,000 units in all income levels by 2025 and 75 percent of these units must be for households earning \$75,000 annually or below. Today, if you look at the 2019 guidelines for the County of Maui on affordable sales that 75,000 is about 90 percent level. So, what we're doing with these projects and all these 201H projects that we are approving from 80 to 90 percent that's affordable. The rest is, you know, basically not building for the people at the incomes they earn. So, we cannot continue doing this and that's why I think the plan is so important. It concerns me after working on affordable housing for 30 years that we don't know where we're going, and we cannot continue to do what we're doing right now with 201H projects. Thank you. Do I have three more minutes?

CHAIR KAMA: Yes.

MR. FRANCO: Oh, okay. You know, this is about our people. We gotta consider there's been a lot of discussion about various things that are concerning this particular development out at Launiupoko. I'm not from Launiupoko; I'm from Haiku. But I hear the people. I'm concerned for what I'm hearing. You know, the concern about not having water. I grew up in Haiku when we had times and maybe Mike knows. In Makawao, we had the same problem, which they had restrictions on water use. I lived that all through my life. We couldn't use water, or we had to boil water and all these kinds of things. We had to

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

put . . . *(inaudible)* . . . bags on our pipes to take out all the rust and everything else. We cannot do this anymore. You know, we need to provide our people the water that they need. And if we don't have the water in Launiupoko, then we should not build there. And we should preserve it as agriculture. I'm, again, very concerned that we continue to do this. So, Council, from the bottom of my heart, I ask you please do not approve these projects. Thank you.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: Our next testifier is Kai Nishiki, testifying on all four items to be followed by Lori Sablas.

MS. NISHIKI: Good afternoon, Chair, Councilmembers.

CHAIR KAMA: Good afternoon.

MS. NISHIKI: Mahalo. I have a few objections. I object to the testimony being cut short. I think that the public deserves to be heard and that our voices should not be stifled. We should have the full three minutes on each item. So, I object to that. These hearings should be held in Lahaina with our Councilmember Tamara Paltin in the evenings so that our community members have an opportunity to be heard. I don't think it's fair that the meetings are being held here and pretty much only people who can be heard are people who take time off of work or are getting paid to be here. And as a member of the West Maui CPAC, I believe that we should wait for the community plan update. Our community deserves to be heard and deserves to decide where we want say for affordable housing that makes sense. Let's respect that process. And I also object that we're hearing two of these at one time. I mean, usually we can barely have time to look at these things fully with careful consideration just one and now we have two projects. And also, there's also some concern about whether or not you guys should even be hearing this before the State has a chance to make their decision on it. However, I moved to Lahaina eight years ago with my family after commuting to work in Honokowai from Haiku for many years to our family business. I thought me and my kids would get to spend more time together maybe buy a house close to work and school. That's for today. Sorry. We're going to have to move again. And that's not because we want to but it's because we can't afford our over-priced rent and I'll never be able to save enough money for down payment to buy a home on the West side. My kids are crying. I'm crying. They want to stay at Lahainaluna and graduate there. They want to grow up with their friends and their family, and maybe buy a home of their own on the West side. But that's not going to happen, and I have to break my kids' hearts due to our housing crisis. We need truly affordable housing. We need 100 percent affordable housing projects not just a few so-called affordables mixing with mostly market-priced homes. We need affordable homes in perpetuity, not affordable for ten years and then they get flipped and we lose our inventory of affordable homes and we start all over again. We need homes in Lahaina with County wastewater and water, infill homes close to bus lines, jobs and schools. I called West Maui Land Company when I saw these projects come up and I told them, look, I really want to . . . I don't want to come to the Council and just be fighting, no, no, no, all the time. Why don't we start a working

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

group? Why don't we get into discussion about a project that's 100 percent affordable? And there is, they own land right in Waiee. And right now, we're trying to put together a working group so that we can propose a project that our community will support, that our community wants to live in, that they can afford to live in. And then we come to Council and all these people will come and be supporting a project, not coming, having to take time off of work and oppose a project. That's not what we need. We need our community to be able to come together. So, maybe we need to be telling these developers, hey, go to the community first before you come to the Council. Find a project that our community supports then come here. This is backwards. So, thank you very much. I hope that you guys will say no. This is not the right place, not the right time. A lot of people have brought up great points about why this is the wrong time and the wrong place. And, I mean, we all live through the fires and the floods and that's a huge, huge, huge . . . heavy experience to have to live through. And until you live in that crisis, state of mind for months on end you don't understand how traumatic it is to evacuate your family in the middle of the night and go to a shelter and not know what's going on. And it's just . . . it's not the right time and not the right place. Mahalo.

CHAIR KAMA: Thank you. Members, questions? Ms. Paltin?

COUNCILMEMBER PALTIN: I just had a question, thank you for coming, that you objected to having the two heard together. There's also a third project. And to me, if they're heard together then we can understand more of the cumulative impact because realistically you're not supposed to rezone under 15 acres. But now we're doing 45 approximately with the three separate parts. So, I was wondering if you still did object to hearing the two or you rather have one or three?

MS. NISHIKI: Well, I think that there's a challenge for the Council to be able to look at these housing projects and look at them fully and completely when you're trying to study . . . it's like trying to study for an exam for Math and English on the same day. It's like it can sometimes be overwhelming, but I do understand your point of like, well, we do need to look at, well, there's three projects coming in all at the same time and how those impacts will affect our community. But it does seem to be kind of like a segmentation and that's also a problem. So, I guess there are advantages and disadvantages to looking at it that way. But the segmentation, I do object to that.

COUNCILMEMBER PALTIN: Okay. Thanks. Yeah, I guess that's why nobody can read the other ones cause one at a time.

MS. NISHIKI: Exactly. Mahalo. Yes, I do think that they should be hearing all of these in your district. It only makes sense because that's who is going to feel the biggest impacts. So, mahalo.

CHAIR KAMA: Thank you. Ms. Matthews?

MS. MATTHEWS: The next testifier is Lori Sablas, testifying on AH-1(1) and AH-1(2) 201H projects to be followed by Gordon Firestein.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. SABLAS: Aloha auinala kakou.

CHAIR KAMA: Aloha.

MS. SABLAS: Now that I'm retired, I watch all of you on Akaku and you look better in person. Thank you very much for all that you do for our people of Maui. Aloha. My name is Lori Sablas, born and raised on Maui. My maternal ohana are the Kamakas of Kahakuloa go back several generations on Maui. I am here today testifying as an individual concerned about my island home. And I'd like to make a clarification that I'm going to be testifying on all four items, but I hope to keep my testimony under the six minutes allowed.

CHAIR KAMA: Thank you.

MS. SABLAS: I appreciate everybody's time here. But what I'm bringing today I think is something new. Nobody has talked about it and, that is, every one of you ran on the platform of wanting affordable workforce housing when you ran. And I know you all take it to heart. And so, my thought was that, okay, all of you have that interest. But how many of you have really gone to the workforce? I'm representing workforce. I have 50 years of the visitor industry. I mean, I lived in Lahaina and then I bought a home in Kihei so I'm a commuter and I'm very involved in my community. So, my thought was why not go to the people? Why not go to the workforce? Because if there's one thing I know is that everyone in this room have one thing in common - we all want affordable workforce housing, which is really hard to get. And I really applaud you for trying to resolve this. This is not an easy thing. I know that. So, what did I do with this thought in mind? I wanted to get input from the workforce again, you know. Even to address the commuter system, for instance, I rode the bus just so that I could really identify with those commuters and what it's like to get on the bus. My idea is to get one car off the road. So, I'm taking that same approach. And I went to the HR Director's on the Kaanapali West side because that's where I'm familiar with. So, I started because I wanted to get the workforce . . . to get input from the workforce primarily on the West side for people who are usually too busy working and taking care of their families to get involved in politics. I felt it was important for them to have a voice. And so, I am here today to represent the 321 workforce who responded to our survey. And by the way, I have packets for all of you Councilmembers on the survey that we deployed. I'll just cover the highlights, but I don't think I have enough time to really go into detail. And again, as I said, I started by going to the mommas of the hotel of the workforce. They're the mothers. They're in HR. They know the employees and so we gathered. We met for the first time in April 24<sup>th</sup> of 2018, and we have had six meetings since then. And all of our meetings was on one topic - how do we help our decision makers make decision for our workforce to be able to provide that? So, we developed a series of questions and after six meetings of coming up with questions, and you'll see that in the survey starting with, you know, do you commute from work? Where do you live? How long have you lived on Maui, et cetera? We approached the Maui Economic Development Board for assistance in refining and deploying the survey and compiling the data. It was important to me that the survey was all inclusive and community-driven to study and to

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

truly represent the workforce in the West side. The Maui Economic Development's assistance, I want to make clear, was on the basis of a neutral party using its expertise in community engagement, which they are, you know, really good at doing. They recognize affordable housing as a limiting constraint for our residents and our economy and not endorsing any specific project. So, the methodology that we deployed again through the Maui Economic Development was we had a SurveyMonkey, and initially we developed after we got the 22 questions and deployed it through SurveyMonkey to all of those 20 or so HR Directors and financial people to get it out to their workforce. And then I also, I mean, we had the flyers to the members of the Maui Hotel and Lodging Association. I personally delivered flyers on the survey to all three public schools in West Maui, the Lahaina library, the Fire station, the Police station, the two credit unions in Lahaina, and Nagasako deli because she's my classmate. And also, we had meetings about the workforce housing with Chair Kama, with Paltin, and with Chair King. In fact, what Chair King said, Lori, if this survey works, again, it's grassroots let's try to do it in other areas like South Maui. And I'm willing to assist in any way I can. I truly, truly and with all of us in the room how do we address this? We're not going to address it by going against each other. We have to collaborate. We have to work; we have to come up with solutions. So, let me just give you, again, a summation of what the survey found. As I said, we have received from our survey 321 completed surveys in seven weeks. And those who completed the survey be it written or through the Survey Monkey they took the time to go through all of the questions. Hundred percent just doing the first two. They filled out all 20 some items. And 56 percent are employed in the visitor industry. Not surprising, we kind of know that, which is a good representative number. I got another three minutes and I can wrap up. Okay, Chair? Hui. Can?

CHAIR KAMA: Okay.

MS. SABLAS: Three.

CHAIR KAMA: And that's a total of six, right?

MS. SABLAS: Yeah. So, I've got three more. I can finish.

CHAIR KAMA: Okay. Thank you.

MS. SABLAS: I gotta stay to your protocol, you know. I respect that. And then 14 percent, and again, I will be giving you the data so you can see, you know, but I just wanted to give you an idea of the efforts that were put in to get information that is data driven from the people we are trying to take care of, and that's the workforce. Again, I represent the workforce as what I've been doing. I've worked my entire life in the visitor industry and now I'm retired I still care. And almost two-thirds of the respondents have lived on Maui at least 15 years (19 percent a life-time residents). Forty one percent of those who responded live in a multi-generation home – 41 percent of the 321 responded. I know families who live four generations. It's not how we want to be able to have our community? You know this is a serious, serious issue, I think. As many as 25 percent of those surveyed considered a move to the mainland. This is really an important type

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

of information, I thought. And this came up by the industry members because they say they lose so many employees time after time. A chef at the hotel told me, you know, I train the people, they get work, and they're good and then I lose them because their rent went high. I mean, Kai mentioned that. So, this is a problem. This is a problem. And this has a serious implication for our economy and the visitor industry, in particular. Seventy five percent of those specifically cite lack of affordable housing as a reason of their moving. Fifty four percent of respondents rent, 34 percent are homeowners, and 10 percent live with family. Sixty three percent of all respondents have a household income that falls below the 100 percent of HUD median income threshold of \$81,000. Forty four percent of all respondents fall below the 80 percent median household income threshold of \$65,120. A recent study, the ALICE report . . .

CHAIR KAMA: Can you wrap up, Ms. Sablas?

MS. SABLAS: I going wrap up, okay. I guess my wrap up is that I'm not sure if we're going to come up with any perfect solution, we all know that. It's your charge. I just encourage you to keep an open mind. Listen to the applicant. Listen to how they're addressing some of the concerns raised and let's work together for solutions because bottom line we need affordable housing. Thank you very much.

CHAIR KAMA: So, you're going to send us a copy of the data?

MS. SABLAS: I have it all here.

CHAIR KAMA: Okay. You can give it to Stacey. Thank you. Members, questions?

MS. SABLAS: There's copies of the surveys, the results and summation.

CHAIR KAMA: Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Good afternoon, Ms. Sablas.

MS. SABLAS: Good afternoon.

COUNCILMEMBER SUGIMURA: Nice to see you here and thank you for having the genius for actually doing this survey. I think a lot of times we say it, but we don't necessarily actually go to the workers. So, thank you for doing that. And you basically did it for the Kaanapali Resort area then.

MS. SABLAS: The West Maui area.

COUNCILMEMBER SUGIMURA: Oh, the West Maui.

MS. SABLAS: And the reason why is because I saw a need there. Being a commuter myself and realizing how many times we had employees who couldn't come to work for whatever reason. And, you know, my contacts are the West side so that's the reason why I started there. But again, I said, if this kind of thing works, if it makes sense to

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

the decision makers, I'll be happy to help in any other area. You know, like Kelly King had said she wanted to do it in South Maui, just to get data from the workforce. If we are talking about workforce housing, let's ask them?

COUNCILMEMBER SUGIMURA: Thank you very much.

CHAIR KAMA: Yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Ms. Sablas, for being here.

MS. SABLAS: Thank you.

COUNCILMEMBER SINENCI: I was wondering, you know, in speaking with some of these hotels were any of the hotel owners willing to help, to produce some of these housing for their workers?

MS. SABLAS: I wish it was like plantation days.

COUNCILMEMBER SINENCI: Right.

MS. SABLAS: You know, my dad bought a home like Hans. You know what in 1963 our home was for \$19,000. Our monthly payment was \$104.00. That was by impact. But to answer your question, I'm not sure. You know, for every corporate reasons and things like that, I don't want to answer for them. I tried to get an audience before the Kaanapali Beach Operators Association, I represented that for ten years, but I couldn't get in. From what I understand from some of the people is kind of like a legal thing and, you know, so it's beyond my mind. And I really wanted to focus on getting a voice of the workforce. I said it's bottom up, not top down. That's my focus.

COUNCILMEMBER SINENCI: Thank you. Thank you for your efforts.

MS. SABLAS: You're welcome.

CHAIR KAMA: Thank you, Ms. Sablas.

MS. SABLAS: Thank you.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: Chair, next testifier signed up is Gordon Firestein, testifying in his role as Chair of the Launiupoko Firewise Committee to be followed by Jeff Anderson. Gordon has indicated he's testifying on AH-1(1).

MR. FIRESTEIN: All four.

MS. MATTHEWS: All four?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: All four.

MS. MATTHEWS: Thank you.

CHAIR KAMA: I think, testifiers, if you're going to give a testimony and you're not clear about what you . . . if you're going to testify on all four for the six minutes tell us that upfront so that we do not disturb you with the red button that keeps popping in your face. Thank you.

MR. FIRESTEIN: Aloha, Councilmembers. Before I get started and read my prepared remarks, I just want to say that I, for one, am very encouraged by . . . with the entire process today actually minus the outburst. But especially the last two speakers who have got some fresh, valuable, practical ideas to the body. And this is why it's so important to have public comment and to not rush the process. It takes time to be able to gather these kinds of ideas and take them to fruition. And it's also why it's so important to have at least one of these meetings on the West side. Who knows what great ideas are out there inside the heads of people who couldn't make it here today? So, with that, I'll read what I prepared. I think I'll be able to get through before the red light comes on. But I am here, in my capacity as Chair of the Launiupoko Firewise Committee. And Firewise is a national program that certifies neighborhoods that commit to taking action to prevent wildfires. And Launiupoko is 1 of 12 such neighborhoods in the State, three on the island, and it's the only one on the West side. And I find it very ironic that our neighborhood is proposed as the site of what is a very fire unwise development. And I use the singulars others have noted because these two developments that are on the agenda today will soon be joined by a third and the impacts ought to be considered as a whole especially when it comes to fire. So, others have spoken about the problems with water, which in my opinion by itself ought to be disqualifying. Others have talked about traffic again by itself I think ought to be disqualifying for these projects. But talking about wildfire and especially given the trauma last year with the Hurricane Lane the fire in this exact area and the huge risks that still exist there, the fire ought to be disqualifying as well. But it's worse than that because all three of these – water, traffic, and wildfire are interrelated and compounded. We need water to green the landscape and to fight the fires. We don't have it now; more water demand won't help. We need adequate traffic infrastructure to accommodate a safe evacuation and access for first responders. We don't have it now more cars won't help. This area is what's called the wildland urban interface and it's not just a risky place for wildfires. Recent studies by the Hawaii Wildfire Management organization have identified it as one of the most vulnerable places in the entire State for wildfire. Creating two new urban islands in the midst of a vast swath of vegetated fuels won't help. In the irony of this of course, is the very people you'd like to help with affordable housing as everybody has spoken about, we all want help people with affordable housing. But these people located in dense urban islands in the midst of a sea of fuels are the ones most at risk. It happens that the *LA Times* just yesterday published a story about a public opinion poll on whether Californians thought housing, including affordable housing, which they also struggle with, ought to be restricted in wildfire prone areas. Seventy five percent said yes. This is not a close call. The climate crisis is real and it's here. The probability of wildfire, which is a regular thing already, is going up due to forces we can't control. We

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

shouldn't make the problem worse by making the wrong decisions on the things we can control. So, please reject these projects. Let's build affordable rentals in areas where they make sense. Thank you.

CHAIR KAMA: Thank you. Questions, Members? Ms. Matthews?

MS. MATTHEWS: The next testifier is Jeff Anderson, testifying on all four items to be followed by Mark Nigh.

MR. ANDERSON: Hi, my name is Jeff Anderson and I would like to speak some more on the community plan, the West Maui Community Plan. And I believe I have some charts to pass out to the Councilmembers. While that's being done, Doris Lang introduced the community plan process and where we're at with that plan. It's disappointing that that wasn't done first before these projects came through. But what I'd like to share with you is the input that we've just recently received in the community plan process. The last step of that process was to present four potential development area or development plans called infill expansion centers and dispersed growth and then solicit feedback from the community regarding which plans they liked, disliked and why. The community submitted 468 comments about the plans, and they did that both online and on poster sheets at events. And the charts that I'd like to get passed out show the results to date. It's a summary of . . .

CHAIR KAMA: It's on either on your Granicus or it was passed out. Looks like this . . . it's got graphs on the back.

MR. ANDERSON: Do you all have it? Okay.

CHAIR KAMA: They got it. They just gotta look through their . . . encyclopedia.

MR. ANDERSON: Thank you. Make note that this is an independent analysis something that I put together by looking at all the comments then categorizing those comments. It's based on data published by the community plan folks. So, on the first chart looking at the number of comments in support and against the four plans, the expansion and the dispersed growth plans include new locations for development on the West side, including denser development in Makila and these were the least liked plans. The infill and the centers plans they showed development within and adjacent to similar use and did not include development in Makila. These were the preferred plans. The next page regarding the number of comments in support and against those specific plan changes, the Makila development was the least preferred new development after Olowalu. The next busy chart captures the reasons that people liked or disliked a particular plan. Some of the primary drivers influenced in provinces were in \_\_\_\_\_ growth, infrastructure availability, more or less sprawl from each plain and preservation of open and agricultural space. The final chart shows the number of concerns about general concerns that people had. So, these were comments that were not necessarily about any particular plan but just what people are concerned about on the West side. There were lots of comments about the lack of infrastructure, including roads, schools, hospitals, et cetera, traffic especially on the Pali, and lack of affordable housing. The

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

environmental concerns that people raised were mostly about the . . . mostly focused on the ocean and reefs. The last page just shows the specific changes that are included in each of the four proposed plans. My overall take away from this is, yes, we need more affordable housing that's very clear that more infrastructure is needed. There were many comments along the lines of do the infrastructure first before development. And then finally that the preferred location for new development is infill and expansion out from similar uses. Thanks for listening.

CHAIR KAMA: Thank you. Members, questions? Yes, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you very much for this information. Do you know how many people were surveyed?

MR. ANDERSON: That's . . . Doris probably has that answer. I can tell you that there were 468 comments.

COUNCILMEMBER SUGIMURA: Thank you. That's it.

CHAIR KAMA: Thank you, sir, very much. Thank you. Members, I'm looking at the clock and I saw some of your motions to me. I can read sign language. So, I'd like to be able to call a recess until 4 o'clock. This meeting is in recess. . . .(gavel). . .

**RECESS: 3:52 p.m.**

**RECONVENE: 4:05 p.m.**

CHAIR KAMA: . . .(gavel). . . The Affordable Housing Committee of June 19<sup>th</sup> will now come back to order at 4:05 p.m. in the afternoon. Thank you all for coming back and thank you for quorum. Mr. Molina, I hear that you will be . . . we will be losing you at what time?

VICE-CHAIR MOLINA: Five.

CHAIR KAMA: At five? Okay. So, it is the Chair's intention that we have 30 more testifiers to go through. I would like to hear them all today. And, therefore, Council, be prepared to stay long. The Chair has promised dinner. I'm not sure what for the Council but just believe me, I will feed you if you maintain quorum. And that will be at 6 o'clock this evening. So, if we're ready, Ms. Matthews, will you please call the next testifier?

MS. MATTHEWS: Yes, Madam Chair, next testifier is Mark Nigh, testifying on AH-1(1) and (2). Any other items?

MR. NIGH: No.

MS. MATTHEWS: Those two items to be followed by Craig Studwell and Donna Brown.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Mr. Nigh, so you'll be testifying on two items that means you're going to be speaking for three minutes. Thank you.

MR. NIGH: I'll be short.

CHAIR KAMA: Thank you, sir.

MR. NIGH: Good afternoon, Committee. My name is Mark Nigh, and I'll be succinct. A part from all of the infrastructure issues that you've heard about today – water, septic, traffic, schools, et cetera, I want to talk about my issue with the idea of using the affordable housing issue to push through a much, much larger project especially when in ten years those could all be market rate houses. This really is not about affordable housing but really about getting a significant number of market rate lots to sell. There must be impact reviews on the environment, water, the land, ocean, traffic, safety, et cetera, before anything even thinks about moving forward. If the development makes sense prove it by going through normal procedures since it's such a big overall project. Really, planning is needed. Please deny the proposal.

CHAIR KAMA: Thank you, sir. Members, questions? Seeing none. Thank you. Ms. Matthews?

MS. MATTHEWS: Next testifier is Craig Studwell. After that, the next testifier is Donna Brown testifying on all four items to be followed by George Brown on all four items.

CHAIR KAMA: Who's the next testifier?

MS. MATTHEWS: Oh, Craig had to leave. The next testifier is Donna Brown to be followed by George Brown.

MS. BROWN: Hello. My name is Donna Brown and I'm testifying on behalf of myself and the future of Maui. I am testifying on all four bills or issues or whatever they were, and I'm opposing all of them. And my question is, why put it through the fast track? For the past two years there been meetings for the West Maui Community Plan, and you've heard about that already. And I've been to most of those meetings, try to be a good citizen and participate in everything. And kind of the over-arching theme was no Urban sprawl. We want to keep future development within walking distance to schools, shopping and places of work. And they've talked about developing bike paths and walking paths so everything can be connected and be close together. There's nothing close to the area that they're proposing to do this development, so people would have to drive there for everything. People have to drive their kids to school every day or have them take the bus. They can't walk to school. They can't ride their bike to school. Also, the traffic in and out of West Maui as everyone knows is really becoming dismal. I kinda do the opposite compute. I teach at the college and I live in Lahaina so I have to plan my classes on what time the traffic is or else I can't get to work on time. And most afternoons it's just gridlock getting in or out of Lahaina. So, I try to work late. And I'm wondering why fast track this now? Why not wait until the community plan is finalized and make it conform to the plan? Maybe the developers are just pushing to get their

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

development approved before the plan comes out because they know that it's not going to be part of the plan. I'd like to just put a little bit of history in here. And I've lived on Maui, on West Maui the whole time for close to 40 years. And when Pioneer Mill stopped growing sugar, they sold the land to the developers and they wanted to build this big community there and everything. And as you heard this morning from Kuulei Palakiko, there is a big fight from the whole West Maui community on this development. Nobody wanted a big development in this area. And the only reason it was ever allowed to pass was because they promised that it would always stay Ag and it would keep that rural lifestyle. And even now, there's already been more development there than they thought 'cause people divided their lots and build more and everything. And so, it's even more than we ever thought would be there is there now. I have a list of reasons why the developments are in the wrong place, and a lot of people have said these but one of the things that really bothers me is in that big long paper they're asking for exemptions for many of the regulations, including community plans, traffic impact fees, fire code, electrical code, plumbing code, building codes, grading and grubbing rules and more. And one of those that really, really bothers me is the grading and grubbing rules because we've seen what happens when those kinds of things aren't followed, and things are graded improperly, and all that sediment ends up out on the reef and kills the reef. Just so you know, by my . . . what I do is I teach marine biology and I've studied Maui's reefs for over 30 years. I've done intensive surveys on Maui's reefs and it's really sad to see. If you haven't been out there lately, our reefs are really in trouble. And we can't really afford to continue doing what we've been doing. Not to mention the other things that the traffic everyone talked about. We really need to preserve some ag land so that if we need to support ourselves, we can grow our own food. And also, the open space is really important. Tourist come here to Maui for the beautiful landscape and to look at things and if they start seeing that everything is just totally developed, they're going to stop coming. And that's kind of our whole economy is based on that. So, unfortunately. We are in an extreme fire hazard area and they're proposing to use a private road to go in and out. It isn't even a public road that's maintained publicly. Another really big issue that bothers me is the whole thing that workforce housing can be sold at market value in ten years. And I really applaud our Councilmember Molina's plan that we saw in the paper today to come out with a lot more affordable rentals and that would always stay in affordable. So, is this going to be my whole thing or just the first one? The first one? Okay. Okay, so, the other thing is there is no guarantee that the workforce housing will be sold to long-time Maui residents. A lot of people could just come here get a job like they're building new hotels so they brought in all these workers and they might have lived here for a year or two and now they're saying, I'm a resident. I want a workforce housing and it doesn't guarantee our people that grew up here will be able to have a house. Okay. There's no more sewage system. That's a really big one too because as you heard our water problems are happening and if we start putting more cesspools or septic tanks, and they're going to use septic tanks, and they said they have this high-tech thing but it really is just a regular septic tank that's going to be leaching. . .is that the last one?

UNIDENTIFIED SPEAKER: I believe that's the whole thing.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. BROWN: The whole thing? Okay. Okay, I just want to wrap up by saying rules and regulations are made for good reasons. The developers are asking for a lot of exemptions. Let's please don't fast track it. If they want to do all this stuff, let's take the time to really look it over and make sure that it's done right and in the right location, which I do not believe is this location. Thank you.

CHAIR KAMA: Thank you. Members, questions? Thank you. Ms. Matthews?

MS. BROWN: Thank you.

MS. MATTHEWS: Madam Chair, the next testifier who signed up to testify is George Brown on all four items. And then we have a testifier on Molokai.

CHAIR KAMA: Thank you.

MR. BROWN: Good afternoon. I'm a . . . my name is George Brown and a current resident of the Makila area. I used to work for Pioneer Mill and took care of the water and the land and the 25,000 acres that we did have. You've heard today about the situation of the fire. Okay. We have one road in and out. And I think we have about 700 people living up there now. These developments could add another what - thousand, 2,000 people up there for one road? I've seen it where if there's an accident everything stops. Anyway, so that's one thing that really worries me. I was there with the fire. Scary. Sorry. It's very, very scary. Anyway, what I want to talk about is that there is 720 acres in Lahaina right now that should be looked at to develop for affordable housing. You've heard everybody say affordable housing. The State Housing and Finance Development Corporation has 470 acres and nine roads that go into this area. Hawaiian Homes has 50 acres in the same area. Why not do it there? There's the Waiee land and homes. So, there's several people that asked about Waiee. There are six parcels there of 202 acres and those parcels are right above the swimming pool in Lahaina. That's another area right next to town if you're talking about people walking to work or walking to school or something like that. If you're going to put housing any place, put it in those areas. Again, 470 acres that the Housing and Finance Development already has for that. Let's do that. Those 720 acres if you had, you know, 10,000 square foot lots and you had some open area and roads and stuff like that, that might be as many as 2,000 houses. I'm not saying that I want 2,000 houses over there. But what I'm saying is, that if you want to bite into this program, into housing, do it where you get a lot of housing. Don't do it in Ag. There is a Maui County Charter - 19.30A-202. Look at that. These lands are in that area. Highest priority for retention in agriculture. Why would we want to change that? I guess that's about all I have to say except the water. There's a song that was written for the queen. Kaulana Na Pua, okay. Just don't sign this paper of it in memory. Don't take their money. We rather eat rocks. If we don't have water out there, we're going to have to be eating rocks out there. Thank you.

CHAIR KAMA: Thank you. Members, questions? Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Mr. Brown, for being here. Can I ask a question?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. BROWN: Yes. Yes, ma'am.

COUNCILMEMBER PALTIN: I guess I was wondering for the evacuation where . . . at what location did you go to?

MR. BROWN: We just discussed that the other day and the evacuation . . . now, the County apparently doesn't even want to put evacuation signs up. They're taking signs down that I've heard. We are taking signs down. There are some walking paths that we use, that we can use but they're talking about blocking those things. We go down Kai Hele Ku. One road.

COUNCILMEMBER PALTIN: So, when you were there with the fire you came down Kai Hele Ku?

MR. BROWN: Kai Hele Ku, yeah.

COUNCILMEMBER PALTIN: Then you just sheltered at Launiupoko Beach Park?

MR. BROWN: Yes, with hundreds and hundreds of people, yeah.

COUNCILMEMBER PALTIN: Sorry, yeah. Thank you. Just logistics.

CHAIR KAMA: Thank you. Thank you, Mr. Brown. I think now we're going to Molokai . . . to our District Office. Aloha, Zhantell, are you there?

MS. LINDO: Aloha, Chair. This is Zhan at the Molokai District Office and we have two testifiers. Our first testifier is Sybil Lopez.

CHAIR KAMA: Will she be testifying . . .

MS. LOPEZ: Aloha, Chair, and Council.

CHAIR KAMA: Hey, Sybil?

MS. LOPEZ: This is Sybil Lopez. Aloha.

CHAIR KAMA: Sybil, this is Tasha. Are you going to be testifying on all four items for six minutes?

MS. LOPEZ: Yes, ma'am.

CHAIR KAMA: Okay. Thank you.

MS. LOPEZ: And I, just for the record, I also signed in to testify at the Chambers but because I had a flight to come home to Molokai, I made my way to the Molokai Office to testify. For me, this is a very important matter. I am one of the kuleana descendants of that place. In Kauaula Valley, we did experience that whole wildfire and like how the

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

previous testifier expressed lots of emotions and, you know, we still recovering after seven to eight months of what . . . that tragic, that event occurred. We still trying to re-build and re-focus and we do alive but in light of that, you know, we are pushed with these types of developments coming in. And I just wanted to highlight that I'm in opposition all of this development that is going on and my first and foremost reason is that we shouldn't be bifurcating the system. And that this project should go to the Land Use Commission and shouldn't be segmented where to allow District Boundary Amendment per project. It should be looked at as a whole. And I totally support the efforts of Councilmember Paltin when she wants to bring it back to her own community so that we can make a decision on how we want to face our future, and really invest and look into the West Maui Community Plan. I mean, I support the testifiers before me especially explaining about the chart. I have been involved in a few them, the West Maui meetings, and it was across the board that development in this area was strongly in opposition and we all felt that it wasn't a prime location for affordable housing. But everybody all agree that we do need affordable housing but not in that area like how other testifiers say traffic, wildfires. And even another testifier stated about the median income. It's not survivable especially on today's wages and I agree with that. I also want to point out to the water and the IFS, which came in to last year regarding the Kauaula River system. It's been diverted for how many decades and if you look at the statistics and I have an article – March 21<sup>st</sup> where the A-stream usage for our West Maui streams guaranteed by a historic decision that tradition and customary Hawaiian rights are protected. So, CWRM actually acknowledged this and with that decision they made it was a half daylong hearing in which more than three dozen people testified on that. We still utilize that as a tradition and customary Hawaiian right and that should be the first thing that you guys protect. I mean, looking at diversion and looking at the USGS study they said six, as of their study, six active lois at the auwai but there's 25 inactive lois and why there's inactive lois because of that diversion. Because everybody else get a piece of that water before our traditional and customary Hawaiian rights. And then people ask me, why you know more loi, I mean, being that we have to, you know, re-grow everything from the fires, we just don't have the water like everybody said before me that you should look at the water stream. The water stream going down and part of the DLNR like what Uncle Keomoku said that the native species come first and everything that we have to do is we got to replenish everything and, you know, with the water and the water rights like what they said, we have to be acknowledged. It's a must. And the native plants I got an issue with that because part of that 628-page report, the biology report stated that there was only two native species that were identified in that area. Twenty-two that are non-native. And the two native species that they talk about is the uala and the ilima. And that's not true because well, remember the time when my uncle always used to tell me what strived in that area. Ulu strived in that area. Ohia strived in that area. Uala strived in that area. Koa strived in that area and why is the reason why it looks dry and desolate and prone to wildfires because we're not replenishing our ahupuaa system. We're not looking at the managed resources that we can do to bring back the water. And I know Councilmember asked about drilling another well, it's like putting another different straw in the same cup. So, you're taking the same water but you're adding another straw in that. So, more, more, more takings of our water and then the land will dry up. So, I would recommend then to bring back the water, bring back our dry forest, bring back our natives, and let the

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

natives grow and replenish and bring back that viable ahupuaa system where the Kauaula to Olowalu once strived on. And that's how we lived. If they understand our culture and our system and how we operate, we tied to the land for one reason because the land and the water gives us life and, in return, we give life back to it and it's a full cycle. It's a full cycle. So, please don't let that place go dry. You folks can find other places that we can do affordable housing. Mahalo for your time and aloha.

CHAIR KAMA: Mahalo, Sybil. So, Zhan, do you have your other testifier there?

MS. LINDO: Yes, aloha. I am the next testifier. My name is Zhantell Lindo and I am testifying off the clock. And so, I just wanted to make a brief statement in support of our people here on Molokai in opposition to both projects and to the district amendments that they're trying to make. I just wanted to say that for us watching here a lot of people who came to view this hearing going on right now did not want to speak because we have respect for the people in that ahupuaa and we have respect for the people in that district. And I just . . . I want to commend Councilmember Paltin for being so humble as she goes through this watching her people come out in drones and talk about their heartfelt worries and concerns and so, for Molokai, I just like say that this action you will take or not take will, in our eyes, set a precedent for ag lands all over Maui County. And with large landowners like us in Molokai that's one scary thought. So, we would like to make a plea, I would like to make a plea on behalf of our island that if we going start to set precedence for affordable housing, which is necessary and I know that more than anybody here, that we also more importantly take a look at . . . it doesn't matter how much money you get that you can afford the house, what does it matter how affordable a house is if you cannot flush your toilets and drink your water? What does it matter how affordable it is if we killing all of our native species and we not taking care of replenishing our natural resources? So, we pray for our brothers and sisters on the West side of Maui and I hope that guys take to heart everything that these people are coming out and talking about. And I don't . . . I want to make a big piece of process. I think that being a former Planning Commissioner this should have gone to the Land Use Committee. The picture needs to be looked at as a whole. If you start to fragment projects like this, then the community plan means absolutely nothing. And so, for the process of community planning for the idea by which community plans were created, I hope that we can stand together and the Council can stand together to give the people back due diligence in this process and give them back the opportunity to take your time on this and take your time on figuring out what is the best overall solution not just for affordable housing but for our people and our aina too. Okay. Thank you. And that was our last testifier.

CHAIR KAMA: Thank you, Zhan. Go home. Okay, Ms. Matthews?

MS. MATTHEWS: The next testifier is Dave Nutter, testifying on all four items to be followed by Michelle Griffoul. After Michelle Griffoul, there's Rick Nava.

MR. NUTTER: Good afternoon, all, and I'm going to discuss all the points. I can't say that I'm really happy to be talking to you all again because we've been doing this for about the last three years and it's getting a little old and you've heard all of the negative aspects of

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

this. My interest I hear show me the water, my interest . . . I am a retired surgeon and my interest is in the public health area and so don't show me the water, show me the sewer because I don't think that you're thinking this through as far as the infrastructure from a public health point of view. So, I think that listening to the testimony that has been given before the effect of water and the relationship to our reefs and the land I think you're not concentrating in the proper direction. So, as you know, the present State is trying to get rid of cesspools in the Lahaina area and go to a different sewer process. You know that you're in the courts as far as injection wells because of the excess effluent that is coming from the hotels. So, you're already under pressure from a public health point of view already in the courts in the tax structure as far as trying to get people to get rid of their cesspools and go to septic systems. Then the question is, what type of a septic system? In the past, septic systems have been anaerobic. We won't get into the technical aspects of it but the idea of going to an aerobic septic type system is an extremely expensive alternative to my main concern amongst the other parts of the infrastructure. I'd be very glad to answer any questions that you might have. And thank you very much for this opportunity.

CHAIR KAMA: Questions, Members? Ms. Paltin?

MS. PALTIN: Thank you, Chair. Thank you for being here today. I was wondering if you knew much about the upkeep of the aerobic unit.

MR. NUTTER: Yes. It's been tried in Oahu and it appears that it's approximately a \$20,000 additional cost for septic systems as well as by going aerobic. To maintain an aerobic system there is an additional electrical cost to maintain the pumps, air pumps that pressurize the septic system. S

COUNCILMEMBER PALTIN: Okay.

MR. NUTTER: So, the normal septic system is one cost but it's an additional \$20,000 to go to a more advanced type of system.

COUNCILMEMBER PALTIN: And is there proof that that advanced system doesn't leak, or it has to be maintained well or else it will leak?

MR. NUTTER: Well, if you look at the history, one of the problems of public health is a whack of septic treatments. So, any time that somebody starts talking to you about septic treatments or septic tanks or cesspools, which are now trying to be discouraged in the Lahaina area particularly, you're getting into the so-called fast area or anaerobic, oh, excuse me, aerobic type of treatment systems, which is being done on a trial basis in Oahu as we speak.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR KAMA: Thank you. Ms. Matthews? Oh, I'm sorry.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. MATTHEWS: The next testifier is Michelle Griffoul, testifying on the 201H items followed by Rick Nava.

MS. GRIFFOUL: Thank you for the correct pronunciation. It is Michelle Griffoul. Thank you. And I'd like to testify on one and two, please. Actually, this is a good segue for me from a previous speaker because I had a couple of things I wanted to talk about, and I'll get into the septic issue second. But first, I just wanted to recognize that I know that you, as a Committee, want to do what's safe and have a well-planned community. I want to talk about August 24, 2018 the night of the fire. And I'm going to try and not get upset but I'm already am, so I woke up about one o'clock in the morning, it's blowing 60 miles an hour. I live up in Launiupoko up high. I have a wind meter, so I knew the wind was 60-70 miles an hour with gust. I looked outside there's a fire just started. And I'm looking at my neighborhood there's nobody awake; nobody knows what's going on. And I'm from California, I've lived through big fires. I'm freaking out. I've nobody to talk to. I start calling people, nobody answers their phone. I'm freaking out, what am I going to do my neighbors might burn up. So, one person called me, and she said she's been calling neighbors too and nobody is answering their phone. So, we decided we were going to make a list of who we were going to go get and wake 'em up. So, I jumped in my car, trees have blown down in my street. I'm thinking my kids are going to kill me if something happens to me but I've gotta do this. So, I go banging on people's doors, I've had my headlights in their front window waking people up. Nobody knows there's a fire. Think of this with another thousand or 1,500 people there with little kids. I don't have little kids now. My kids are grown but think about what would happen. I got to some people's houses, I'm waking people up and they're looking at me like I'm crazy. I have to get to somebody else's house who's really close to the fire. I climb their fence because their fences are locked. I've got my little lantern, I'm pounding on doors, I'm waking people up, then I go home, I wake 'em up, climb back over their fence, then I go home get a couple things and I go what do I need? I need couple things and we all decided we're going to meet down Launiupoko Beach Park. We get down there, everybody is freaking out. It's like 1:30, 2:00 in the morning now. It's blowing like crazy. We're watching the fire going . . . is it going to burn everything down or not? Everybody is upset. The beach park is packed, the bathrooms are locked because it's a furloughed weekend so there's hundreds of people there. Everybody is getting covered with soot, with dust, it's filthy, there's no bathrooms, and we're all going what do we do now? So, we stay there till 7 o'clock or 8 o'clock in the morning when the sun starts to come up. Now, at the same time there's another fire on the north on Honoapiilani Highway so we can't go north, and there's a fire south. So, we're basically locked in. People don't understand what it was like that night. Now, if there were 300 homes down below us or 161 plus ohanas, think of what that impact would be? There's nowhere for people to go, there's no infrastructure, it is not a safe environment. This has not been changed. It was scary, it's still scary, you can tell I'm still scared, but you know I looked at that road, I finally left like 7:30 in the morning. I called some friends in Kihei, they said the road was closed because there's another fire, a little fire at Maalaea but I got through. I was the only car on the road. I was determined to leave. I was so upset. So, I drove to my friend's house. The cops let me through because I was going out, not coming in. Within the next ten days there were three more fires that threatened our neighborhood. There's no way to go. There's nowhere to go and if that road had been impacted like it

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

would be with more people on it, everyone would be stuck, and we would have the same situation they had at the Paradise fire where people burned up in their cars. There was nowhere to go. Our roads are not safe by adding any more people to the West side. So, before you go and think about any more houses, low income, anything, look at the roads. That road has got to be addressed. The tides are rising, the high tide especially the King tide, water is coming over the road, it's not safe and then of course we had the flood that closed down Kai Hele Ku and the highway again at the bypass. So, I talked to a friend of mine who is a geologist. He owns a company called Geo Concepts in LA and I spent couple hours talking with him yesterday about what they do in LA. If you have more than 600 people, you have to have two roads that have clear access for fire trucks, for police and for people to get in and out. We already have over 700, almost 800 people that we know of in Launiupoko. If you add that many more people, we have one road right now that works. That's it. There's no infrastructure for getting us out safely. Kai Hele Ku is the only way to do that. And if that road, you put these houses there, there's nowhere for these people to go. Think about if you're voting to be responsible for these people to be sitting in their cars and they have nowhere to go and a fire comes.

CHAIR KAMA: Thank you. Questions, Members?

MS. GRIFFOUL: Didn't get to the septic systems but . . .

CHAIR KAMA: Yes, Ms. Keani Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo for your testimony. Where the emergency sirens are, are you able to hear it when it goes off?

MS. GRIFFOUL: There were no emergency sirens that night so . . .

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm just curious.

MS. GRIFFOUL: No, I don't know.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, you mean when they do the testing on the first --

MS. GRIFFOUL: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: --of the month.

MS. GRIFFOUL: Yes. And I also got all the phone messages when I was supposed to be getting killed by a bomb coming from Korea, but I didn't get a message about the fire. Nobody did.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo. Mahalo, Chair.

CHAIR KAMA: Ms. Paltin?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER PALTIN: I just wanted a point of information the workers weren't furloughed that's when there's a hurricane coming, they say to close the parks, and pretty much closing the parks is closing the restrooms. But I encountered the same problem of plenty people hanging out in restrooms with closed parks so maybe there's a policy that can be changed.

MS. GRIFFOUL: That's a good idea.

COUNCILMEMBER PALTIN: But you know when you guys were all at Launiupoko, could you estimate how much people had?

MS. GRIFFOUL: How many people? No, I don't know. Some people were staying in their cars, some people were standing outside. But it was so windy and filthy outside, so a lot of people were getting in cars. I mean, the parking lot was packed. The road was packed. I did talk to people that came from Lahainaluna because they had nowhere to go. So, Lahainaluna was already crowded and people had come down from there to hang out at the park. I mean, there's not a lot of parking there.

COUNCILMEMBER PALTIN: I was wondering you said you had a wind gauge. Is it normally very windy like that?

MS. GRIFFOUL: I had . . . there's incidences where I live where it has been up to 80 miles an hour several times. But 60 is, you know, scary. It's not normally 60. Normally it's just, you know, breezy, trade winds, that's normal. I mean, it gets like that sometimes, but I don't know how often.

COUNCILMEMBER PALTIN: Even Kauaula you were talking about the 80?

MS. GRIFFOUL: My house in Launiupoko.

COUNCILMEMBER PALTIN: Okay.

MS. GRIFFOUL: I've seen it at 80 several times.

COUNCILMEMBER PALTIN: Okay. Thank you.

MS. GRIFFOUL: Thank you.

CHAIR KAMA: Thank you. Ms. Matthews?

MS. MATTHEWS: Our next testifier is Rick Nava. Madam Chair?

CHAIR KAMA: Yes.

MS. MATTHEWS: We had a testifier who was unable to complete their testimony earlier. Keeaumoku Kapu has two minutes left in his testimony. Would you like to call him next?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Absolutely.

MS. MATTHEWS: Okay. Keeaumoku Kapu.

MR. KAPU: Mahalo, Council. Keeaumoku Kapu from Lahaina. I just wanted to kind of address one of the key points in this so-called report. And it talks about the cultural impact assessments required and inquiry and responses and interviews. You know when you get cultural representatives from like Cultural Service Hawaii or scientific consultant surveys that they required to come in there and doing cultural impact assessment with families, everything that they put down on the contacts that they receive from participants to be included in this report says, concerns none. Every issue in this book, for me, I am the CEO representative for Ahu Moku, so my kuleana is to gather these kuleanas together, these families together to try to come to some kind of consensus because these are requirements that are provided through legislation to make sure that developments comply to certain conditions. And when I read this section of the book, it says that, everybody that provided input to this development says no concerns. All the concerns are none. And when I got with the person that was doing the CIA, I told him that literally there supposed to be some kind of memorandum of agreement to comply with but not just all of a sudden just compile everything in this book for you guys review just because it's required through legislation that they gotta do it. But the bottom line is, they did what? They didn't do anything. They didn't address any of our concerns from the valley especially when it came to water. These cultural people that come around and require to do the CIA for these reports, these are all frivolous. None of our information were implemented in this book. As kuleana landowners and the impasse that we've been facing the last testifier talks about the fire. We lived through fear that night. Our whole kuleana lost their homes. So, to even have something like this to reflect there is no comment, yeah, given from any of the kuleanas I attest to you right now and I tell you they're using this as an angle just to get that 45 window clock and it puts all the pressure on all of you. And there's another issue in here. Thirty separate parcels belonging to Lunalilo, Kana`ina, Kilinahe, Espinda. Where are they? So, they're already admitting they don't own all these lands. So, title is my biggest issue. And mahalo for this Council for allowing me to speak my mind and I'm very sorry that my earlier reactions was kind of little bit abusive. But I have passion to these areas. And I can attest to you 21 years of living in fear and I'm still living in fear all because of things like this that want to erase my family, my kuleana from the areas that we were long erased especially from my dad who is not here to speak for himself. Thank you.

CHAIR KAMA: Mahalo. Members, questions? Ms. Paltin? Keeaumoku, come?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Kapu, for being here. This similar project was in before the last term and then when that was last time had one case of your own land that came back to you from this same landowner, and I was wondering if you could explain if that could be the case with some of the lands in this area proposed for the 201H.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. KAPU: I don't think the location of the land is really important. I think the resources that are being tapped from that area. Although the area may be miles away, we still going get the major impacts from those areas. So, right now, I get two cases pending in the courts – one going for the Supreme Court in a petition. I have another court case that is in the Appeals. Right now, my attorney just appealed it. So, that's . . . when I start talking about these issues that I've been facing for a long time, everything is inter-related with this project and all the projects that they've done before. They haven't done an adequate survey on how we kuleana landowners are going to be impacted against this. But, you know, CWRM, through the Commission on Water Resource Management said that one of the priorities, yeah, is to allow Native Hawaiians their tradition on customary practices on taro. I still do that but then the decrease that we've been seeing throughout the years on the management of that waters is like a roller coaster. All of a sudden, they gotta pass my house in order for them to manage the water resource. So, normally, they used to call me and say, we're going up to the intake. Normally, I send my brother or my son to just go and monitor to see what they want. Once the CWRM made their ruling on the instream assessment, all of a sudden everybody started to get paranoid saying that they're not going to get adequate water for that area. So, my whole point where this project impact me and the lands, my kuleana live right across the street from all these kinds of things right above the road. So, like the Dizons, the Aquinos, all of them they're going to get majorly impacted. I live way up on the top and when I look in this proposal their fourth well is right on my property where I live. Right directly on my land commission award is the proposed well. Talk about trying. Slapping me in the face. So, I've been totally against that project if they even consider, Mr. Pete, drilling one well on my land especially where my barrels are, you want war you got it. So, I hope I answered your question.

COUNCILMEMBER PALTIN: Yeah, thanks, I got it.

CHAIR KAMA: Thank you.

MR. KAPU: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Madam Chair?

CHAIR KAMA: Yes. I'm sorry, yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha, Mr. Kapu. Mahalo for your testimony. I just, I wanted to make sure it's clear, clear the Well No. 4 on your property you're opposed, and you don't support it being on your property?

MR. KAPU: And I what?

COUNCILMEMBER RAWLINS-FERNANDEZ: It's not something that you permitted?

MR. KAPU: No.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. KAPU: We're kind of still in court right now. But for them to place that on their map saying that Well 4 is a proposed well that's directly on my Land Commission Award. That's right now in the appeals. So, for them to be bringing that kind of stuff that is written on the map before this Council for review, I think, you know, if anything, they should try to sort of check themselves before they start putting this stuff out because that really when hit me knowing that that well might be directly on my families cemetery. Directly. And within my whole kuleana I have four different areas where there's cemeteries. Four plus the taro patches that Pioneer Mill was so kind to kind of do a map about it where the house sites were, everything that is in the area. So, for these guys to come out and say proposed Well 4 going be on my kuleana, oh, man, I'm shocked to think that this so-called book going be the deciding factor for my whole genealogy and the people that are buried on my aina. And we're still in appeals. Interesting.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for clarification. Mahalo, Chair.

CHAIR KAMA: Okay.

MR. KAPU: Thank you. Mahalo.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: Next testifier is Lori Gomez-Karinen to be followed by Ivan Lay. Lori? Our next testifier is Ivan Lay, testifying on AH-1(1) to be followed by Suzanne Albers.

MR. LAY: Good afternoon, Chair Kama and Councilmembers. And thank you for giving me this time to come before you.

CHAIR KAMA: Aloha.

MR. LAY: I've seen other . . . I've seen commissions in my past and every commission I think it works best where there is different thought processes going on. You have the pro and you have the negative. That way, when we have these two different oppositions going against each other, we get a better picture whatever is going on. We can't just have it being one-sided so we're going to have people for it and we're going to have people against it. So, going on . . . affordable housing, okay, I heard a lot of suggestions of maybe we should put it in Central Maui . . . maybe in Puunene or something like that. I'm born and raised here. I should live where I want to live. My children should choose where they want to live – be it Hana, Lahaina, wherever. Don't tell me where nicely where we should live. Affordable housing should be made available throughout the island. Workforce housing – if you go in traffic at three to five o'clock, it's really heavy. Why? Because everybody is coming out of Lahaina. Why? Because the workforce is going into Lahaina in the morning and coming out in the afternoon. So, how do we alleviate that? We get them availability to live and work in Lahaina. That shuts down all the traffic. That's where your traffic is because people are working and going to work, and they have to travel from this side of the island to that side of the island and

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

come back in the afternoon. What is that fourteen hundred - 1,400 units are needed? And what is this 95? That's a long way to go. We're gonna slow down this process and think about it how we're going to get people in these houses, we have to get them in these houses nowadays. We can't have them thinking, oh, ten years from now we might get a house. We got young couples, young people out there looking for homes. We have to give this availability to them -- affordable housing across the island. Give them a choice and chance to live and stay on the island. You want them to move . . . our own children? My children might get a home. Their children . . . I don't know. I don't think it's going to happen. I picture it as like a mango tree, okay. If there is one mango on that tree, that mango is \$10.00. If you've got a thousand mangoes on that tree, 25 cents one. The more affordable housing we put out there, the more it is more available to us. So, let's create more affordable housing across the island. Give our kamaainas the chance to choose where they live. Give our children a chance to live here. Any questions?

CHAIR KAMA: Thank you. Questions? Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you for being here today. I appreciate your passion. I think everybody is for affordable housing. I just wanted to say like you said this is for 95 and we've got a long way to go of affordable housing. And Launiupoko is kind of in the middle of the transit corridor for the hundreds of people that drive from the other side to the hotels for work. And so, I'm wondering, you know, would you sacrifice the transit corridor for the hundreds making the commute so 300 or 600 more can live in the middle of the commute?

MR. LAY: Okay. So, if I'm in my car and it's what, I said 95 . . . 95 households are needed? So, let's make that -

COUNCILMEMBER PALTIN: You said 95 is what we're talking about.

MR. LAY: Yeah, total affordable housing in that area, right? Which means in one house you have two people probably husband and wife, who are probably working at least one or two jobs each, right? So, if I'm in that car line and 95 would be you know if there is only one person working but let's say that will be what 180 cars in front of me were taken away because they live in Lahaina now. They're not on the Pali anymore because they live in Lahaina. The transit is from Launiupoko to . . .

COUNCILMEMBER PALTIN: I'm not assuming that they all work in Lahaina. Some of them can work Makawao if they want.

MR. LAY: Exactly.

COUNCILMEMBER PALTIN: I'm just saying . . .

MR. LAY: The chance to live where you want to live.

COUNCILMEMBER PALTIN: Yeah.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. LAY: So, we have people that want to live in Lahaina, do we say no? Do we say no to them because oh, everyone else is saying they shouldn't live there? It's our aina. Our kids who are working hard here they stay here.

COUNCILMEMBER PALTIN: Thank you.

CHAIR KAMA: Thank you. Ms. Matthews?

MS. MATTHEWS: Next testifier . . . the next testifier is Suzanne Albers, testifying on all four items to be followed by John Belles Jr. Suzanne? The next testifier is John Belles Jr., testifying on all four items. Not here? Our next testifier is Stephen Smith. He's indicated he's testifying on AH-1(1) and 1(2). Are there any other items, Mr. Smith?

MR. SMITH: No, just these. I'm testifying today for a few reasons. You know, I'm born and raised here, I know a lot of your families. And it's real ironic to me because the reason I'm testifying is because I find that most of the people I grew up with they're the ones calling me, bruddah, we need a house for my kid. And it's like the last project we just had that, Waiale Elua, we had 200 something applicants for 60 homes. Every week I was getting calls. How we can get our friends and families and kids in there? And so, for me, I'm passionate about this. I'm passionate about this because my daughter just came back from school. You know, I grew up in the 6<sup>th</sup> increment with Boy and all those guys and so, you know what, we're lucky to have one house. I tell you today the most important thing to me is building these homes. And I have a, I sit here and I'm very simplistic with the way I look at things and I look at it and I go, funny, we . . . everybody says we don't want it in our area. And I look at this and I go, wow, I always did when I was growing up and I pass Lahaina. And I go, wow, Launiupoko, all these rich guys living up there. And I look at this land now, and Peter is saying, hey, look, let's open this up for some affordable housing. And I go, wow, that's kind of nice because you know what I thought when I grew up, they put all of us that no more the money they put us in the Central Valley almost like we hidden. But these guys with money can all live on the hill, all get ocean views and everything. So, this project, fine, you guys don't like 'em there, so what instead only easy. You talk about profitable; I build affordable homes. You like profit just build gentlemen estates. You get the same issue water and all these things, and you can just go one by one by one and go get your permit. And so, the issue still going be there. The growth going be there but none of our people going get houses because when I sit in the back there and I listen to the testimony of all these people about how they're saying about traffic is so bad and this is so bad because I live in Launiupoko but they're not moving. They're still living in Launiupoko. If was so bad, why are you still living there? Because our people like live there. So, you guys what you guys want gentlemen estates on the whole mountain side because that's what's going have.

CHAIR KAMA: Sir, please address the Chair.

MR. SMITH: Oh, yes, Chair.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Thank you.

MR. SMITH: Okay. That's all I have.

CHAIR KAMA: Questions, Members?

MR. SMITH: Okay. Thank you.

CHAIR KAMA: Ms. Matthews? Thank you.

MS. MATTHEWS: Our next testifier is Bruce Uu, testifying on AH-1(2) and AH-27 to be followed by Lawrence Kauhaahaa. Mr. Uu, are you testifying on just those two items?

MR. UU: Yes.

MS. MATTHEWS: Okay.

MR. UU: Aloha. Aloha, Chair, Councilmembers.

CHAIR KAMA: Aloha.

MR. UU: Thank you for giving me this opportunity. First of all, I'm in agreement – fix the water. That's one. Secondly, I support all affordable housing. I going to listen to every part of affordable housing. 2006, the Council here passed an ordinance, workforce housing ordinance and from 2006 to 2014, it produced three . . . three homes, so we was back already. So, the issues people talk about didn't start today. At the same time in 2006, the State Leg passed a bill 201H because they wanted, they knew the severity of the housing crisis in '06, 13 years ago. That is a tool that we or you can use for affordable housing. It's not new the 201H. It was put in '06 for a reason. The reason was the County . . . the reason was the bothersome and it was cumbersome to go through a normal process here's the way out. Here's a different tool to put in your tool chest, so to speak. They knew the severity in 2006 and what we're saying right here wait for the community plan. That's not done. I was a part of the Maui Island Plan 13 years ago, and we saying wait? We had this in '06 and I hear people same like Smithy, oh, infrastructure. We gotta wait for the infrastructure. My family been here 100 years and you went move somewhere from someplace else. You impacted my infrastructure and you're telling me no can, or we should do rentals? I'm better than that. We better than that. I no belong in a rental. My kids need one house. Don't tell me my options. Don't move me Central Maui. They put me Paia, I love it now. Back then nobody wanted 'em. Now, they all love it. And you're telling me where I can and cannot live because of all these issues how bad it is? I like my wine on my deck too just like you. I like give my kids the opportunity to own a home. Nobody talked about multi-generational housing in my house. I have three and we all support 'em. That's the baloney. We support 'em, that's baloney. I'm going end with one good note. My niece called me Monday. Tells me, Uncle, come with me Monday. I'll tell you what happened. She is 23 years old; she just got one house through Peter's project. The project by the jail. She got a house. Her rent, her mortgage to own a home going be

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

cheaper than rent. She did it right. She went school, got educated, she local, and just to let you guys know, I just going yell this out. She's a Young, she's a Uu, Pahukua, Wakida, Hokoana, and Palekoa ohana. That's her. That's us. She deserved that more than anybody else. And nobody deserved to tell her where she belongs because we belong here. Thank you.

CHAIR KAMA: Thank you. Members, questions? Yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Uu.

MR. UU: Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: And mahalo for your testimony.

MR. UU: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, the issues and concerns that were brought up – fire, water, sewage, traffic, do you feel like these concerns are not legitimate?

MR. UU: I didn't say that. And I would say that is legitimate. But what I am saying is that right now anybody can go up there and build. They don't have to do the affordables. So, the impact if you sell the lots now as is without this development, it still going to bring the impact, infrastructure burden to that area. The question is, do we accept the affordable part or deny it or accept the gentlemen estates that's already existing and can achieve even more? That's, I'm not - I would never say that. I'm for fire, water, sewer. We gotta malama everything. But why not us with our part to live there? I still would be concerned about that, the issues you brought up. It's going to be built out whether they do this project, or he sells it to the people who live there part-time. It's the same place. It's still going to be people living up there. The question to you I ask is who? Me or them? I choose me.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that response. So, the . . . our people living up on the hill do you not feel that they would put at risk with all the fires that have happened, the photos that we've seen, we know what happened last year and we know the areas that got burned? So, by putting our people up in those areas are we not putting our people at risk of getting burned?

MR. UU: Good question. So, like I just earlier I am concerned about it. So, we do we mitigate. That's a job that you guys can bring into this area. Mitigate. Maybe do one temporary road. Maybe go up there ask these guys drop a temporary blade. Cut one road or something workable. Something doable. So, I live by the beach in Paia so I gotta watch the tsunami, so I gotta deal with that every day when I'm there, when the tsunami come or when get tsunami warning we all gotta go up to the gym. That's part of the place that I gotta adapt to, to where I live. It comes with the area. But how you mitigate that, I think is key, and that's why we call for mitigation. And that's the part where I think you guys can come in and come up with the ideas or come up with the solutions to kind of balance out any development especially affordable housing.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, just for clarification on that response you're looking to get Council to mitigate the concerns of this project and those concerns are not mitigated in the project itself . . . in the application.

MR. UU: Say that again?

COUNCILMEMBER RAWLINS-FERNANDEZ: That you are looking at the clarification that I am asking for in your response.

MR. UU: Uh-huh.

COUNCILMEMBER RAWLINS-FERNANDEZ: Is that are you then looking to the Council to mitigate these concerns like fire and they're not mitigated in the project that's been proposed before us?

MR. UU: I will say to you no and I'll tell you why. I think it's a community issue just like the housing. The issue is a community-wide issue so for the housing I'm not going to ask the Council for solve. I would ask you to partner with people who can solve it. That would be my answer to you. To remedy the solutions or remedy any project come into anything because I agree with the fire my dear. I'm on the same page with you. But how we remedy that for our people. I think it can be done.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, the second part of that question if it's not mitigated, if the proposal is not mitigated on the proposed project.

MR. UU: Uh-huh.

COUNCILMEMBER RAWLINS-FERNANDEZ: Is that the question? That's the question.

MR. UU: The question again?

COUNCILMEMBER RAWLINS-FERNANDEZ: If the proposal to mitigate those concerns are not contained in the proposals that were submitted to the Council.

MR. UU: So, it's not proposed?

COUNCILMEMBER RAWLINS-FERNANDEZ: No, that's my question.

MR. UU: Oh. Say that again. I'm sorry. You losing me again. Say that again?

COUNCILMEMBER RAWLINS-FERNANDEZ: Are there proposals to mitigate these concerns . . .

MR. UU: I did not read the document. I'm a proponent for affordable housing and I believe we can find solutions. That's what I believe. So, I did not read the document, but I understand the 201H process though. That part I do.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. And I agree with you on the gentlemen estates and I plan to propose legislation on that to fix it. Mahalo.

MR. UU: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KAMA: You're welcome. Thank you, Mr. UU. Ms. Matthews?

MR. UU: Thank you.

MS. MATTHEWS: The next testifier is Lawrence Kauhaahaa to be followed by Dave Minami. Mr. Kauhaahaa? He's here? He's outside? After that, we have Dave Minami. Charlie Palakiko?

MR. MINAMI: Good afternoon, Chair and Committee. I'll testify on AH-1 and AH-2 as a resident born and raised here on the West side. I live in Launiupoko. Lived up there for 16 or 18 years. I guess what I want to say right up front I support the project. You know, I started out my career with Maui Land & Pine 30 years ago and through companies like Maui Land & Pine and Colin Cameron and doing workforce housing, I was able to get my start in life. Because of that, I started my family. You know, my wife and I are kind of planners. We said, we ain't going to have any kids until we get one house. And thanks to Maui Land & Pine we got that. So, anyway, that's how we started our family and, you know, after living there for ten years it was time for us to grow, spread our wings, look for bigger opportunities. And so, that's when we moved to Launiupoko. While there, my wife is . . . she's into horses so we started, you know, that was our thing our ag is getting horses. The unfortunate thing now for me is my kids are on the mainland. They graduated from college; they cannot come home. What are they going to do? Where are they going to live? So, that part is pretty sad because I see that happening with a lot of the local people. We need to give them places to live. You've got projects long-term. I mean, my dad used to testify a lot on these projects – Kaanapali 2020, all those things. I mean, he was working on that for 20 years. And here I am getting old. I'm almost ready to retire and still no more that. And you get someone right now who willing to put in something to give people something to live – affordable in Lahaina. You know they say it's too much traffic. I tell you what, I live in Launiupoko. Five, ten minutes I'm at Starbucks. I'm at Ace Hardware in six. So, I've been through all the fires, I've been through all the hurricanes, and yeah, it is scary, but you just got to adapt. You just got to deal with it. Plan your property, do your defensible space, do what you gotta do to survive. You gotta work at it. You cannot just, you know, live there and expect everything to be done for you. So, you know, that's all I get. Any questions?

CHAIR KAMA: Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Hello. Thank you for coming today. My question was in the earlier part of your testimony. You worked for Maui Land & Pine and you got affordable

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

housing through them. Did they require you . . . what was the length of time that they required you to hold it before you could sell it at a non-affordable price?

MR. MINAMI: Ten-year buy-back.

COUNCILMEMBER PALTIN: And then after the ten years you sold it at a non-affordable price?

MR. MINAMI: I sold it at market price.

COUNCILMEMBER PALTIN: So, you got an affordable housing and then you lived there for ten years and then you sold it at market value price?

MR. MINAMI: So that I could grow and try new things in life. I think that's the cycle of a human being. We're always going to try and grow and look for better things and better opportunities. I mean, that's the way it is. And for the guy that bought my house he was pretty damn happy too.

COUNCILMEMBER PALTIN: Thank you. That was a resident of Maui that bought your house?

MR. MINAMI: Correct.

COUNCILMEMBER PALTIN: Right on. Thanks.

CHAIR KAMA: Thank you. Ms. Matthews?

MR. MINAMI: Thank you.

MS. MATTHEWS: Our next testifier is Kimokeo Kapahulehua to be followed by Lauren Kang. He's testifying . . .

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

CHAIR KAMA: That was Charlie Palakiko.

MS. MATTHEWS: Go ahead, you're fine, come and testify.

MR. PALAKIKO: Aloha, Committee. I'm Charlie Palakiko. I'm a kalo farmer and resident of Kauaula Valley. Through all the years I've been up there this has been the lowest I've ever seen the stream. Our patches are suffering and leaving us no room to expand or for the patches we already have. The lower part of the stream has already dried up killing all marine life that was in that part of the stream. It took us many years to get our stream back to life and it really hurts to see it this way. I've been calling West Maui Land and speaking to Dave about it. Basically, his answer was there's not enough water and there's nothing that he can do. I was shocked to see him answer his phone because since the hearing with the Board, with the Water Commission mandating them to put a million gallons at the dam or 7 to 800 at the syphon. We had no communication with them since that time, which was at least a year and two to three

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

months ago. Our calls not being answered and no response to our texts only the last month or two they've been responding. Changing the zoning, creating more homes would only make matters worse. There's a lot that we need to figure out before we can build any more. I humbly ask of you to disapprove of this project. Thank you.

CHAIR KAMA: Thank you. Members, questions? Thank you. Ms. Matthews?

MS. MATTHEWS: Testifier will be testifying on AH-1(1). Any other items?

MR. KAPAHULEHUA: Yes, all of 'em.

MS. MATTHEWS: All of 'em.

MR. KAPAHULEHUA: Aloha, Chair, Councilmembers. My name is Kimokeo Kapahulehua. Today, you got a lot of concerns brought forward in reference to the project. You know, traffic was one of 'em. I don't know if you know that there was supposed to be a traffic boat from Maalaea Harbor to Lahaina or they are gonna increase the highway bypass. So, I think we're all working on traffic problem. The water problem just before you I think that has to be addressed, you know. And I think it's going to be addressed. I think all of this before you knowing that we want affordable housing, affordable rentals that we need the developer to present to tell us how we're going to answer all these concerns that we had today. So, with that in mind, I ask that you approve this so he, or developer, can come and address all these concerns because he needs to come and address the concerns. And I think that this can be addressed by them making the presentation to us. So, I think that they want to and willing to do that so I ask you to move this forward so they can present and address all the concerns that were brought here forward today. Thank you very much.

CHAIR KAMA: Thank you. I just want to let you know that that is the intent but it's not to approve and then let them present. They're going to present and then we'll decide after what we're going to do.

MR. KAPAHULEHUA: Right. Then all of these things that were brought up today will have an opportunity to hear that. So, I appreciate that very much.

CHAIR KAMA: I tell you we'll probably have an opportunity, but I think it may not be tonight. It may be next week because we have to go through how many more testimonies, Ms. Matthews?

MS. MATTHEWS: We're on testifier 35 of 53. So, we have 53 total testimonies and we're on No. 35 now. So, it's going to be a while before the testimonies are finished. But I do want to get through and hear what everyone has to say. And then we're going to take a break at six if we're still here because these people in the front of me must eat. And then after that we'll reconvene and then once the testimonies are all done, we'll probably recess.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. KAPAHULEHUA: Great. I also want to say that this developer just got through with a project at Palauea. And given affordable housing with a one-acre lot. So, I think he's responsible. And if he can come forward and allow --

CHAIR KAMA: We'll do that.

MR. KAPAHULEHUA: --the presentation, --

CHAIR KAMA: We're going to do that.

MR. KAPAHULEHUA: --we should be able to answer all these questions --

CHAIR KAMA: Thank you.

MR. KAPAHULEHUA: --and given to us today.

CHAIR KAMA: Thank you.

MR. KAPAHULEHUA: Thank you.

CHAIR KAMA: Questions, Members? Thank you.

MR. KAPAHULEHUA: Mahalo, Chair. Aloha.

CHAIR KAMA: You're welcome. Aloha. Ms. Matthews?

MS. MATTHEWS: The next testifier is Lauren Kang, testifying on AH-1(1) to be followed by Laurent Joly. Are you testifying on just the one item?

MS. KANG: I am actually testifying on all items. Aloha, Chair and Councilmembers. My name is Lauren Kang. I'm a full-time business student at the University of Hawaii - Maui Campus and employed at a busy resort in Kaanapali. I'm born and raised in Lahaina and I'm a resident of Kauaula Valley, which is mauka of Launiupoko. I reside there with my boyfriend Charlie Palakiko on his family land. Charlie farms kalo there and cares for livestock. I would like to state my concerns regarding the proposal to amend the Agricultural zone to be Urban instead and to propose the Polanui and Makila Rural East developments. Over the past years, I have witnessed the lack of sufficient resources and infrastructure in this area of Launiupoko to provide ample means for the current residents. We, as farmers, have seen our crops suffer sometimes subject to rot due to lack of water. We have also witnessed what has been flourished and native life in the streams, for instance, different varieties of oopu, opai and hihiwai died due to disruption in the connectivity in the mauka to makai stream flow. Besides these impacts, we have been made aware of the insufficient water from the West Maui Land Company's water management. There have been multiple notices throughout the years that are neighbors are in drought restriction. How can we fathom adding the abundant number of houses that Polanui and Makila Rural East are proposing? Last August 2018, we had to evacuate our homes in the middle of the night due to a wild brush fire

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

across the land. I have never experienced anything as terrifying and traumatic as that was. The roads were shut down, so we were locked in Launiupoko. After a few hours of evacuation, we returned to the horrific realization that the two of the four homes on my boyfriend's family land had been burnt to the ground and everything was gone. We had also lost livestock. It was by God's grace that our home and my father-in-law's home still stood. The fire was five feet away from our house when we returned. All the water lines were burned, and the firefighters couldn't access our property so thank God for the auwai. We were able to extinguish the remaining fires by passing five-gallon buckets of water on it. As it also turned out, there was no water available on the fire hydrants. The first big rain after the bypass was open caused a huge flood at the merge onto the southern end of the bypass to Highway 30 and also at the intersection of the bypass and Kai Hele Ku Road. It was near impossible to get in and out of Lahaina that day. Impossible for me to return home and also my boyfriend couldn't leave Launiupoko either. In cases of emergencies like these emergencies we cannot afford to have up to a thousand plus more residents in this area. As the Launiupoko and Kauaula Valley population is, this infrastructure is insufficient for natural disasters and emergencies. West side locals are definitely in need of affordable housing. Many Lahaina families have been forced out because they cannot afford the heavily inflated real estate and rental markets. It seems as if only a quarter of these projects are affordable at half market price. And in addition, I cannot disregard the fact that these projects are a segmented cluster of developments but are being pushed by coercive developers to get their way by bypassing State laws and LUC review. In conclusion, with my own personal experiences and observations, I don't think we can comprehend the impact of what amending these current Ag lands to Urban zoning could mean. There's not enough water available, and the infrastructure cannot accommodate a large population. I am for truly affordable housing but in an area that is more fit for development. So, why not move this idea to an area that is ready for further development such as between the Aquatic Center and the bypass. This is a good central area, which is convenient for work and school, transit, and is walkable close to bus stops and shopping. Thank you.

CHAIR KAMA: Thank you. Members, questions? Thank you very much.

MS. KANG: Mahalo.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: Next testifier is Laurent Joly, testifying on AH-1(2) to be followed by Kalei Kauhane.

MR. JOLY: Aloha. Hey, thank you for your time today. Appreciate your attention. I'm a resident in Launiupoko, my wife and I. We lived through the water shortages and the fire experiences similar to what's been described, you know, evacuating at 1:30 in the morning with your animals. Pretty terrifying. I don't wish that to other people, but we advised people that with families if they want to come spend time with us, not to come during the fire season. We fully expect this to re-occur. My wife and I walk the Launiupoko area for about an hour every day very early with our dogs. And I can tell this area is not made for high density. Maybe not even for the current density. And I

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

think it is right but it's zoned Ag and I think it should stay Ag. Maui does not have enough Ag land that should be put to more agricultural use. The island needs to provide more of its own food for the long-term. I think that's a wise policy. And I'd like to remind everybody that if you change the Ag zoning it is forever. It is a long time. I've never heard a piece of land that went from Urban or housing back to agricultural. So, this is a decision that would need to be made forever. So, I think the existing lands especially the lands that are designated as important agricultural lands need to remain that way. There is a real water issue on this part of the island, on this side of the mountain. I invite you to do a Committee meeting there and walk up in the morning and you will see how dry it is and why we would probably have fires again this year or next. It is not a safe area to have a higher density. That is my personal view and I hope that will be listened to in making your decisions. Thank you.

CHAIR KAMA: Thank you. Members, questions? Thank you very much. Ms. Matthews?

MS. MATTHEWS: Next testifier is Kalei Kauhane, testifying on AH-1(1) to be followed by Myrna Ah Hee. Any other items?

MR. KAUHANE: Yeah, we can add 'em all?

MS. MATTHEWS: Okay.

MR. KAUHANE: All right. Mahalo. (*Spoke in Hawaiian*) deeply rooted – Ukumehame, Launiupoko, Kauaula, Honolua, Honokohau – that's where I'm from . . . deeply rooted. I oppose all development, well, in Lahaina anyway for anywhere in Hawaii Nei. I mean, it's . . . get enough people living here. Starts off with the displacement of our people – Launiupoko, the short leaf coconut. I am a Maielua also that's my uncle earlier. And our tutu their hale was right there on the highway, right next to the drainage where get the old auwai. Our family was displaced to live someplace else to build this highway. So, that place is dear to me. And that's about displacement and we keep developing and we keep displacing our people where kuleana lands comes into play. We get like maybe in Lahaina maybe we get like hundred family's lineal descendants that was awarded properties. Why not the developers work with the families allow them for go home if they can come up with their palapala? You know what I mean. Maybe the . . . maybe you guys can think about that too, you know what I mean. It's kind of a win-win deal almost, you know what I mean like . . . I don't know. Hawaiians get to go back home where they was awarded from the aliis. You all know the story, if you know your history. Another thing is, Lahaina is over-populated. I mean, Hawaii is over-populated period. But Lahaina such a small place there's one way in, one way out or you can go one way in, one way out. Both ways – Kahakuloa, Ukumehame, right. Small community, small area. We're over-populated with a lot of people. So, if you keep building, you keep allowing more people for live here, it's common sense. Now, for this ag zone – keep the ag zone. People can grow food. Get your brothers and sisters that love to work, you know what I mean, for the people, for these developers grow some food. Do something positive for our aina, you know what I mean. Instead of poisoning it, which was already poisoned for hundreds and hundreds of years from the plantation why don't we grow some food, refurbish the aina then the ocean can live happy again.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

And . . . let's see. And it is my kuleana for say that I am also a lineal descendant of Solomon Nukuhiwa Na Maielua. The lady that you guys brought to help you guys with your genealogy she got our tutu's tombstone wrong so think about that. When you go to her for genealogy work because her own kupuna our tombstone is wrong at Waiola Church. Mahalo.

CHAIR KAMA: Thank you. Members, questions? Thank you. Ms. Matthews?

MS. MATTHEWS: Next testifier is Myrna Ah Hee, testifying on all four items to be followed by Abraham "Snake" Ah Hee.

MS. AH HEE: Hi. Aloha, Madam Chair, --

CHAIR KAMA: Aloha.

MS. AH HEE: --Councilmembers. My name is Myrna Ah Hee. I'm a . . . born and raised in Lahaina. I've lived there my life, my generations, I am a Keahi, \_\_\_\_\_. I don't need to go further. But I have . . . that land there in Lahaina is a Lunalilo land. And if you guys all know how Lunalilo, I have . . . if I can give you, I have the . . . what is this now . . . from the archives it's his will. Okay. And the latter part of his will you guys all know on Oahu they have the Lunalilo homes that it's agri, I mean, they do their own agriculture for the people there. They have celebrations and do you know this project has affordable housing 10,000 acres, I'm sorry, 10,000 square feet and they're going to want you to put in farming. Plus, they have a one-acre farming area for the people. So, it's a community farm. So, I don't know if you guys saw it, I think that is totally awesome. I wanna . . . I live in Leialii. I am so fortunate. You know, my children live there but my nieces and nephews cannot live there. They're not half, you know, so I would, I come from my ohana. My mom guys have 14 kids. My mom guys . . . we have like over 50 something cousins and then you know what happens below it's hundreds. So, not all of 'em can afford to live here and I would love for them to . . . I would love if Hawaiian Homes had ten-acre lots that I could put a garden. My lot is 6,000 square feet. I can barely put a garden on there, but I am very happy to at least have that. But he's giving an opportunity for us local people, you know. I mean, I looked at the median Maui, I Googled it and I saw 645767. I'm not sure if that was correct but when I did an \$18.00 an hour job it was \$37,000 a year so that's two people working that's 74,000. I'm a numbers person. I just want, you know, they have different ways to get in that area and I think, they have green space, you know, your fires hello. If you just leave it like that it's going to burn obviously. It's all dry. You gotta put life back into land and you gotta put some people, workforce people that live there. And also, the people that gotta commute, hey, I got stuck in the traffic, but I know when I gotta go to the other side, when I gotta come home. But I know you never know, but there is a time where you can get back and forth to Lahaina. I do it almost every day, you know. But my concern is my grandkids, my nieces, my nephews, my grand nieces, my grand nephews, we're all here. Multi-generation of families. People, come on. Let's work together. Let's work with the developers, you know. I think he's open. Habitat for Humanity that makes it affordable for people. You know, whatever. But don't fight everything. Put some life back into that land. Put some trees on the land, put some people on the land.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

Come on. I lived there my whole life. I'm not going anywhere, and I know everybody that come and go from Lahaina. I know people wasn't there from . . . I've been there my whole life. I know everybody, you know. So, I want the Lahaina community is so awesome. Our football, everybody, is just so supportive. We all love each other. We all come from plantation families. I have a plantation family. My grandpa is German, Polish, Austrian and he comes from Kauai but from the plantation. That's how we all mingle in here, but you guys don't fight. Come on. Get some stuff for our kids, some people that live and work in Lahaina. That outta avoid some of the traffic 'cause they only have to go to Launiupoko. They can go the lower road, or they can go the bypass, you know. So, what's wrong with it? What's wrong with it? Why we fighting? Why we always gotta fight Mr. Martin. He means well. I sorry guys. I've seen some stuff happen, I mean, sorry, but that was my husband. Sorry, I own him. He's me. I know how he feels. But please guys pass this. Just, you know, it's time already. Yeah, and I like live up there. If I could afford it, as a workforce person, who wouldn't want to live up there? Why do we stipulate as somebody said, oh, go live Wainee, go live Central Maui? No, live Lahaina. Look you get one chance for live up there. That's an opportunity that's been given to us, you know. So, is that it? No, I get 30 seconds, okay. I'm very passionate. I live there. My kids are fortunate and I'm very fortunate. I come from a huge family, but I do see my nieces and nephews gotta move to this side of the island 'cause there's nothing affordable. In looking at what's for sale in Lahaina, hey, 700,000 at least, you know. Who can afford that? At least, hopefully, they propose in the 400 to 500. That's affordable.

CHAIR KAMA: Thank you.

MS. AH HEE: Sorry.

CHAIR KAMA: No, no. Don't apologize. Members, questions? Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you. Thank you, Ms. Ah Hee for your testimony. I wanted to clarify one thing first was at one point you said ten acres. You meant 10,000 square feet?

MS. AH HEE: Yes, I meant 10,000 square feet. The lots are proposed to be 10,000 square feet.

COUNCILMEMBER PALTIN: And your job is . . .

MS. AH HEE: I live Lahaina. What you mean my job?

COUNCILMEMBER PALTIN: What is your job?

MS. AH HEE: Oh, I sell doTERRA essential oils.

COUNCILMEMBER PALTIN: Okay. And then you know that right now ag lots the smallest that it goes down to is two acres.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. AH HEE: Yeah.

COUNCILMEMBER PALTIN: And so, this development would allow for one-acre ag lots.

MS. AH HEE: Yes.

COUNCILMEMBER PALTIN: And that's never been done before.

MS. AH HEE: Well, you know, you get these guys on the gentlemen estate that can subdivide their lots into, well, not subdivide, but they can condominiumize their lots into two parcels or two sections. So, what's the difference? They're making it one person own one acre. I don't think they can subdivide that anymore. I don't know.

COUNCILMEMBER PALTIN: Yeah. So, that's an exemption for the market value homes but we're trying to give affordable homes. So, why the exemption for the market value homes to get a smaller ag lot than the County of Maui allows?

MS. AH HEE: That's why you have to change the zoning to Urban so that 10,000 square feet is a minimum amount that's allowable by for what septic systems.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR KAMA: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR KAMA: Oh, yes, go ahead, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Ah Hee. Mahalo for your testimony.

MS. AH HEE: Uh-huh.

COUNCILMEMBER RAWLINS-FERNANDEZ: I love doTERRA essential oils. The buzzer was going off, so I didn't hear what you . . . the last part of your testimony you said was what you considered affordable?

MS. AH HEE: Well, I just . . . when I Googled what's the median price for Maui, it said 64567. I mean, I just Googled it because I was trying to figure what the median home price is because this is based on 80 to 100 percent affordable. So, I was just trying to figure out what, how much they had to make. And like some guys said, they make \$18.00 an hour. I was just trying to bring it to reality in my brain that it is, you know . . . and \$400,000 I don't know if there's a mortgage person in here or not but \$400,000 is a, you know, I'm not sure what the . . . I would think about \$2,000. And rent . . . forget rent in Lahaina people. Rent is crazy. You know, you're talking about 2,500 to 3,000. So, anyway, so what I was trying to figure out is I know we don't like to pay other people's

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

mortgages and I think this is an opportunity to get your own place, if you can. But prepare . . . *(inaudible)* . . .

COUNCILMEMBER RAWLINS-FERNANDEZ: But your last part of your testimony you did say 4 to \$500,000 is affordable?

MS. AH HEE: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo.

MS. AH HEE: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KAMA: Thank you.

MS. MATTHEWS: Madam Chair, --

CHAIR KAMA: Yes.

MS. MATTHEWS: --the next testifier is Abraham "Snake" Ah Hee, testifying on all four items to be followed by Lauren Rego.

MR. AH HEE: Aloha.

CHAIR KAMA: Aloha.

MR. AH HEE: You know, I'm sorry I got out loud and, you know, for this hearing. You know, I was born and raised in Lahaina back in 1946. You know, Launiupoko was my home like. My tutu . . . we had a house in Launiupoko Beach, and I grew up on the ocean for a long time. And I knew the mountain from Kauaula to Mount Ball to Olowalu was my playground. Kalei's uncle guys they thought I was Kalei's uncle's brother. But their grandma and my father was brother-sister so were really close. You know, small kid time that was my playground up mauka. I knew all the grounds whatever was growing in the valley from wild orange to watercress to everything. I can tell you all the people who live in Lahaina because I was brought up in Lahaina, yeah. But when people talk about things that they don't understand to go find out the truth of the place itself. That's what it is, you know. You know, for me, I'm so lucky I traveled, you know, like in the open ocean with Hokulea. I went to all different countries. I see all the changes. Like '85 to '87 we went to the, you know, the Cook Island. The beaches were really way outside. When I went back this 2014, I erected a heiau for the canoes, yeah, and the ocean is right there. Lost all the beaches. You know, global warming is a factor.

CHAIR KAMA: Mr. Ah Hee, could you speak to the agenda items, please?

MR. AH HEE: I mean, I'm talking about the global warming it's because the water too. You know, water there was plenty water up at Kauaula and all the streams was running

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

really good. But now, there's hardly any because to me it's global warming. We're not getting much rain like how when I was growing up, flood everything. Before time, never had the highway, the thing would go into Malu Ulu O Lele Park.

CHAIR KAMA: Sir, could you speak to the items on the agenda?

MR. AH HEE: Okay.

CHAIR KAMA: Whether you support them or not support them.

MR. AH HEE: I support the low-income housing if that's right. But you know, there's a lot of things that's changing so you gotta work with it. Thank you.

CHAIR KAMA: Thank you. Questions, Members? Thank you, Mr. Ah Hee. Ms. Matthews?

MS. MATTHEWS: Next testifier is Lauren Rego, testifying on all four items to be followed by Noelani Ahia.

MS. REGO: Aloha, Council.

CHAIR KAMA: Aloha.

MS. REGO: Thank you for the opportunity to testify. There were so many things I wanted to testify on, and I didn't know where to start. I was looking at the reso on the agenda and I kind of started writing my own resos. So, bear with me . . . Whereas, in 2012, there was an original development called Makila Rural Community proposed on 270 acres. Whereas, that proposed development was withdrawn during the EIS process when the developer realized that they would be required to build a wastewater treatment plant. Whereas, this developer segmented his big 270-acre parcel to be submitted as three independent developments through the 201H process. Whereas, the 201H process is meant to fast track projects that are primarily affordable. That's the key word. Whereas, these developments are a perversion of the intent of the 201H process and are in conflict with the definition of the word "primarily", which is defined as mainly or for the most part. Whereas, squeezing 46 workforce houses on 14 whatever acres so these little strips and then putting 45 market lots on the rest of the 9-acre, 90-acre parcel doesn't seem to meet the intent of a primarily affordable housing project. Whereas, some of the workforce housing units are permitted to be sold in the 600 to \$700,000 range resulting in actually a really tiny amount of affordable housing units. Again, it's just not primarily affordable. And then, for the people who didn't go through all 1,300 pages the Department of Transportation they're concerned about bus routes. There is no bus route. If we wanted to experiment a bus route there, there's a prioritizing cul-de-sac over through streets making potential extensions difficult. DOT is also worried about buses getting stuck in the additional traffic. The Office of Planning they're concerned about this. They say the smaller proposed market one-acre lots are not conducive to promoting agricultural activity. They do not support the use of the 201H process to enable lots smaller than the current County two-acre minimum lot size. It says it exacerbates the problem of gentlemen estate lots and inflate agricultural land

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

value, benefit the homeowner via property tax exemptions, lower water rates while providing no viable agricultural production on ag land and generally reducing land available for farming and making it more expensive for farmers. Fish and Wildlife - they're concerned about six protected species living in the area. When you go through the binders the developers didn't find any of them, but the Feds say they're there. Land Use Commission is concerned about cumulative and long-term impacts of the project. Existing plans, subdivisions in the region on these water sources. Department of Ag - Department of Ag is concerned that the exemptions being sought under 201H will create fake farms within the State Agricultural District. The Department of Ag is also strongly in opposition of gentrification of the State Ag District. The Chief of Police is concerned about the additional traffic. And the DOE is concerned about the impact of the schools in the Lahainaluna complex. Every school in Lahaina is already 100 students over capacity. My fear is the Department of Health. They say all lands formerly in the production of sugar cane should be characterized for soil contamination. Chemicals associated with sugar cane industry persists in the soil today and may be a threat to public health and the environment. They're also concerned that, here we go, requires that the total development of an area shall not exceed 50 single family residential lots. For more than 50 residential lots, a package treatment plant is required so I'm concerned about . . . or confused, I guess, why Makila Rural East can have 96 or 95 units and can get away without a treatment plant. So, with all of this being said, I'd love to see it resolved that the Affordable Housing Committee says no to this egregious abuse of the intent of the 201H process and votes against both these projects and their related DBAs. Thank you.

CHAIR KAMA: Thank you. Members, questions? Yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: Thank you, Ms. Rego, for being here. This was part of the . . . can you explain . . . this was at the last 2017?

MS. REGO: These? This is in your binder. Those were all related to Makila Rural East. There were about like 250 pages in.

COUNCILMEMBER SINENCI: Okay. Thank you for that.

MS. REGO: Yeah. Thank you.

CHAIR KAMA: Thank you. Ms. Matthews?

MS. MATTHEWS: The next testifier is Noelani Ahia, testifying on all four items. Is she still here? The next testifier is Trinette Furtado, testifying on all four items to be followed by Gary McFarlane.

MS. FURTADO: Aloha mai, Councilmembers. And thank you for staying through this very long and obviously very important meeting on these two projects. My name is Trinette Furtado. I currently reside in Kula, but I was born and raised in Lahaina. And I, like everyone else here, also need affordable housing for myself and my daughter. If we look at the current articles that have come out recently, just what you have to have

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

and make in Hawaii even to be considered, you know, hitting the threshold that AMI does not help those of us who are trying very hard to save money for our down payments to get homes. Now, I have read through both of these applications from cover to cover and there are quite a few things that people have already brought up and I'm just going to reiterate again. These projects, an ongoing saga of this area, were part of a larger problematic parcel whose application was withdrawn amidst numerous concerns regarding the availability of water, solid waste and wastewater management, traffic impacts, and all the same concerns we have now with these two projects that you are being asked to hear. The HHFDC, which should be a part of this process per the 201H-38 designation and seems to have questions about it as well as the State LUC and State OP, all have their concerns of these projects bypassing procedures for DBA and LUC consideration. And it concerns me, and it should concern you, because there is a very real possibility of lawsuits that may ensue because of the possibility of you approving this without doing proper process. I'd like to know why the change from Ag to Urban rather than Ag to Rural as was mentioned in the Makila Rural planning documents when this change is inconsistent with the intent of that document? Why are market-priced ag lots included in this app. with requested exemptions and at less than the two-acre County minimum? If these were market-priced projects, would the Department of Planning approve these projects in this area? And if not, why would the affordability of the unit influence their approval? Why should the workforce housing units be constructed with substandard barely minimum requirements through exemptions being asked that wouldn't be proposed for market-priced projects? And we're talking about curb and gutter, minimum driveway and road widths, streetlight placements, et cetera. Also, why are these individual workforce housing units responsible for their ATUs? Now, for those of you that don't know what an ATU is, it's an aerobic treatment unit. And there are some troubling stats about these things here. I'm wondering . . . the fact that workforce housing owners are going to be responsible for these ATUs and leach field or leach fields within these areas and we don't know what that cost will be to them. Could that be prohibited in keeping this affordable or even attainable for some of them? What I think should be asked is what is the estimated initial cost and timeline for these ATUs? Who will be servicing these for these owners because if you are a workforce obviously you don't have the expertise to service and or maintain the ATU yourself? Will there be subsidies provided for any of the workforce unit ATUs? What's the estimated cost to those in the affordable units of these projects or both of them? They're consistently cornered by these developers. The DHHC sales price guidelines do not specify or delineate that workforce housing units that are sold must fall between the 80 to 140 percent AMI. This appears to be at the developer's discretion. There's nothing prohibiting these developers from selling units to those whose incomes fall below the 80 percent AMI range. What I think should be asked is how long before unsold units within each of the AMI brackets are made available to other AMI brackets? And the ten-year dedication before returning to market prices, does that mean that these projects will only be affordable to those lucky few that win the lottery? What about those of us that continue to need affordable housing after ten years? These projects will no longer be affordable. Water – a huge and critical concern. You've already heard from existing residents that they're experiencing severe water shortages both potable and nonpotable for both their farming and daily household needs. Now, can these developers guarantee adequate fire suppression as well as

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

delivery of water for their daily needs? There are a lot of things to consider like the traffic impact studies which were done before the bypass was opened, and I think should be redone and revised to consider the traffic that will be going through the area, that will be using the country store that will be visiting other people in these areas and I don't think that's been taken into consideration. For me, the bottom line is that this really isn't primarily about affordable housing but more about land use designation and parceling, which will benefit the developers and not benefit our community. Affordable housing for a short-term span of time is not going to help our growing community. It will not help our children purchase homes in the future, and it will make sure that these kinds of projects we'll see more and more of as larger landowners find loopholes to do these kinds of thing and get smaller projects and pats on the back because they've given us . . . they've thrown us a bone in order to benefit and that's not pono. Thank you.

CHAIR KAMA: Thank you. Members, questions? Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Furtado, for being here. I didn't get a chance to go cover to cover on the other project that I was reading. And I just was wondering like I wanted to clarify that so the State 201H process they offer comment on this particular project and like they were not in favor of it.

MS. FURTADO: Well, for both of them if you look in the section where the letters that went to the different departments to the State Office of Planning to the Land Use Commission to HHFDC which is supposed to be according to 201H-38, it says, the very first line the Corporation, which is HHFDC, may develop on behalf of the State or with an eligible developer. Now, when HHFDC is telling you that they're concerned that this is not going through the proper process, to me, that doesn't seem like the developer is working with HHFDC unless there is some serious consideration and action on actually going through that process. I think it's just . . . you know, waa.

COUNCILMEMBER PALTIN: Thank you.

MS. FURTADO: Thank you.

CHAIR KAMA: Thank you. Ms. Matthews?

MS. MATTHEWS: Madam Chair, our next testifier is Gary McFarlane, testifying on AH-1(1). Is he here?

UNIDENTIFIED SPEAKER: Not here.

CHAIR KAMA: Yes, yes, Ms. Lee?

COUNCILMEMBER LEE: I just wanted to ask you, what's the plan now?

CHAIR KAMA: Plan is to recess at six for half an hour for dinner break and then come back and finish the testimonies.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER LEE: Okay. Thank you.

CHAIR KAMA: You're welcome. Yes, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: How many more testifiers?

CHAIR KAMA: I don't know. Ms. Matthews, how many more testimonies do we have?

MS. MATTHEWS: We're currently on . . . Madam Chair, we're currently on 44 of 53 and testimony is still open and will remain open during the break.

COUNCILMEMBER SUGIMURA: Okay.

CHAIR KAMA: Okay. We all got that. Okay. So, who's our next testifier? We have time to take one more.

MS. MATTHEWS: Is Gary here? Okay, he's not here. Our next testifier so now we're on 46 of 53, is Tiare Lawrence.

MS. LAWRENCE: Aloha, Council. My name is Tiare Lawrence. I'm born and raised Lahaina girl. Come from seven-plus generations on that side so this issue is very important to me. The manner in which West Maui Land Company have chosen to push for their projects goes against smart planning practices. And most importantly, the hard work by the volunteer citizens who are working in updating our community plan. Forty-five days is simply not enough to properly vet these projects in a holistic manner. I believe the developer deliberately submitted two applications to make it difficult for people like myself to read through 700 pages. Just not enough time. Forty-five days is simply not enough. If this project was 100 percent affordable then I could support fast tracking. But when you're asking to rezone lands from Ag to Urban and build market-priced homes, I cannot support. Furthermore, Makila Kai Polanui Gardens and Makila Rural segmentation I believe, if we approved, we could argue this point in court. I have very various issues – fire. In 2015, actually, in 2017, I expressed concerns about the fire in my testimony. I said, it's not a matter of if, it's a matter of when. Sure, enough the following year we had the biggest fire in Lahaina history in 200 years. There's olelo noeau that speaks to fierce intense Kauaula winds that caused a massive fire in Lahaina in the 1700s. The Kauaula winds ain't going anywhere. She will always exist no matter how high you try to build your wind breaks. After the fire, I couldn't get to Lahaina until two days after because the road was closed. I had received various calls from numerous family members that my aunty was hospitalized because she had second- and third-degree burns. When I went out to Lahaina two days after, I went to the cultural center because all the families were gathering there. And when I saw my aunty burned it really, really shook a nerve with me because we were lucky. We were so lucky that no one died in that fire. She lost her dog, she lost everything she owned in that fire as well as many families as you know. That day, I went up to Kauaula to see what the devastation and I went to the Palakiko ohana land and helping Mark and Kuulei rummage through the ashes and everything that was there to look for a wedding

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

ring. Out of everything that they had lost, they were looking for their wedding ring. It was so sad. Since 1999 when Pioneer Mill, when West Maui Land Company had basically taken over all these lands, they have destroyed that region from mauka to makai if you ask me. Sediment, runoff, erosion are major problems in this area. The landowners have failed in fire prevention and brush abatement. They've let these lands turn into match sticks so much so that we nearly lost our school in town. These landowners need to be held accountable Statewide. All of these landowners need to be held accountable to better practices, better management. We cannot let these fallow lands just, you know, it's just a matter of time when big fires are going to take place. As far as ag, on Page 6 the report indicates that the property soils have very severe limitations mainly because they are extremely stony, which makes them unsuitable for cultivation without significance and improvement. To claim that these lands are not feasible because of the existing conditions is dishonest and erroneous. Pioneer Mill successfully grew sugar cane in this region for over 100 years. Since 1999, West Maui Land Company has done nothing to preserve agricultural development, like real ag development. The only thing West Maui Land Company has farmed is swimming pools, gentlemen estates, and some fake farms here and there. Their poor management of these lands have led to creating fire hazards, sediment or often erosion. Large . . . and I already said that, so I'll skip that. I'll go to water. Kuleana families have been left with seven plus generations and have suffered at the hands of Pioneer Mill and West Maui Land Company. It's unacceptable and guys like Charlie who are trying to grow food for subsistence living have to call Launiupoko Irrigation Company about water. The developer's water engineering study was completed in 2017 and does not take into consideration the recent IIFS. So, therefore, because this report was completed prior to the CWRM decision, this report should be considered inadequate, outdated and flawed. Housing – this company goes around the community continuing to preach about affordable housing but at the same time spends hundreds of thousands of dollars to fight kuleana families. There was a comment earlier that Peter Martin cares. If he cares, then why does he continue to take these generational families to court. Kuleana lands is just an acre here, quarter acre here, half acre there. We're not talking massive amounts of lands. These parcels are all little tiny parcels, but yet, he spends hundreds of thousands of dollars taking these families to court. So, if he really truly cares about affordable housing, hey, how about we start there because those families are from there. They just want to go back home. And also, I want you to take into consideration the workforce rental housing projects that are currently being proposed in Pulelehua as well as the 200 affordable rental housing on Keawe Street. These projects have access to County infrastructure and being proposed in areas that provide walkability to jobs and services. Complete streets – in 2012 the County of Maui adopted a Resolution 12-34, the Complete Streets Guide. The project goes completely against the resolution in establishing more walkable pedestrian-friendly communities. For the past three years, I've come here time and time again completely opposed to 201H projects. Fast tracking projects in Rural areas is not a smart way to address the housing crisis. When 201H was created it was created more so to take care of Honolulu, the Urban core, and then eventually went out to the outer islands. Furthermore, it's important to know that workforce housing applicants will have to go into a lottery. It doesn't give priority to West Maui residents and workers that work on that side. West Maui Land . . . okay, in closing, I wanted to say, and I commend Councilmember Riki Hokama for his statement

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

to the Department back in 2017 when he said, I will tell you this . . . don't ever ask me Department, if it's not 100 percent affordable, don't ever ask me for one fast track consideration. Mahalo nui. Sorry.

CHAIR KAMA: Thank you. Members, questions? Thank you, Tiare.

MS. LAWRENCE: Mahalo.

CHAIR KAMA: Members, it is now 6:04 and I'm calling a recess till 6:34. So, . . . yes, okay, before we recess, Ms. Matthews is going to call all the testifiers left to testify after dinner.

MS. MATTHEWS: Yolanda Dizon is here? She left.

CHAIR KAMA: Okay.

MS. MATTHEWS: Kanani Puou? Not here.

CHAIR KAMA: She's here.

COUNCILMEMBER PALTIN: All the people are here.

MS. MATTHEWS: We just have to call to see if they're here.

COUNCILMEMBER PALTIN: Oh.

MS. MATTHEWS: 'Cause there's been some people that aren't here. Kauai Keahi?

MS. KEAHI: Here.

MS. MATTHEWS: Jinny Dean-Yap? Joshua Dean?

MR. DEAN: Here.

MS. MATTHEWS: And Dylan Payne.

CHAIR KAMA: Okay. So, we're going to recess, and we'll be back at 6:34.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR KAMA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: I would be willing to stay on and not go to break. I mean, it's something that everyone would be open to. I mean, if they're all here now . . .

CHAIR KAMA: What is the will of this Council?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER RAWLINS-FERNANDEZ: I don't want to force anyone, but if we're looking at quorum, I can stay.

CHAIR KAMA: Mr. Hokama?

COUNCILMEMBER HOKAMA: Let's finish.

COUNCILMEMBER SUGIMURA: Yeah.

COUNCILMEMBER SINENCI: How many more?

CHAIR KAMA: Okay, Chair is going to call for a five-minute recess.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo.

CHAIR KAMA: . . .(*gavel*). . .

**RECESS: 6:06 p.m.**

**RECONVENE: 6:13 p.m.**

CHAIR KAMA: . . .(*gavel*). . . The Affordable Housing Committee of June 19, 2019, will now reconvene at 6:13 p.m. And, Ms. Matthews, will you please call our next testifier?

MS. MATTHEWS: Our next testifier is Yolanda Dizon, testifying on all four items to be following by Kanani Puou.

MS. DIZON: Aloha. My name is Yolanda Dizon. Resident of Kauaula, West side and West side still stands strong. Throughout the whole meeting I've been listening to everyone's testimony and there's been some awesome testimony. Majority of the testimonies were safety. Everybody agreed on affordable housing, safety issues, the sewage system, health, traffic. Majority all agreed on those that this project is not ready. I'm totally against this project from going through. This is probably the third time that Makila Land Company, Launiupoko Land Company, Kauaula Land Company, Olowalu Elua Land Company, with all the same players and Peter Martin is on board all of 'em and many others on the same board. This project has been knocked down before because of the same issues. Water, safety, health, traffic, the same issues from beginning of 2000. Launiupoko Subdivision we tried to warn, we tried to warn the community, we went out there and tried to educate and there were a lot of Launiupoko neighbors who thought we were activists, angry Hawaiians, didn't want anything done and now they understand. They were lied to. They were lied to and now they suffer the consequence. It was supposed to be agricultural subdivision. There's bed and breakfast. There's apartments. There's . . . oh, wait, what is agriculture? As long as you have a coconut tree or grass growing? We warned the County about what was going to happen. They said they were going to have people monitor. It ain't happening. It never did. It's only words. So, now with that with Launiupoko Subdivision, again Pete comes back for

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

Makila again back in '15 tried to do the fast track. Again, you know, now fast track again. Mr. Hokama, you were there from the beginning, so you know what I'm talking about. You heard it over and over and over, but they always use affordable housing. It ain't . . . so lie. When is it going to stop? They need to go through the process is what they need to do and not put the burden upon this Council to push this through for them. But yet, all the evidence right before you and all the testimonies from experts that have come through here for this same kind of project and whatever, whatever. Anyway, make the right choices. That fire it's hurricane season, it's fire season. From the time I smelled the smoke we didn't even have ten minutes to run for our lives. Thank God no humans were killed in that fire. None of my babies, none of my grandchildren, not even my teenage daughters, thank God, as we ran because we had no time to get in our cars before that fire hit our homes. So, you want affordable housing? Well, I hope your priorities would be whoever wants affordable housing that you have a safe environment to live in or to live on. Fires coming . . . it's going to come. We're not ready. From the last disaster in '18 we are not ready. Wahikuli families couldn't get out. They tried to go north, they tried to go south because it's burning up there, no way to go. They got turned back to their own homes or the ocean. We are not ready. Don't make it worse. Don't make a decision . . . smart decision. Thank you.

CHAIR KAMA: Thank you. Members, questions?

COUNCILMEMBER PALTIN: I've got a question.

CHAIR KAMA: Oh, I'm sorry. Can you come back? Thank you. Ms. Paltin has a question.

MS. DIZON: Okay.

COUNCILMEMBER PALTIN: Thank you for coming alone. Thank you for your testimony today. I just . . . *(inaudible)* . . . kala mai and I wanna try to make you relive the situation. But at the time was the fire that wasn't what you was preparing for, was preparing for hurricane and rain. And for me, when I went to work that morning was all fire but when I see all the people at the shoreline, I live Napili so I only was watching on Facebook and the way that everybody evacuated from the fire was just like there is no time, that we were still having Category 3 hurricane going on and originally the people near the oceans were evacuated up at Lahainaluna. And I just was saying, you know, when you are in the process of running from the fire, did you also have thinking that the hurricane is going on and like where to go?

MS. DIZON: Baby, I was running for my life so was my family. The hurricane just pushed those flames on us and that's how I got burned. We've been chased. The fuel was the wind, you know, pushing us higher. So, I rather get run down by the wind than burned alive.

COUNCILMEMBER PALTIN: Uh-huh.

MS. DIZON: So, yeah.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

COUNCILMEMBER PALTIN: And then when you could come out was there space for you to go to a shelter?

MS. DIZON: Baby, I went in the ambulance that's how burned I was. I tell you what though the rest of my families got evacuated up to the civic and then the fire hit up there. They had to evacuate again . . . somewhere else so, where do you go when this fire coming down raining, raining from that mountain, ocean.

COUNCILMEMBER PALTIN: Yeah.

MS. DIZON: We're not ready for another big one like that.

COUNCILMEMBER PALTIN: So, then after the fire had the rain and then they shut down the civic shelter and everybody cannot go back to their homes, so I understand what you're saying we're not ready.

MS. DIZON: Yeah, we're not ready. Raining, fire, with the winds of the Hurricane of Lane.

COUNCILMEMBER PALTIN: I think maybe it's harder to understand if you wasn't there that after people's houses burned down and the shelter closed then where do you go really.

MS. DIZON: Where do you go, really?

COUNCILMEMBER PALTIN: And it starts to rain.

MS DIZON: Yeah. You know, our neighbors in Launiupoko area and even at the Puunoa they know. You know, our whole community on the West side know what it was like. It was like watching the California fire on TV. I mean, you guys all know whoever was there or on Facebook could see. There's going to be another fire coming. It's in the 90s. If another hurricane come, we're not ready blowing those fires down.

COUNCILMEMBER PALTIN: Thank you.

MS. DIZON: You're welcome.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR KAMA: Ms. Matthews? Oh, I'm sorry, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha, Ms. Dizon. Mahalo for your testimony. I'm really sorry for the injury you sustained in that fire.

MS. DIZON: Oh, no, we're blessed. I'm alive, I'm standing, baby. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Do you think if a siren had gone off that you would have had more time to get everyone out without having to run?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. DIZON: Because of where we live the fire came from back of us, right below the mountain, you know, and pitch black, we smelled smoke. We didn't see the flames until it was already on us. There's a lot of brush below that mountain. I mean, you guys see it going in and out of the West side, all that dry brush. You know, how do you stop the fire? There is no close fire hydrants. In fact, that night the hydrants weren't working, you know, in Launiupoko area near the river where we are. So, I don't know. And it's so funny you bringing that up because I'm still waiting to get answers from the investigation, the fire investigation. They say it's still ongoing but, you know, they can't rule out arson. There were lights on the lines, electrical lines but MECO is saying that it wasn't them. West Maui Land Company is saying that, you know, their hydro plant wasn't running. It wasn't them. But nobody is going to take the blame, right. They're going to blame it on Lane . . . I don't know. One of the reports said that our families had a barbeque in back. They found a place where a cooking area away from my house in the back. And I was like, god, what school did you go to for investigation? During the time of Lane, we're all preparing for Lane and we're going to go have a barbeque? Come on now. No answers. Still waiting. Waiting for the Commissioners . . . Fire Safety. Still waiting.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo ke akua you survived. There's a recommendation from the Hawaii Emergency Management for a siren to be installed at this project. I don't believe it's pau.

MS. DIZON: How are you going to set it off when there's a fire coming? How are you going to set it off really when there's a fire and you don't even know where the fire is or how fast it's going to go? Great for earthquakes. Great for tsunami but how is it going to help?

COUNCILMEMBER RAWLINS-FERNANDEZ: Well, I think for those that like it was that one in the morning.

MS. DIZON: Oh, yeah, one in the morning, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Sleeping in their houses.

MS DIZON: Yeah. It was 12 o'clock that night.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right.

MS. DIZON: On the 24<sup>th</sup> that I smelled that smoke. Ten minutes for us to run from the bottom of the mountain up Kauaula right below the valley down far enough where we could hitch rides to get down to behind the Aquatic Center. I don't know. Yeah, I don't know.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo.

MS. DIZON; That's a question for Public Safety.

CHAIR KAMA: Thank you. Ms. Matthews?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. MATTHEWS: Our next testifier is Kanani Puou to be followed by Jinny Dean-Yap. And can you let me know which items you're testifying on, please?

MS. PUOU: On all of 'em.

MS. MATTHEWS: Thank you.

MS. PUOU: All right. Aloha mai kakou. Thank you everybody for still staying. I know we're all tired and want to go to sleep or eat. When you putting stuff in a bucket and there's no more room already what's going to happen to the bucket? Everything overflows and we're done. So, same thing like Lahaina. With developing this . . . putting this project and putting everything and allowing them to do this what are we doing? We're overflowing something that we don't have. And Hawaiians don't believe in resources. It was a source that we had already. We didn't have to go and look for it. There's no . . . there's no Hawaiian word for resource. It was made up. Source – why like my aunty, Mary Kawena Pukui says, (*spoke in Hawaiian*) she says the source is there but it's how you treat the source. So, like our wai, wai - our ocean, everything that we have is going to be impacted by this and that's why I'm in opposition of that. I don't want any of this to happen. We already know. I lived through that fire with my aunty. I live on Lahainaluna Road and we were lucky enough to have that break from the road otherwise, that fire would have engulfed my house as well. But we were blessed enough. And then we got evacuated to go to Leialii which there was a fire on the other side. So, what do you do? Where do you go? No hotel had room for anybody . . . or they had room for certain people but mostly everybody was trying to pay to get into the hotel room. But all of that aside. Affordable – affordable housing for who is my question? Honestly, affordable, I cannot even live in my own house. My parents have lived there almost 50 years. We still cannot live in our own house. Unfortunately, we had to go ahead and redo everything and I'll tell you straight up right now we're living paycheck to paycheck. And everybody gets at least two jobs in my house. I take care of my parents, so I have one job – it's to take care of them and another job. But even that affordable housing for who? Honestly. Because they say it's for us the people that live in Lahaina, the people that are living in the community or we should live where we want to be and dah, dah, dah. But guess what? You get those other people that coming in from wherever – Germany, mainland, wherever. They come in, oh, I going get one job over here, yeah, I like be one teacher or I like do this kind stuff. What about our kanakas? Like I went in front of Governor Ige last year and I had told him straight to his face, you claim this is the year of the Hawaiian, so why are . . . why . . . are the kanakas, why are the Hawaiians are minority in their own land? Shouldn't we be the priority in our own land? We are the descendants of this land. Why should we be the minority? Cause we always get thrown in the back. I don't understand that. Especially being with housing, jobs. Poor thing, our brother is over here, I know I've seen these contractor workers, hey, I feel for you guys. My dad and my brother guys were all construction workers. So, I know. But is it how you really like see your kids down in the line because my dad seeing us suffer right now and he's been living it for almost 40 something years. And he sees we cannot afford right now. He sees that, he gotta go and do . . . my dad has to take out loans all the time just so we can get by sometimes.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

Even redoing things, you know, this is the kind of stuff that we need to pay attention to is why, how come our kanakas, how come our people? Why do we have to settle for something less? Why can't we have the benefits? Why, we live here first? We are from here first, but we have to always say, oh, no, no, no, we going be in the back or it's okay. Never mind, next time, maybe five years from now I can get one house, ten years. Here comes 30 years you still no more one house. You worked six, seven jobs in your lifetime making good money but you still cannot afford a house. Why? Because the rent is almost close to a million dollars. Please tell me who can afford a million dollars in this room besides the developer. Nobody. I ain't got a million dollars in my pocket, I ain't got \$5.00 in my pocket. But telling you straight up, we, we, the kanaka should be first and that's what I come to you as a kanaka first before I come as somebody else, you know. I no more paid interest like some other people but, you know, just saying. But that's my manao. I just, I don't want this development to go through because I don't feel like it's a priority and it doesn't need to be in Lahaina. We need to fix what we have already. Do what we can with what we've got first. Where I live right now, I can tell you I had about I like say almost seven houses all for sale. Nobody can afford 'em. So, now, I live next to some Mexican guy that rents it out every little square inch and you have a Vietnamese family that owns L&L right down the road. They got money buying plate lunches from . . . we all buying plate lunches from them so, of course, they get money. But they have their little area and they rent it out. I know three people that are in there and they rent out every little space.

CHAIR KAMA: Thank you.

MS. PUOU: Thank you. Mahalo.

CHAIR KAMA: Questions, Members? Thank you, Kanani. Ms. Matthews?

MS. MATTHEWS: Madam Chair, next testifier is Jinny Dean-Yap testifying on AH-1(1) and (2). Any other items?

MS. DEAN-YAP: I'm going to do 'em all now.

MS. MATTHEWS: Four items to be followed by Keahi.

MS. DEAN-YAP: Thank you. Aloha. I am a first . . . speaking on behalf of my sister who's . . . that's the e-mail that you have in front of you. I'm just going to read her portion first. Her name is Jeri Dean. Born and raised on Maui in Lahaina, at 50 years of age, I am no stranger to the dire housing situation of our ever-growing island. It has been disappointing and saddening to see the developments that have occurred in West Maui over the past few decades. Continued expansion to promote tourism with the lack of attention to infrastructure and housing for those who live there is a disgrace to all who serve in public office. An employee of the Department of Education for the past 26 years, I have seen first-hand the detrimental impact lack of affordable housing has had in our educational system, our families, and above all – our keiki. Due to the impossible situation of affording a place to live on a teacher's salary here in Lahaina, we are designated as a "hard to hire and retain" area. As a result, Lahaina has extremely

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

high turnover rates, short-term teachers who leave after a year or two or simply no teachers at all. As a result, our keiki are taught by unqualified, long term substitute teachers all because they cannot afford to live here. Currently, I am an Administrator at Lahainaluna High School and I work two other jobs to support myself and my children as a single mom. That's ridiculous! We are in a crisis situation that goes beyond desperation. It is time for our public representatives to make the locals a priority above the tourists. It's a shame that we are required to continually fight for and justify the need for housing for our people. This brings back the disappointing memories of our fight for the Puunoa. We need an advocate; we need to be heard; if not for us then for our future. Be brave, be our champion, and approve the development of the Polanui workforce housing. And on behalf of myself, I am for the affordable housing project. And just personally as far as the traffic situation, I'm surrounded by friends and family who live on top of each other. Multiple families in one home. All got cars, you know, they're already driving. They're already on the roads. Ten families in one home already on the roads. So, with this new affordable housing all they gotta do is move out of their little home and they may have one of their home. But as far as additional people, just thousands of people coming, I don't see that perspective. I see our current situation everyone piled into the little crevices in Lahaina. If we're not from a valley that has been, you know, with our lineage or has been given to us, we are in that situation of rentals and living with each other. And Honokowai Kauhale was one of the most amazing affordable places as a start for our family. I have five brothers and sisters, five of us started at Honokowai Kauhale and that place is not to live forever at, but it's become that because it's the only option. So, for our rentals these people that go in there stay there for life. So, now the waiting list for our own affordable rentals the wait list is two years. My niece came home two years ago and is still on the list. So, traffic, I don't know. You know, there's a lot of things that need to be figured out but I'm just hoping that affordable housing will be the reason why, the reason to fight for it. You know, instead of having like Honua Kai building up a whole other thing and now what having to deal with the traffic, we have to deal with it. You know, we know affordable housing is needed, we know affordable housing is on table right now, wouldn't it be a good reason to really just dig in and find these solutions and fight, fight to the death. Fight to the death to get us this affordable housing on the West side of the island. I know everyone has all different perspectives and that's just mine. I love my family. I see all of them moving away, including teachers. My own family go to school, get their education, come here and find out they can't do it. They leave. And all the people that come from Germany and all those other places, oh, they get tricked 'cause they're thinking, oh, Hawaii that is a nice place. Maybe I can make that happen. And then they go broke realizing, holy crap, I can't do this. I can't be a teacher on Maui's salary and on top of that live here. So, they figure it out really fast within about a year or two and they're gone. So, thank you. That's all I have.

CHAIR KAMA: Thank you. So, you were reading your sister's testimony?

MS. DEAN-YAP: Yes.

CHAIR KAMA: What is your name?

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. DEAN-YAP: My name is Jinny Dean-Yap.

CHAIR KAMA: Thank you, Jinny. Members, questions? Yes, Ms. Keani Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Dean-Yap, mahalo for your testimony. I wanted to ask if you know that these projects are not a hundred percent affordable housing?

MS. DEAN-YAP: I do.

COUNCILMEMBER RAWLINS-FERNANDEZ: And it's only required to be affordable for ten years.

MS. DEAN-YAP: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: And that it's a lottery system so it's not, the housing is not guaranteed for Lahaina residents or workforce in Lahaina.

MS. DEAN-YAP: Yes. But that just . . . I do believe that some people from the West side will be in that so it's not just all new members coming into Lahaina. But there's quite a bit in Lahaina that would qualify. I own a house in Napili and the only reason why I have it is because my husband's family, sister, and all of her children could no longer afford to be here uprooted their family and moved all to Vegas and we bought their house at an affordable rate. So, that is the only story I have as why I even own anything. But we lost our family and that is the story I have is my family continuous to do that and there's somebody else there ready to buy their house, but they can sell their house, take that money and buy the kids houses too. So, it's a reality, it's sad, I benefitted from it, you know, I mean, it is what it is. Nobody's life is the same. That's my situation. I benefitted. I lost my family, but I gained my house.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Mahalo, Chair.

CHAIR KAMA: Thank you, Jinny.

MS. DEAN-YAP: Thank you.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: The next testifier is Keahi testifying on AH-1(1) and (2).

MR. KEAHI: Yeah, (1) and (2).

MS. MATTHEWS: Yeah. To be followed by Joshua Dean.

MR. KEAHI: Hello, everybody. My name is Kauai Keahi. Aloha.

CHAIR KAMA: Aloha.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. KEAHI: The last time I checked I am Hawaiian. I am Hawaiian as you can get. But one thing I do, I'm a working Hawaiian. Nine years of my life was wasted in meth. Ice addiction. Wasted nine years of my life. I've been clean for 11 years, going on 12 next month.

CHAIR KAMA: Congratulations.

MR. KEAHI: I got blessed with one wife and two kids. I lost custody of my first two kids, but I got them back the relationship restored. Thank you, Jesus. So, now, I have a second chance. I have two young ones. But with those 11 years of being sober I got clarity. I get one vision. I'm not thinking about myself anymore. I'm thinking about my children. I'm thinking about getting them one home and I support this affordable homes. And I going say boldly that I am employed by West Maui Construction just so nobody connects the dots and think there is manipulation. Like I said, I work for West Maui Construction. I work. I work hard. My motivation is for my family for give my kids the life I never had. That's my motivation. For them to no go through what I went through because of hurt, because of being hurt by people, being let down by people. You know what, you're going to be stronger than that cause you going get hurt. We going disagree. But you know what disagree agreeably. No hate me because you hate the person I work for. No slander me because I work for a person you don't see eye-to-eye with. That is your kuleana. That's your problem with him. My job is for support my family. And if this is one opportunity for get my kids one home, then so be it. I mean, all the questions that been asked – am I aware of this, I'm aware of that, yes, I am, and they don't need to be repeated. Again, my focus is for my kids because nobody going take care of them. But I'm not going to let my kids grow up thinking they're victims. No, you victors. You're not whiners, you're winners. You're not complainers, you're conquerors. That's the kind of mentality I'm going instill with my children that you gotta work and you gotta work hard. Sometimes you going like give up but boy press. Press . . . that's what whole life is about. Life is about challenges. It's not about change never go my way I going give up. No, you keep pressing. When I get up in the morning, I look at my children and I thank God they get one roof over their head. I thank God they get food in their mouth because at one time in my life I never had those commodities. But that is my vision. And I support this. So, when my life is up and I don't know when the Lord going take me home, but I have this assurance that my kids going be taken care of. And whatever they decide to do with the house that's their kuleana as long as I know I left them something. I left them one inheritance. I left them something that they can build one legacy on. That's what I'm building. I'm trying to build a legacy. They don't have to walk in the paths I did so I gotta make sure I'm there because they're following me. Thank you for your time. Aloha.

CHAIR KAMA: Thank you. Members, questions? Thank you, Kauai. Ms. Matthews?

MS. MATTHEWS: Madam Chair, next testifier is Joshua Dean, testifying on all four items to be followed by Dylan Payne.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MS. DEAN: Aloha. My name is Joshua Dean. Over the last five years I've been involved in a number of workforce housing projects. I counted when I was sitting down there's 236 workforce housing units. And it wasn't easy. Every single one of them we're dealing with lawsuits and dealing with neighbors that didn't want people living next to them. We did two of 'em in Haiku, we did . . . we're doing two in Central Maui, one in Kaanapali and then one in Lahaina. This is the same story. You know, we're talking about connecting the dot let's connect some dots here. Okay. If the people who are saying that this is a terrible place for affordable housing, it's the people that live there. How does that make any sense? We want people . . . you're faced with a choice. There's all these . . . there's a million and one reasons why you can justify no affordable housing. All right, we've heard a bunch of them. Heard about infrastructure, we heard about fires, we heard about traffic, all kinds of things. Okay. But I want to talk about one reason to provide affordable housing. For one, as a Council, as a government, as a County, we all agreed that this is a crisis. That we have our talent, our children, our families moving, and that we're not retaining the people that we need to sustain our way of life. Okay. So, it's a crisis. We all said we've for affordable housing, this is it. This is . . . if you want to buy in to these ideas of overcrowded schools, of too much traffic, of the risk of fire, okay, by that logic that same logic, okay, nothing on West Maui. Okay. If you want to say that, then say it. Okay. That's fine. But let's just make it clear. That's it. It's either affordable housing on West Maui or no affordable housing on West Maui. These are two projects that have 100 workforce housing units that people could be living in in four years. That's hundred families. Have you ever been part of a workforce housing project and seeing people break out in tears when their name is pulled out of a hat because they won the lottery and that's what they did, they won the lottery. That's what they say, it's a lottery because it's a, you know, you actually pull balls out of this spinning wheel that says, you won the lottery. And people break down because this is their dream. And it's more than a dream because it's not even possible for people. That's why I got almost 80 employees, okay, and I begged them to save their money, right, whether it's put 'em in the bank, put 'em in the stock market. Please don't buy that lifted truck and be paying \$1,200 on your monthly payment. But I understand why they do it because why? Why not live it up because they're not going to be able to afford a house. They give up. Okay. We're trying to bring hope. This is real hope for hundred people and, you know, speaking towards the other one-acre parcels that are around, the 40s . . . it's 61 one-acre parcels, hey, that's for real local people too. I mean, you're talking about if you're a schoolteacher and a fireman, hey, you don't qualify for the workforce housing. You make too much money. It's \$115,000 is that income level. That's real people. That's people that we all mingle with. Okay. You're a Councilmember and your spouse works you no can qualify for the workforce housing. This is middle income people that they're there, owner-occupant that can buy a one-acre lot. Fantastic. You know, a family can hui up and have a little bit more room to grow instead of three, four generations living in Kelaweia Mauka on a two-story house. How about you guys hui up and then buy something over there a one-acre lot on the hill with a great view? I'm proud to say that I've over the years I've been a part of workforce housing. It's a special thing and I've brought hope and joy to families. Okay. They thought they gave up already. And I just want to encourage you, Councilmembers, to just say, to say yes. This is your opportunity to choose workforce housing on West Maui or not. Thank you.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Thank you. Members, questions? Ms. Matthews?

MS. MATTHEWS: Next testifier is Dylan Payne, testifying on AH-1(1) and AH-1(2) to be followed by Kyle Chong Kee.

MR. PAYNE: Good evening, Members. Aloha.

CHAIR KAMA: Good evening.

MR. PAYNE: Thank you for allowing me the opportunity to testify. This has been a long-winded meeting and pretty heated. There's been a lot of contradictions discussed today and that's life. I know that we don't all agree here tonight but one thing I am hopeful about is I do believe that everybody here really does care about Maui and cares about the people that live here. We have different ideas about how best to approach and solve those problems but I'm hopeful seeing the passion that's been here today that if we can all find a way to work together, we might be able to solve some of these issues. I'm a real estate agent and I work for West Maui Land Company. I have also had the opportunity to be involved in a number of these workforce housing projects lately, and it's been kind of to echo Josh it's been incredible to work with families that never . . . thought that they would have a home. A lot of my peers that I graduated from Lahainaluna with were able to get a home in Kahoma in Lahaina. They never thought that would happen. We just had the lottery and open house for Waiale just down the street here, and to see people's faces light up when their name gets called and they get to choose their house is something that I really feel blessed to be a part of. I'm also very aware of the severity of the issue of affordability particularly in Lahaina. I recently had the lowest price listed home in Lahaina, Maui on the market for sale. I was the listing agent. The list price was \$948,000 lowest price home in Lahaina and that went under contract. It's in escrow to be sold. So, now, the lowest price home in Lahaina is \$1.2 million. It's the lowest price home. So, yes, this project would provide 100 affordable homes. And there had been a lot of things talked about this afternoon. There's a lot of reasons to say don't do it, you know. But there's a lot of reasons to say, yes, too and to give people an opportunity to have a home. I also lived through the fire and I know that's been talked about a lot this evening. In 2007, when there was also another large brush fire in Launiupoko, and my family lost our home. It burned down. We understood the risks of living there and we built the home back. And I was also there last year, and we got broken up and had to leave. So, I understand the risks, but I think it's almost safer if you have this development done. I guess my times up but thank you for being here and please choose --

CHAIR KAMA: Thank you.

MR. PAYNE: --to give people an opportunity.

CHAIR KAMA: Members, questions? Thank you.

MR. PAYNE: Okay.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: The next testifier is Kyle Chong Kee, testifying on AH-1(1) and 1(2). Are there any other items?

MR. CHONG KEE: Yeah, just about the workforce housing.

MS. MATTHEWS: Okay.

MR. CHONG KEE: My name is Kyle Chong Kee. I am a workforce homeowner. I bought one from West Maui Land. I would never thought in a million years I would buy a house. I work every day like everybody else and they pulled my number. I got first pick in front of everybody. They pulled the ball, they showed it, I got \_\_\_\_\_. Some people thought it was rigged 'cause I work for the Company, but it wasn't because the ball came out it had my name. But I approved it, I mean, I hope you guys do too. A lot of families need homes. You see people paying three grand a month on rent why not put that three grand a month towards your house. So, I mean, I don't got much to say. I just hope you guys all approve it. People need homes. And you're not paying 900,000 like how Dylan said. That's not happening.

CHAIR KAMA: Thank you. Questions, Members? Mr. Sinenci?

COUNCILMEMBER SINENCI: Yeah, thanks, Kyle, for being here. So, was your home affordable? How much you paid, if I may ask? I mean, you don't have to.

MR. CHONG KEE: So, I was paying about three grand a month on a rental. I'm paying the same price to own my house.

COUNCILMEMBER SINENCI: For your mortgage?

MR. CHONG KEE: Yes.

COUNCILMEMBER SINENCI: Okay. Thank you.

MR. CHONG KEE: Thank you.

CHAIR KAMA: Ms. Matthews?

MS. MATTHEWS: Our last two testifiers signed up to testify are Mark Deakos, testifying on all four items to be followed by Albert Perez.

MR. DEAKOS: Thank you, Chair. Thank you, Council, for a long day. I'm just going to hit four topics. Briefly, on the fires I think you know there's a reason PG&E California filed for bankruptcy. It's not coincidental that all these fires happen when the heavy winds blow so we really need to address Maui Electric and what's going up there with the power lines. So, if you really want to get, you know, every fire requires a spark and I'm

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

pretty sure it's not a bunch of homeless people and their motocross bikes up there because it always happens on heavy winds. So, 201H – I always have trouble with 201H addressing the housing affordability. Okay. These projects don't address the 80 percent of the AMI. Below 80 percent AMI who really need the homes. And I keep hearing about inventory. We need more inventory but if they go back to market value in five to ten years why, you know, it's . . . (*inaudible*) . . . We're never going to catch up. The number three, a little bit of mention ATUs. I think it's important to address that. We have the worse water quality in the State here in Maui, especially West Maui. So, what's happening on mauka side is going to impact what's happening with our water and our reefs. So, aerobic treatment units basically what they are they're complexed septic systems. And so, I did a little bit of research on those and little they have several chambers and compressors, water pump, leach field. These systems need routine maintenance. By the way, the reason they're doing ATUs is because to get under the trigger threshold they have to do a wastewater treatment plant that would trigger an EA. So, they avoid the EA you get under that with the septic systems. So, you hear a lot about ATUs when investigated the rate of ATU failures. I was shocked around. One study 419 units inspected, found 92 percent were producing unacceptable effluent discharge. Of the units with no visual evidence of deficiency – 80 percent were producing unacceptable effluent discharge. I e-mailed you guys all these studies and reports. Texas A & M University put out a guide, you also have that, to living with an ATU system. And some extracts from that basically if you decide to maintain it yourself you have to be very protected against things like hepatitis, keep children and pets away from them. What causes them to malfunction, these are items listed too much water, water saving devices, extended vacations, if you're gone too long, use of bleach, anti-bacterial soap, too much toilet paper. Okay. It's an anti-microbial . . . it needs the balancing between the air and the microbes and water. If you offset that balance, you run into problems. So, they require about 300 a month, oh, sorry, 300 a year for maintenance or affordable people going to be paying those costs; otherwise, once they fail they're basically septic systems and, we know from a UH study \_\_\_\_\_ put dyes into ATUs as well as septic systems within five days on average they reach the ocean. That green dye seeped out into the ocean even on the ATU units. So, what happens on lands going to reach the ocean. My last item is, basically, affordable housing doesn't . . . we talk about this either or we need to push affordable housing and sort of give up on this sustain. The clean water, the overuse of water, the traffic, we don't have to compensate one for the other. Okay. Now, it's very difficult for you guys to know whether a project is going to meet all those requirements and address all the concerns in the room. That's hard for Planning to enforce things like that but they are certifications. There are groups, nonprofits out there that do that certifying for you. They deal with affordable sustainable housing because affordable housing is not just about cheap homes. It's about living affordably. Okay. So, your utility bills, your transportation, ATU units, all that affects your ability to live in these units. You guys can't manage and know whether what a developer promises is going to come true, so I'd make the criteria certifiable then groups call living building challenge. Okay. This is the highest standard. Up at Maui Prep Academy they met that. That's a positive, net positive impact to the environment there. So, there's no minimal impact. They're actually improving the eco-systems and everything around there. So, we're going to have standards like that. Green Buildings Hawaii certifies projects. So, don't take on the burden. Have the developer say we will

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

meet these standards. We'll have these criteria and they not just disappear. They watch the project as it progresses, they monitor all that stuff. So, I encourage you to have these certifications in place so they . . . you don't have to worry about it. The certifiers deal with making sure how these projects are done right on affordably. And they can advise the developers too on how to find financing to assist with that and all of that. So, in the end, I don't . . . I wish you don't, I hope you don't approve these projects and I hope you do raise the bar for the projects. We do need affordable housing. Let's just do 'em right so we can tackle everything. Thank you. Mahalo.

CHAIR KAMA: Thank you. Members, questions? Thank you. Ms. Matthews?

MS. MATTHEWS: Madam Chair, the last testifier signed up to testify . . . okay, second to last testifier signed up to testify is Albert Perez, testifying on behalf of Maui Tomorrow Foundation in his capacity of Executive Director.

MR. PEREZ: Good evening.

CHAIR KAMA: Good evening.

MR. PEREZ: Thanks for the opportunity to testify. I just want to say that there's been so much excellent testimony . . . I don't know. I just feel like it's kind of a hard one to measure up to. But I really want . . . I really want to emphasize that the reason we have Planning is to deal with all of these things upfront and not make decisions within a 45-daytime frame when you folks are under pressure to make these decisions. And the other thing is, I cannot even believe that this developer is asking to put more people in harm's way. Yes, you can make a lot of money here. Maybe it's worth the risk to some people but what if you're at work and your kids were at home and they're in this place where they had a fire like in August, this past August. Had another one in 2007 where people were trying to get out of there, and they were clogging up the lanes so hard that the fire truck had trouble getting up to the fire. This is what I'm told. There was another fire there in 2001. And why if you're this developer why can't you put in another road to help these people get out of there? Is it okay to risk their lives because you think that you don't want to open this other road to Hokiokio because it might disturb the wealthy owners of the lots that you plan to sell in that particular area? That's what we're dealing with. This West Maui community last had its community plan updated in 1998, I believe. And they specifically said as one of the five results from this plan that they wanted to encourage infill in order to protect agriculture and mauka open spaces. Infill is not Launiupoko. That was all sugar land. That is not infill. That is the definition of sprawl. That is not protecting agriculture, and certainly not protecting our mauka open spaces that define the character of the West Maui area according to the people who put this plan together. So, what we need is we need truly affordable housing. But why do we have . . . why do people who are struggling have to end up risking their lives in a fire or a flood zone just to get a home in Maui County? We can do better than that. So, I want to point out that from what I can tell this place was subdivided up until the limit of what the County's sliding scale agricultural subdivision ordinance allowed. They're trying to get an exemption through the 201H process to that and other . . . so, here's how that works. You take a 271-acre parcel that used to be

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

before the State Land Use Commission and then you find out that it's going to require a wastewater system and you have to do an Environmental Impact Statement, and so, rather than go through all that they want to fly under the radar and they split it up, but it doesn't work. They're splitting up and the Land Use Commission objected to them splitting this up to less than 15-acre parcels that the County could process instead of the Land Use Commission. The Office of Planning . . . sorry, there was a lawsuit filed last time on the Makila Kai Project because of the segmentation. And you folks all, who were sitting on this Council, know about that. Those of you who are new don't know that there was a lawsuit filed. It had to do with violation of the Environmental Impact Statement rules, which say that you just can't split things up so that they don't have impacts to trigger an Environmental Impact Statement. Before I forget, I want to make sure that I address this. You know these people, these citizens who put all this time in to putting together the West Maui Community Plan, they're not telling people not to live in West Maui. No one is saying that. There are places in the plan where it's designated and there is a process if the County, if this Council decides that there is adequate infrastructure to change the community plan in a certain area like perhaps Wainee has been mentioned, this Council has the ability to do that. So, anyway, I'm going to summarize my time. If this developer really wanted to help people, they would be proposing 100 percent affordable housing and not 51. They'd be proposing rentals because that's where we need . . . our people who are on the verge of homelessness, they need housing much lower than this 80 percent to 120 percent, sorry, 140 percent range. And by the way, between 120 and 140 percent, those homes can be sold in five years at market, not ten. So, I would, as a planner, I would say let's put some housing north of the employment centers so that when people get on the road, they're going south instead of north with all the traffic. And I see that my time is almost pau. But our Mayor and our Council needs to step up to the plate and work with committed affordable housing developers to build truly affordable 100 percent affordable housing in places that are chosen by those people who spend all their time on the community plans. Not in a known fire hazard zone. Thank you.

CHAIR KAMA: Thank you. Members, questions? Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: I just was wondering where you read that in the application that the 140 percent is only affordable for five years?

MR. PEREZ: That is in the Residential Workforce Housing ordinance. So, if they're proposing what I read for Makila Rural East is they're proposing between 80 and 140 percent so that segment between 120 and 140 has a deed restriction of five years.

COUNCILMEMBER PALTIN: Do you know if the County can change that, the Council?

MR. PEREZ: If the County can change that ordinance?

COUNCILMEMBER PALTIN: If they can make it more than five years? If we can make it more than five years.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

MR. PEREZ: I think you could. But I still wouldn't want to see that happening in this location because of the fire risk.

COUNCILMEMBER PALTIN: Thank you.

MR. PEREZ: Thank you.

CHAIR KAMA: No other questions. Thank you. Ms. Matthews?

MS. MATTHEWS: Madam Chair, our last testifier signed up to testify is Lawrence Carnicelli, testifying on all four items.

MR. CARNICELLI: Oh, boy, long afternoon. Lawrence Carnicelli also known as Ava's dad here to testify. So, I only moved here 25 years ago so I'm a newbie by a lot of the standards with which people have testified today. Moved to Lahaina, bus boy, waiter, then got a job, lost everything, tried to, you know, do the whole thing all over again. So, I really can relate to a lot of the stories people are saying. I've spoken to each and every single one of you, all seven of you . . . six of you I guess now about affordable housing, right? We've all talked about affordable housing, affordable housing. You know this mysterious 14,000 homes that we need, right. This study that was done by DBEDT in 2015 we need 14,000 homes by 2025, which is now six years away not ten years away. When you start doing the math, I talked to Jeff Gilbreath at the HSAC Conference and we started talking about just some rough math. And Jeff said, I needed at least \$130,000 per unit to build affordable housing. He's a nonprofit guy. He needs at least \$130,000 per unit. So, let's just make it a 100,000 for easy numbers and let's just say that that's half. It's not 14,000 units, it's 7,000 units. That's a \$700 thousand . . . \$700 million problem we have. It's \$700 million problem we have to try to solve. So, it's much like saying I applaud you guys. You put \$14 million in the Affordable Housing Fund this year. Ms. Rawlins-Fernandez added another million dollars to the experimental housing fund. \$15 million for a \$700 million problem we have. This is a hundred homes. You go like, ah, it's only hundred homes. Is it going to make a dent or not? It's going to make a difference to hundred families. Are these projects perfect? Nope they're not. They've got warts. There's no perfect project. There's no perfect project. Are there going to be impacts? Yep. Every project is going to have impacts. I was the very first person . . . I was, you know, I guess blessed to be able to be the very first person to address this brand-new Council. And one of the things that I talked about was the fact that we're a republic and not a democracy. We don't get any votes. The seven of you in this Committee and the nine of you at Council, you guys get to vote. And so, what you're tasked with is I think almost 100 percent of the testifiers said, we want affordable housing, right? Everybody wants affordable housing but then you go, okay, but we got this other thing over here. We got to deal with some really serious issues and people brought up a lot of really good questions and a lot of concerns. So, you guys are tasked with, okay, how much of these concerns, how much can we mitigate these concerns to balance out the fact that we need housing. And are we willing to deal with traffic, yeah, because there's gonna be traffic. We've got a water issue – how are we going to handle the water issue? There's some legitimate things so we just go like, okay, how can we, I mean, we do this at the Planning Commission, right,

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

we try to add conditions or do things to try to mitigate impacts. So, it's like so that's kind of what, you know, I guess on Tuesday next week you guys will be tasked with is you'll be able to then also hear the concerns. You know, all of these concerns will probably, I'm assuming will be addressed by the presentation. And then you guys get to sit there and weigh that. Is it worth it? Are these 100 homes worth the impacts that are going to be there because there's always going to be impacts? So, good luck. I mean, that's why you guys ran for office and you wanted to make these decisions, right? You guys are the leaders of our community . . . the nine of you who are on this floor. And the last thing I want to say though is a lot of the concerns, it was really interesting to me, a lot of the concerns that were brought up today you guys have control over. What's truly affordable? That's in the ordinance, right, that's an ordinance. You guys can change that. Just like, oh, ten years, that's an ordinance. Right. These categories just going in. That's in the ordinance so a lot of these concerns are things that are actually just law and you guys can address those. So, again, good luck. Thank you, Madam Chair. Thank you for keeping us here and allowing us all to testify. So, I appreciate all of your time. Thank you.

CHAIR KAMA: Thank you. Questions? Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Carnicelli, for being here.

MR. CARNICELLI: Sure.

COUNCILMEMBER PALTIN: And thank you for your service on the Planning Commission. It's a thankless job. So, my question is, you know, I think another testifier as well mentioned like, you know, we are going to see the presentation and have the concerns addressed. And my question is, why don't you think addressing the concerns of the existing landowner's problems with water would be a way for the concerns to be addressed?

MR. CARNICELLI: Oh, I think . . . oh, I'll let you finish your question. Sorry.

COUNCILMEMBER PALTIN: 'Cause, I mean, we're talking about, you know, water and lack of water and couple people say, have the presentation and address the concerns with water but my question is, like wouldn't addressing the concerns with water being working with the existing landowners, homeowners and addressing their concerns with water so that they're not coming over here and saying we're having issues with water. Our houses are already built. It feels like kind of like a vicious cycle on that. Like the concerns raised about water and then things got built and then there's problems with the water. And so, it feels like, you know, we don't need to look to the future of what the thing is. We can look to the present and we can look to the past. So, I'm confused why you think that . . . I mean, a presentation going to negate what is currently existing if people saying that they're having problems with water.

MR. CARNICELLI: Okay. Then I'm sorry if you misunderstood me. I'm not negating anyone's concerns. I think they're all legitimate concerns, right? I mean, every person that has a concern is a legitimate concern for them. I mean, it surely is. And when I say it's going

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

---

to be addressed in the presentation, I don't mean that you're going to then say like, okay, it's addressed and done. Like, oh, there's no problem here. You know, this isn't going to be black and white. Whether these projects are approved or disapproved, I'm guessing it isn't going to be 7-0 either way, right, at the Council may not be 9-0. It might be. But there's probably going to be some sort of a blend here, right, I mean, life is gray. So, as far as people's concerns, I haven't made up my mind before, you know, before you get all the information, right. At least that's how I try to operate I want to get all the information before I make, you know, decision. And part of that process is today testimony and then part of the process is getting the big huge binder and going through that, and then part of the process is listening to the presentation and seeing what it is that they're going to try to do to mitigate that. You might still say no. And that's fine. You know, I mean, that's why we say we're republic, this is great. We get to disagree. You know, I loved all the passion today. Fantastic on both sides. Like Albert said, lot of great testimony today. Yeah, I wasn't going to testify but I can't shut up.

CHAIR KAMA: Times up.

MR. CARNICELLI: Thank you, Madam Chair. I don't know if I answered your question or not.

COUNCILMEMBER PALTIN: Thank you.

MR. CARNICELLI: Sure.

CHAIR KAMA: Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Real quick. Mahalo, Chair.

MR. CARNICELLI: I'll try to make it quick answers as best I can.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Aloha, Mr. Carnicelli. Mahalo for your testimony. I didn't want to let the, you know, the fear of a \$700 million problem continues to dangle without any comment on it. So, he called the housing problem a \$700 million problem. Well, I think that there's a lot of assumptions that you're making, in making that comment that it would require us building all single-family homes that would be a hundred thousand or more. But I think what this Council is trying to do is be more creative in doing more than that. And also freeing up homes so that we're not just looking to build ourselves out of this problem because we know that's not going to work.

MR. CARNICELLI: No, and I agree with that and the assumption of it only being single family is actually not built into that. And actually, the number that Jeff and I actually came to is a \$2.8 billion problem. And this is even if you include studios, multi-family, and I get that you're trying to be very creative cause we're not going to solve the problems doing the same things. So, I half and half it just because 700 million sounds a little bit more like real numbers than a \$2.8 billion problem, which is the numbers that Jeff and I actually really came up with so.

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

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COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, --

MR. CARNICELLI: Sure.

COUNCILMEMBER RAWLINS-FERNANDEZ: --Mr. Carnicelli. Mahalo, Chair.

MR. CARNICELLI: Thanks.

CHAIR KAMA: Thank you. Thank you, Mr. Carnicelli. So, Members, is there anyone else in the galley who would like to testify? Okay. Oh, I thought someone raised their hand. Thank you. Okay, Members, at this time, the Chair, the Affordable Housing Committee is now going to recess.

MS. MATTHEWS: Madam Chair?

CHAIR KAMA: Yes. I'm sorry.

MS. MATTHEWS: Before you recess, would you like to close testimony?

CHAIR KAMA: Oh, yes, I'm sorry. Without objections, I'd like to . . .

COUNCILMEMBERS: No objections.

CHAIR KAMA: Thank you very much, Council.

**. . .END OF PUBLIC TESTIMONY. . .**

CHAIR KAMA: So, the Affordable Housing Committee is now going to recess and will reconvene at 9 a.m. on Tuesday, June 25, 2019, right here in the Council Chambers.

COUNCILMEMBER PALTIN: Chair?

CHAIR KAMA: Yes.

COUNCILMEMBER PALTIN: Even with the testimony closed guys can still submit e-mails, yeah?

CHAIR KAMA: Absolutely. Yes, they can. Thank you.

COUNCILMEMBER PALTIN: Just clarifying.

COUNCILMEMBER LEE: You said nine?

CHAIR KAMA: I said 9:00 a.m. Thank you. The meeting is now recessed. . . .*(gavel)*. . .

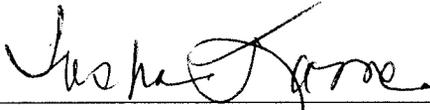
**RECESS: 7:20 p.m.**

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

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APPROVED:



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TASHA KAMA, Chair  
Affordable Housing Committee

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Transcribed by: Jo-Ann Sato

**AFFORDABLE HOUSING COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 19, 2019**

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CERTIFICATE

I, Jo-Ann Sato, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 17<sup>th</sup> day of July, in Pukalani, Hawaii

  
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Jo-Ann Sato