

# LAND USE COMMITTEE

Council of the County of Maui

## MINUTES

September 10, 2007

### Kihei Community & Aquatic Center Main Hall

**CONVENE:** 6:03 p.m.

**PRESENT:** Councilmember Michael J. Molina, Chair  
Councilmember Joseph Pontanilla, Vice-Chair  
Councilmember Michelle Anderson, Member  
Councilmember Gladys C. Baisa, Member  
Councilmember Jo Anne Johnson, Member  
Councilmember Danny A. Mateo, Member  
Councilmember Bill Kauakea Medeiros, Member  
Councilmember Michael P. Victorino, Member

**EXCUSED:** Councilmember G. Riki Hokama, Member

**STAFF:** Tammy M. Frias, Committee Secretary  
Carla M. Nakata, Legislative Attorney  
  
Ken Fukuoka, Director  
Camille Sakamoto, Committee Secretary  
Pauline Martins, Committee Secretary  
Stephanie Ohigashi, Executive Assistant, Councilmember Michael P. Victorino  
Deanna Hookano, Executive Assistant, Councilmember Michael P. Victorino  
Jock Yamaguchi, Executive Assistant, Councilmember Michelle Anderson  
Shari Sears, Executive Assistant, Councilmember Michelle Anderson

**ADMIN.:** James A. Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel  
Donald Kanemitsu, Lieutenant, Department of Police  
Wade Anzai, Sergeant, Department of Police  
Robert Stuhr, Detective, Department of Police  
William Gannon, Detective, Department of Police  
Wendell Loo, Detective, Department of Police  
Scott Migita, Detective, Department of Police

**OTHERS:** Charles Jencks, Owner's Representative, Honua`ula Partners, LLC  
Gwen Ohashi Hiraga, Munekiyo & Hiraga, Inc.  
  
Tom Tezak  
Bob Cella  
Patricia Boettger  
Michael Duberstein

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

Tom Cook  
Mark Isenmann  
Madge Schaefer, Maui Meadows Neighborhood Association  
Clarence Tavares  
Charlotte McLaughlin  
Jesse Spencer, Spencer Homes  
Lance Holter  
Warren Blum  
Cambria Moss  
John Naylor  
Mary Groode  
Angie Hoffman  
Dan Grantham  
Nicholas J. Vaughn  
Mike McCormick, Maui Meadows Neighborhood Association  
Amy Chang  
Koree Hoopii  
Jesse Kong  
Colin McCormick  
Jimmy Conniff  
Joan Martin  
Joy Gaston  
Lori Sablas  
Dennis Wainui Elaban  
Pat Borge  
Kimoqueo Kapahulehua  
Mele Coleman  
Richard Michaels  
David Amack  
Robin Newbold  
Wayne Nishiki  
Kahekai Nishiki  
Lila Sherman  
Lisa Buchanan  
Bill Kamai, Hawaii Carpenters Union Local 745  
Osheana Tashombe  
Roger Pleski  
Mary Lansel  
Lucienne deNaie, Project Manager, Maui Tomorrow Foundation, Inc.  
Bonnie Newman  
Anita Wintner  
Robert Wintner, President, Snorkel Bob's  
David Painter, Human Resource Director, Dorvin D. Leis Company, Inc.  
Vernon Ta`a, Plumber & Fitters Union Local 675

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

Daniel Kanahale  
Jonathan P. W. Lee, Plumber & Fitters Union Local 675  
George Aikala, Laborers Union Local 368  
Samson Harp  
Cody (Koko) Nemet  
James Williamson, President, Maui Meadows Homeowners Association  
Ilona Rahn  
Maury King  
Ray Van Wagner  
Larry Mischle, Maui Wedding Association  
Paul Lono  
Amanda Dayoan  
Kenny Barr  
Terry Sakevitz  
Shawna Griffiths  
Thomas Kuliolio-Juan  
Jeff Von Schmauder  
Zaira Blasini  
Unmani Cynthia Groves  
Kenneth "Bro K" K. Hoopai  
David K. Hoopai  
Joyclynn Costa  
James Sagawinit  
Eldon Liu  
Amanda Mizner  
Solomon "Bully" Hoopai  
Perry O. Artates, Executive Director, State of Hawaii Operating Engineers  
Industry Stabilization Fund  
Mary Hultquist  
John Hultquist  
George Chyz  
Stephen Secor  
Paul Keaukai Rivera  
Fred Spanjaard  
Mimmie Hofmann  
Hermine Harman  
Judith Carroll Maurice  
Jack Reindhardt  
Patricia Corbat  
Gene Zarro  
Chris Mentzel  
Kahealani Naeole  
William S. Tully  
Jodi Sussman

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

Tasha Kama  
Mahina Hoku Kama  
Ken Stover, Board Member, Maui Meadows Homeowners Association  
Dottie Hughes  
Kalei Hoopai  
Keoki Hinol  
Steven Newhouse  
Ken Owen  
John Kristel  
Tamara Paltin  
Volker Weiss  
Thomas J. Higgins  
Kenneth Higgins  
Elizabeth Poole  
Charles Page  
Renee Riley  
Sappho Henderson  
Chisa-Lee Dizon  
Paanaakala Baybayan  
Lala Caballero  
Gilbert McCrary  
Juno Comilang  
Ian Fisher  
Wayne Higa  
Jason D. Groode  
Arthur R. Greenleaf  
Kathy Bungarz  
Eric Dee  
John Belles  
Lynn Wellner  
Stephen West, International Longshore and Warehouse Union (ILWU)  
Rob Parsons  
Todd Cramer  
Jesse Guerin  
Ray Skelton  
Alyssa Sved  
Steve Forman  
Suzanne Lahl  
Sean Curran  
Nicholas Kaplan  
Michael Friestat  
Wayne Bachman  
Soren Jensen  
Rommar Pentecostes

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

September 10, 2007 (Kihei)

---

Kuilani Elaban  
Ivan Lay, Hawaii Carpenters Union  
Kam Yai Young  
Erika Lechuga-DiSalvo  
Scott Lechuga DiSalvo  
Mary E. Amon  
Shannon S. Guillermo  
  
Francis Garcia  
Others/Additional attendees (20)

**PRESS:** Matthew Thayer, *The Maui News*  
Claudine San Nicolas, *The Maui News*  
Wendy Osher, *Pacific Radio Group*  
*Akaku--Maui County Community Television, Inc.*

---

**ITEM NO. 38: CHANGE IN ZONING AND PROJECT DISTRICT PHASE I APPROVAL FOR  
“HONUA`ULA/WAILEA 670” RESIDENTIAL DEVELOPMENT**  
(C.C. No. 01-334)

CHAIR MOLINA: ...(*gavel*)... The Land Use Committee meeting for Monday, September 10th, 2007, is now in session. Thank you, South Maui, for coming out to our meeting this evening. I'd like to introduce the Members in attendance tonight. The Vice-Chair of the Committee Joe Pontanilla, Councilmembers Gladys Baisa, Michelle Anderson, Jo Anne Johnson, Danny Mateo, Bill Medeiros and Mike Victorino. We were informed today at 3:30 that our Council Chair Riki Hokama will not be in attendance tonight.

The intent of our meeting tonight is to give the Kihei community an additional opportunity to be heard on Land Use Item 38. To the Members, due to the number of testifiers--we have 85 sign-ups at this point--I would ask Members to, if you do have questions of the testifier, be very direct, ask questions, and to keep your comments to a minimum, because a lot of people have come out here tonight and want to be heard in front of us. So out of courtesy to the visiting public tonight, please keep that in mind.

And to the public, the Chair wants to go over a few ground rules with you. Please turn off all cell phones and pagers so as not to disrupt our testifiers this evening. In addition to that, please state your name and any organization that you may be representing. So with that being said, let me also acknowledge our Staff here tonight, our Committee Secretary Tammy Frias as well as we have Pauline Martins, and Camille Sakamoto who has joined us to accommodate you this evening. And we have our Legislative Analyst [*sic*] Carla Nakata who has joined us.

It is highly unlikely tonight we will be able to actually deliberate based on the amount of testifiers unless we go into the wee hours of the morning. However, we are prepared to do so.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

Just a couple of weeks ago the Council went nearly eight hours straight without a break, so we've got some very tough individuals here that can endure a lot. So anyway we will try to do this all in one evening, if it's possible, to hear your concerns with regards to LU-38. So with that being said, you'll be given three minutes to testify with one minute to conclude.

So we shall start off with our first testifier, Tom Tezak followed by Bob Cella.

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

MR. TEZAK: Good evening, Council Members. Thank you so much for the opportunity to come out to Kihei and make my voice be heard. I appreciate it, and I guess I'm first but surely not last. So my name is Tom Tezak, and I live in south Kihei on Moolio Avenue. I'm a realtor in the market area here, and I specialize in real estate in South Maui.

I believe the need for affordable housing is very, very apparent with the prices that where they've gone. I also believe Honua`ula has the ability to provide affordable housing as well as providing market, market housing for our, for our community. One of the things I really have seen in the past years that I've been here is that the previous restrictions on development are one of the main factors of the recent and rapid escalation in our housing prices. That is why, again, I think it's so important to support this development.

As we know the real estate market has now stabilized. This project will provide market housing when sales start picking up again, which we know will happen. If we wait until the upward spiral starts again, it will be too late and the basic supply and demand parameters will kick in and send market prices out of control, and dragging in our, dragging affordable housing that currently exists along with them, and we will have missed the opportunity to create and, more importantly, retain the affordable housing that we can, can put out to the market.

We are just starting the baby boom retirement cycle of nearly 72 million retirees. The previous generation of retirees retired somewhere in the vicinity of 44 million retirees. That additional retirement population will be retiring, they're buying second homes, they are moving all over to the, the best destinations in the world, and I believe, as you do, Maui is by far the best destination in the world, and we will see that population coming here whether we like it or not. They will be prepared to pay the dollars that are necessary to escalate prices. If we don't have product for them, they will drag all the other prices up. It is so important for us to be prepared for that.

So I think it is so important that we be prepared for that and that we be proactive and keep thoughts for positive development in, in mind as opposed to reactive and end up, at the last minute or when it's too late, trying to do something to fix the problem. We already see what's happened by being reactive and not proactive. This is an opportunity to be proactive. You have the power to control Honua`ula. Make them build the affordable housing. Make them build it now unlike previous times in our community where they promised to build it, and it never came.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

You have the ability to do that. I encourage that you do that so that we do have that affordable housing element as part of our development.

I sell real estate every day, and I, it's frustrating when I have a client, a young family that comes up and they can't buy a house, not a condo, but a house with a yard for their children. Tonight after I signed up, I went and showed somebody a house --

MS. NAKATA: Three minutes.

MR. TEZAK: -- in a neighborhood that they want to be in, and it was so exciting to see them say, wow, we can really afford this. And that's because our market is stabilizing and catching up, but it's going to go the other way again. It's inevitable. So we need to be prepared. I highly encourage you to look at the possibilities, make it work. It's just a great opportunity for us to be proactive. Thank you.

CHAIR MOLINA: Okay. Thank you very much, Mr. Tezak. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify is Bob Cella followed by Patricia Boettger.

MR. CELLA: Hello. My name is Bob Cella. I'm a Maui resident for 30 years. I reside in Makena, and I raised four, four children in Makena. I follow the testimonies and I spoke in the past. And I, I felt that this hearing was for people that didn't speak already, and then I found that it's not, anyone could speak again. So I did eventually. . .voiced my opinion the first time that I, that I feel that you passed the bill and now enforce it. You will stop development with this bill because most developers won't come here and do development, which is good. We all live here together. We don't want to destroy such a beautiful island, but a certain amount of growth is very important. No growth is a disaster which inflates prices. It's been done in Napa Valley, it's been done in Tahoe.

The reason I came up here to speak, and I'll go, be briefly, is I just sent my son off to college to University of Colorado, Boulder, and I asked him when he left, I said, what are your intentions after school? I'd like you to continue your education after college, but I said, you know..., and he said, well I don't think I can come back to Maui because I don't think I can afford Maui. And that's from a person who's lived here for 30 years to experience that from your own child.

I was talking to a friend of mine today who just moved here, and I said I was going to this hearing, and she said why? And I said, well, because the public needs to hear that there's an opportunity here to put 700 homes out there for the community. I asked her where do you live? Do you own a house? She said, no, I rent. And I said well, she was a schoolteacher, so she can't afford a normal house here. That's a prime example. I hope she shows up to testify because that's a testimony that you really need to hear. I don't think you really need to hear a hundred people who own houses already testify. I think what you need to hear is the thousands of people that don't have a house. They're the people you need to listen to. Thank you.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Thank you, Mr. Cella. Committee Members, questions for the testifier? Oh. Hang on, Mr. Cella.

COUNCILMEMBER MATEO: Thank you very much for being here, and I just wanted to provide a clarification. Your reference to that bill that will deter the development of housing is called the Residential Workforce Housing Policy, and had it not been for that bill we would not be here discussing 700 affordable units.

MR. CELLA: I think that's great.

COUNCILMEMBER MATEO: Thanks. I just want to clarify it, because what you had commented was not correct.

MR. CELLA: I'm sorry.

COUNCILMEMBER MATEO: Thank you.

MR. CELLA: Okay.

COUNCILMEMBER ANDERSON: One more question. Mr. Cella, I know that you specialize in high-end property in Makena, specifically oceanfront property. But do you know how many people..., you're talking about affordable housing. The range of affordable housing within this project is going to be from 350 to 550, 549 or something like that. How many, do you know how many people in Maui County, working residents of Maui County, can afford a house in that range? Do you know the percent of our population?

MR. CELLA: I don't know the percent that can afford, I just know there's a large amount of people that rent because they can't afford current market values. So I think this is an opportunity to give that starting person a chance. What, what I see going on in the marketplace is that my daughter who lives in Lahaina...

COUNCILMEMBER ANDERSON: You answered the question. You don't know what percent of --

MR. CELLA: The percent...

COUNCILMEMBER ANDERSON: -- the people who live in Maui County and work in Maui County can afford a house at 350 to \$550,000.

MR. CELLA: I do not know.

COUNCILMEMBER ANDERSON: All right. Thanks.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Any other questions, testifiers [*sic*], excuse me, Committee Members? Okay. Thank you very much, Mr. Cella. Next we have Patricia Boettger followed by Michael Duberstein.

MS. BOETTGER: Hello, I'm Patricia Boettger, and I'm a homeowner in north Kihei. And I'm not opposed to affordable housing, but I don't think we should use the scare tactics that we have to do something right now if we're going to do it wrong. Just like. . .how such housing such as the 250 low-income apartments that are proposed need to be mixed in within the planned project development so that we have a mixed community rather than a huge pocket of affordable housing located elsewhere. By integrating them within the planned development we are saying to them we want you in our community. Also, I believe an integrated community is a safer community and would have less total traffic impact than a high density affordable housing at one location.

While we're focused on the traffic impact, there should be no consideration of any additional development off of Ohukai Street in north Kihei until after the development of a traffic management plan and its implementation. Thank you very much for hearing me today.

CHAIR MOLINA: Okay. Thank you for your testimony. Committee Members, questions? Seeing none, thank you. No, no questions for you from the Committee Members.

MS. BOETTGER: Oh, okay.

CHAIR MOLINA: Thank you for your testimony. Next we have Michael Duberstein followed by Tom Cook.

MR. DUBERSTEIN: Chairman Molina, Committee Members, since I already testified in July about Wailea 670, I didn't really originally plan to come and speak tonight. But then on Saturday this letter was delivered to my mail box. It's from Jesse Spencer writing to me because he knows I am "interested in affordable housing on Maui and may be a prospective affordable homeowner." He goes on to say, "we now find ourselves in a position to support a quality project that will provide more affordable homes on Maui," and "encourages me to support this project by attending this hearing and voicing my support for it."

Okay. Fair enough. What's the problem? Well, this letter is addressed to Dana McKenna who was a tenant in our house before we moved here. She and her husband Tom asked us to forward any mail to them if it appeared to be important after she permanently left Maui three years ago this month. Three full years. That means the list to which all these letters were addressed is extremely outdated, and that's not the only thing about Wailea 670 that's outdated.

This project was "approved" in a far different form in a master plan in the 1980s. Now where were you in the 1980s? What were you doing? And the EIS for Wailea 670 dates back to 1989, 1989. Are not those master, the master plans and the EIS completely out of tune with 2007?

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

Now there's a specific remedy that you can do to solve this. Even before you continue dealing with 30-some conditions, I urge you to order a supplemental EIS on every phase of this project.

Now earlier today I attended the hearing before Judge Cardoza on another issue, the Superferry, where an unlawful sham EIS avoidance. . .ordered at the highest levels of our State Government caused huge problems. Now let's not be guilty here of that same thing again. Mahalo and malama pono.

CHAIR MOLINA: Okay. Thank you for your testimony. Committee Members, questions? Member Anderson?

COUNCILMEMBER ANDERSON: Thank you for being here, Mr. Duberstein. Would you mind sharing that letter that you received from Jesse Spencer with the Members?

MR. DUBERSTEIN: Yes, here, I will give it to you to be passed, passed out.

COUNCILMEMBER ANDERSON: Thank you.

CHAIR MOLINA: Okay. Any other questions for the testifier? Member Johnson?

COUNCILMEMBER JOHNSON: No. ...*(Inaudible)*...

CHAIR MOLINA: Oh, okay, sorry. Yeah. Mr. Duberstein, we can make copies of that letter and then have it distributed to the Members as well. So --

MR. DUBERSTEIN: Shall I give it to your Staff?

CHAIR MOLINA: Yeah, if you could give it to the Committee Staff.

MR. DUBERSTEIN: Thank you.

CHAIR MOLINA: Thank you.

MR. DUBERSTEIN: Thank you, Mr. Chairman.

CHAIR MOLINA: All right. Next to testify we have Tom Cook followed by Mark Isenmann.

MR. COOK: Good evening, Council Members. My name is Tom Cook. I'm here to give testimony in support of this project. As many of you know, I've been a strong advocate of affordable housing, vocational training for years. I followed this project. It's a relatively low density. It's a walkable community. It's making significant contributions to the infrastructure, parks, schools, et cetera. I'm not going to quote a bunch of statistics.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

I genuinely believe in my heart that this is going to be a positive impact for the affordable housing component. The fact that part of the housing is off-site, built in advance for the affordable rentals and the lesser HUD medium still leaves like 500 units or 450 units on-site. Just in general, I encourage you. I, I feel all the passion, okay. I don't think anybody cares more about the area than I do, I've done both, and I'm not judging. I'm just sharing that I'm a builder, but I've done affordable and I've done high end. I think I have a pretty good understanding of how you can afford to build affordable. Please, you know, recognize that unless you're going to do a full blown, raise taxes, government do the job, if you want private enterprise to participate in building the affordable component, this is how this project is doing a significant contribution for that. Okay. Thank you.

CHAIR MOLINA: Thank you, Mr. Cook. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Mark Isenmann followed by Madge Schaefer.

MR. ISENMANN: My name is Mark Isenmann, and I would just like to testify on behalf of Wailea 670. I'd like to talk about the fact that I've been attending many, many of your hearings, probably about 20 hours or so that I can think of, by myself and with my family, and I've listened to a lot of really, really good questions by the, the Council Members. I've listened to a lot of good thought and, and, and, and pondering about how we're going to, to build great communities in the future. And I, I think you've done the best job that could be done in terms of at least asking the right questions and, and demanding that this thing gets done right.

The, the way that it's basically worked is they've worked on conditions, and they've gone step, by step, by step with each condition, and each, each time they've tried to work things out in between them. Some things they haven't worked out, some things they have, but basically it's tied to these conditions and hopefully that will help resolve many of the things that need to be addressed.

The other thing I'd like to talk about is that the folks that are in their, their 20s and 30s that are in this room --

CHAIR MOLINA: Excuse me. Excuse me. Mr. Isenmann, can you please address the Committee? Thank you.

MR. ISENMANN: I'm sorry. Oh, okay. I, I guess the, the thing that I guess concerns me is that there's a lot of folks that are, are in this room that are 20 and 30 years old, and they really don't understand what it's going to take to own a house in the future, and this workforce housing bill is the answer to them being able to afford a house. And the, as far as the, the ability to, to be able to, to afford the payments on, on a house at \$700,000 is way beyond what a, what a 30 year old is going to be able to afford for the most part, especially working in this, in this community.

So there, there needs to be some way of the communities or the developer subsidizing some of these things that need to be done through the communities, and there needs to be the ability for

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

these developers to subsidize the technology that needs to happen as a result of some of the things I've listened to in terms of the problems that are being addressed in the Kihei community and, and some of the area around here. Because those, those problems aren't going to solve themselves, and I'm almost certain that the, that the local residents would not want an assessment to bring the, the community up, up to the necessary standards that, that, that I've kind of been listening to over the course of the hearings. So anyway that's my testimony for today. Thank you very much.

CHAIR MOLINA: Okay. Thank you for your testimony. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify is Madge Schaefer followed by Clarence Tavares. And before Ms. Schaefer gives her testimony, I would ask that whether you're in support of this project or against, please show some respect for each other's opinions on this matter. It will help make things a little easier for everyone of us in the room. Ms. Schaefer.

MS. SCHAEFER: Thank you very much. If I might ask, the people in the back of the room were having a hard time hearing. Is it better? They need to be. Thank you.

CHAIR MOLINA: Yeah, you're loud and clear for us, too.

MS. SCHAEFER: Yeah, they can't hear your comments in the back of the room.

CHAIR MOLINA: Oh.

MS. SCHAEFER: So if the . . . your microphones could be turned up, that would helpful.

CHAIR MOLINA: Okay. That would be helpful. We'll make sure, we'll repeat the message at a later point.

MS. SCHAEFER: All right.

CHAIR MOLINA: Thank you, Ms. Schaefer.

MS. SCHAEFER: Thank you for holding this Kihei hearing. We appreciate it. My name is Madge Schaefer, and I am president of the Maui Meadows Neighborhood Association. Maui Meadows is located to the north and shares a border with Honua`ula. I murder the name, so I'm going to call it Wailea 670, because that's what it started out as. We've been following this and working, and receiving presentations since early 2000. We will be most directly affected by this project. We have provided a list of concerns in a letter to the Council dated March 13, 2006.

Several new issues have come to our attention, and I have provided the clerk with a revised letter tonight. I believe each of you got the letter. This is a brief summary of our concerns. Specific details are provided in our revised letter. They are water. Development should not take place

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

without a proven, new, viable, long-range source confirmed by the U.S. Geological Service experts.

CHAIR MOLINA: Okay, folks. Let's go.

MS. SCHAEFER: Two, the much discussed buffer zone between Maui Meadows and the project. This should be a structure-free landscaped 116-foot buffer which is acceptable to, to us if the parcels are one-half acre or larger adjacent to that buffer zone. Access to walk and bike lanes in the buffer must, should be provided for Maui Meadows. Landscaping must be maintained to preserve ocean views for Maui Meadows. I need to say that we are, we needed to address these issues as if this project was going to be approved. We have to protect ourselves in that way. And so there's some very specific things that we have included in this letter.

Alternative access road. It is imperative that there be a link to Upcountry and Wailea. It should be created now prior to any additional build-out in Wailea. One road out is not enough in case of emergency. Just imagine what the Piilani would look like if there was a tsunami alert and an evacuation. Kihei Road could not be used. We would be nothing but a parking lot. Affordable housing and public parks. We support the inclusion within the project. Run-off. Monitor and mitigate impacts to the ocean from run-off from this project. Traffic noise. Do a new study of noise impacts from Piilani to, especially to the houses on Akala Street. The last study was done in 1998, and showed some spots exceeding the noise levels. Those impacts should be measured and mitigated. Construction nuisance, abatement, dust control, blasting. Many specific recommendations --

MS. NAKATA: Three minutes.

MS. SCHAEFER: -- are here. If these mitigation measures are not adopted, Maui Meadows would become, could become a noisy dust bowl for years to come. Water storage, underground or out-of-sight, night sky pollutions, street lights designed to minimize light pollution, retail space located away from residential. We believe that Maui Meadows residents should be protected from harm and are counting on the Council to do that should this project be approved. Thank you.

CHAIR MOLINA: Okay. Thank you, Ms. Schaefer. Committee Members, questions? Member Anderson?

COUNCILMEMBER ANDERSON: Ms. Schaefer, thank you for being here. I want to get some clarification on construction nuisance abatement. You're asking that there are specific prohibitions about working nights, weekends, and holidays.

MS. SCHAEFER: Well, we're asking for quite a few things. Actually that's, that's just one of them. And having, anyone who's lived next to construction knows that, that a little bit of silence goes a long way during a construction project. We also are concerned that, for instance, in our meetings with Mr. Jencks over the years we have talked about some very specific things. And in all

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

fairness I must say that Mr. Jencks has provided good answers to our questions, we haven't been patronized. I think he has gone above and beyond as we worked through that gigantic first document that I think looked like the New York telephone book. We had, that we had a board meeting. He came in with all his consultants, and we had hundreds of questions, and all of those questions were answered. And in, in fairness that needs to be, needs to be recognized.

If I may go back to the construction nuisance abatement. We're talking about batch plants, construction equipment, storage. Construction employee parking should be away, located away from the boundaries of any residential area, Maui Meadows in particular. There was also a concern about blasting, construction blasting, because when Wailea was developed, there were some old-timers in Maui Meadows who had, who, the plaster in their pools cracked because apparently the blue rock runs in veins, and when there was a blasting in the vein sometimes it ran all the way up the vein, and it created some problems. So we have some very specific conditions that we're requesting related to blasting, and notification and contact person. We needed to be very specific about this because it's something some people in Maui Meadows have been through before.

COUNCILMEMBER ANDERSON: Would, would you, would your organization, there's been talk of a possibility of doing rock crushing on site.

MS. SCHAEFER: Oh, no.

COUNCILMEMBER ANDERSON: So aside from blasting they want to put a rock crushing operation on site to avoid, they say to avoid transporting gravel back and forth. So would your organization support a rock crushing operation on site?

MS. SCHAEFER: Well, I'll tell you what. I think if the principals want to...of this owners of this project wanted to move next to the rock crusher, we might want to talk about it. But that we think that the batch plant, one of the suggestions we made was this is going to take a lot of concrete, and that means a lot of big concrete trucks rolling down the Piilani. They're noisy. They're, you know, they're kind of hazards. They're big and bulky. And, and we said we think you should develop a batch plant in the furthest away point from Maui Meadows, so that the concrete trucks would simply roll on, within the parameter, parameters of the property instead of, of having it someplace else in Kihei and those trucks running down the highway.

COUNCILMEMBER ANDERSON: Thank you, Chairman.

MS. SCHAEFER: All right. Thank you very much. And again thank you for coming to Kihei.

CHAIR MOLINA: Thank you for your testimony, Ms. Schaefer. Ladies and gentlemen, what we're going to do right now, we're going to take a short break. We're apparently having some technical difficulties with our mic. We're getting a lot of unnecessary feedbacks. So we're going to make some adjustments to our microphone. Recess, subject to the call of the Chair.  
...*(gavel)*...

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

September 10, 2007 (Kihei)

---

**RECESS: 6:31 p.m.**

**RECONVENE: 6:47 p.m.**

CHAIR MOLINA: . . .(*gavel*). . . The Land Use Committee meeting for September 10th, 2007, is now back in session. Ladies and gentlemen, thank you very much for that break to adjust our, make some changes to our microphone and address our technical difficulties.

A couple of things before, again for the rest of you who are coming up to testify, please don't be ashamed to speak right into the mic so that way as many people as possible can hear you. And for those of you in the back of the room, while a testifier is talking please be quiet as much as possible out of courtesy to them. If you need to have a conversation, please go outside of the room. So with that being said, let us call up now Mr. Clarence Tavares followed by Charlotte McLaughlin. And if you are, your name is called as the on-deck person waiting to speak, if you happen to be in the back please come up to the front so we can save a little time, so we can get you up to the microphone as soon as possible. Clarence Tavares followed by Charlotte McLaughlin.

MR. TAVARES: Aloha. My name is Clarence Tavares, 6925 Makena Road. I would like to give you my opinion about 670. This has been going on for a long time. I know everybody's kind of disappointed on this and that, and this and that. Well, I'd like to know, first of all, about the traffic. We talked about this the last meeting I, I came here, and we talked about the traffic, because couple mornings I'm getting out a little early, and I see...(*change tape, side 1A*)...but here I am bumper, bumper, bumper all the way out. And I said, again, we got to look and hear about more of the traffic that we're going to be involved with, the people that are going to suffer here. I know us, I live in Makena, we getting a hell of a time to get around in Makena already.

Second is about the water, the water situation. I heard that there's no problem about the water. We all know that they talked about they had the wells, but the well is not going to supply the water for drinking. And it's probably going to be for the golf course, but not for drinking. I made a few little stops here and there, and called about some work being done recently, and the department head of the Engineering Department, the Water Works couldn't, couldn't give me some answers. So I asked them about this job, this particular job he was doing, if it belongs to the County, and if the tank belongs to the County. He told me yes. Well, I'll tell you, I told him because if you would have tell me no, I would give you some good answers, because I myself bid for that job, that water tank up at Maui Diamond. That's how I know that belongs to the County. But anyway there's a lot of things that people don't know nothing about what's going on before the plans start.

I'd like to say that. . .about the housing, everybody is in favor of the housing, low cost housing, low cost housing and affordable housing. So I think we looking at these affordable housing where our kind, our kind can put together something for our grandchildren or, or mo`opunas so what they can survive with. But this, this big, big homes that coming up --

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. NAKATA: Three minutes.

MR. TAVARES: -- okay. Well, with these last few words I want to let you know what my opinion. My opinion is that this 670 is a no go, no deal to me. So it's up to you folks to make up these decisions and look forward and think about the future. Thank you.

CHAIR MOLINA: Thank you, Mr. Tavares. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next we have Charlotte McLaughlin followed by Jesse Spencer.

MS. McLAUGHLIN: Hi, my name is Charlotte McLaughlin. I'm also known as Chandrika. And thank you, Chair, Council Members, for this opportunity. I am concerned about visitor satisfaction and how that might be affected by major developments considered for South Maui, such as the proposed 1,400 unit Wailea 670 development. I spoke to the Maui Visitors Bureau, and they estimated that 70 to 80 cents out of every dollar on Maui is dependent on tourism. Tourism is literally the foundation of the entire Maui economy.

They referred me to the Department of Business, Economic Development and Tourism for studies. I went to their website and spoke to them in person to confirm what it said on the site. I found out that their most recent survey completed for the third quarter of 2006, found that U.S. visitors were less satisfied with their experience 67.1 percent than one year prior, 77.2 percent. That means overall visitor satisfaction for U.S. visitors was down 13 percent in one year. I then asked why. The subcategories did not reflect this large drop. Restaurant satisfaction was down a much smaller percentage. Golf and activity satisfaction actually rose. I was then told that traffic is not discussed or asked anywhere in the report. I went back to the Maui Visitors Bureau and was told the same thing. I spoke to the Maui Hotel and Lodging Association. None of them had any information nor asked any questions concerning traffic and visitor satisfaction.

I then took a few minutes, because I didn't get the information from them, and I called the five major hotels in Wailea and Makena and asked to speak to the concierge. I asked what is the most common complaint from the visitors pertaining to Maui? This is the word for word on the question which I had written down. At the Grand Wailea, the Four Seasons, the Renaissance, and the Marriott Wailea Resort, all of the concierges said traffic. Bill at the Marriott added, without prompting, it's frequent. It's a big one. The only diverging opinion was the Maui Prince concierge who said not enough roads. The concierge at the Grand Wailea indicated that it would be an even bigger issue in smaller hotels which are less self contained. He also expressed concern about the huge development currently being constructed right across the street from them and how that will impact when people move in with their cars.

Piilani Highway is at maximum capacity according to the Department of Transportation. That means adding more developments at this juncture would cause a rapid increase in traffic and more backups making what is already a problem potentially intolerable to tourists.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. NAKATA: Three minutes.

MS. McLAUGHLIN: Okay. It is also dangerous. Both myself and my husband endured major accidents where we were rear-ended on Piilani in the last two years. Residents would have to live with it on a year-round basis, and when the tourists decide not to come back, that would cause great financial hardship to the local people. And I just want to say just a moment, a friend of mine wanted to be here to testify, and he's a member of the, of the union, and he said if he testified he could never work in the carpenters union again so. And, and he has two major concerns. One is that with employment being at such. . .full the way it is now that approving a lot more development, they'll be bringing people in from other places. He said when they built all the hotels in Wailea they brought in so many people --

MS. NAKATA: Four minutes.

MS. McLAUGHLIN: -- from all over the country that when the development stopped, there was a huge problem for the people that live here. Thank you.

CHAIR MOLINA: Thank you, Ms. McLaughlin. Committee Members, questions for the testifier? Member Anderson?

COUNCILMEMBER ANDERSON: Chandrika, why is it a problem when they stopped with all these, you know, additional construction workers? What was the problem he was referencing?

MS. McLAUGHLIN: Oh, well he said, I believe it was in the '90s. They brought in so many people from all over the country, and because Maui's not the sort of place where people come and do their work and leave, it caused a huge glut in the construction trades, and then when the development was completed, you know, there was a shortage of work at that point. So it's just like mortgaging the future. Oh, and his other problem was about swimming actually. He said that he used to be able to swim and snorkel at Charlie Young, but then when the development kept proceeding down to Makena, he said that he got sick actually when he swims in those areas. He gets stomach complaints and now he can only swim at Makena and beyond out towards La Perouse. He said if these developments are approved, there won't be anywhere left for him to swim. So...

COUNCILMEMBER ANDERSON: Thank you.

CHAIR MOLINA: Okay. Committee Members, questions for the testifier? Seeing none, thank you. Next we have Jesse Spencer followed by Lance Holter.

MR. SPENCER: My name is Jesse Spencer, and I'm an affordable home builder. And. . .the Council made great efforts to enact a bill to help affordable housing. I talked to quite a few of you individually, and I told them I would do my part to try to make sure that we continue building affordable homes. I went to Mr. Jencks and offered to build the first 200 single-family homes if

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

they were built in the 670 area, and he agreed to that. So, and that will probably come on board before any of the other building. So there's 700 possible affordable homes.

Now I had a couple people try to discredit me because we made an error in our mail out. I've got 4,000, nearly 4,000 people that's been in our lottery that want houses. I'm going to give you a little bit of a breakdown, because there's 942 applications from Kihei for affordable homes that signed up for lotteries or for our homes. There's 740 people from Kahului that signed up for our homes. There's 821 people from Wailuku that signed up for our homes. Now if we don't start building some someplace, how you going to satisfy these people? I don't know. As a Council you, you made great efforts to enact a bill that, that will work if, if there's more of us that will come in and build these affordable homes. But if you put more and more roadblocks to them, that vanishes. If, if we can keep a priority on the houses where people that work in Kihei and this area would have a first priority, then conceivably we could have almost a negative traffic impact, because we wouldn't have that big stream coming from all over the island. That would be another one of the positive.

Then the other is that right now on my crews alone we have over 125 people, and we have over a \$5 million a year payroll. And this would give them about five to six years of work just, just my project. And so as one of our other people awhile back said, well the positives outweighs the negatives. And you're not going to find any project that's going to be absolutely perfect.

The other thing that they were addressing was rentals and what we've, we've got better statistics, because we're dealing with affordable homes. We're dealing with the people. We're not listening to naysayers and anyone that tries to belittle me, because we made a mistake on one application where --

MS. NAKATA: Three minutes.

MR. SPENCER: -- where a person did not withdraw from our list. Now that's really a reason to discredit me. And so, but look at, take, take a good look. These are pages and pages, and there are 40 to each page. Where are you going to build the affordable homes, and when are you going to build them? These are the questions that I ask, and that's the reason why I will support every way that I can to help get affordable housing not only here but any place that a person will make commitment to do affordable homes. Any questions?

CHAIR MOLINA: Thank you, Mr. Spencer. Committee Members, questions for the testifier? Seeing none, thank you for your testimony, Mr. Spencer. Next to testify, Lance Holter followed by Warren Blum.

MR. HOLTER: Good evening, Council Members. Thank you, Councilmember Victorino, Johnson, and Anderson for bringing the meeting to Kihei. Thank you, Chair Molina. I think you've shown that we do have working people here that can't make a meeting during the week. So thank you very much. I want to thank you for coming.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

I want to comment that I think this idea of this Wailea 670 as an affordable housing project is delusional. And why it's delusional. . .and why it's delusional is because the two realtors that came here earlier, they're not after affordable housing. They want the cream. They want the 700 homes that are going to be sold as luxury multi-million dollar mansions. . . .When you analyze the prices there, 80 percent of these homes are going to be sold for \$350,000 or more. Two, 20, maybe 20 percent of these homes will be sold for 250,000. A person who makes \$69,000 a year has to pay a car payment, they have to pay medical insurance, they have to pay health insurance, they have to pay school tuitions. They have to pay all these other expenses, and by the time they're ready to own a home they may be able to afford a home in the \$200,000 range, if they're lucky. But all these kids who came here tonight cannot afford a \$300,000 home.

Twenty, twenty years ago this project was a working man's destination. It was for working people. It had two public golf courses. It was for workers. It was for our carpenters. It was for our masons. It was for our plumbers. It was for working people. It wasn't for multi-million dollar mansions. It was for people who want a break. It's for the nuts and bolts of our society.

Now if this project, there's 110 acres that I know of that have endangered species. If this project were set around a park with these species as a prominent part of this with the working families, with our elders, with schools, with, with commercial areas where we have small stores, where we can have our elders and our nursery schools so everybody could be together in a community, this would be a different thing. But it's not that. It's, it's exclusive homes with people stuck over here on the other side of town in small cubicles. Now I looked at a home that a woman was able to purchase for \$320,000. It was a 1,200 square foot home. She got into it because the County Council created the workforce housing subsidy program. She was very lucky.

MS. NAKATA: Three minutes.

MR. HOLTER: It's about a 1,200 square foot home. That works out to about \$260 a square foot. Who can afford a \$260 square foot home? When I built homes, we built them for 70, 80, \$90 a square foot. So who's making all this profit, and I dare say I don't think it's going to be so much Jesse Spencer, and I think Jesse Spencer keeps his promises. He builds affordable homes, and I've seen him keep his promises.

But what I'm saying is these 700 multi-million dollar mansions is not what these people who came here tonight need. It's not what our carpenters want to build. We want to build homes for people. We want to support our people. We need to support people and give them a chance, not more mansions that people are going to stay in once, two, three weeks a year, using two or 300. . .using, using two or 3,000 gallons of water a day to keep their landscaping green.

MS. NAKATA: Four minutes.

MR. HOLTER: I'm sorry. Thank you.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: All right. Thank you, Mr. Holter. Committee Members, questions? Seeing none, thank you for your testimony. Next to testify, Warren Blum followed by Cambria Moss.

MR. BLUM: Good evening. Thank you very much for having this evening meeting as we requested at the Council Chambers. My name is Warren Blum, and I am a dive instructor, dive master working out of the Kihei boat ramp on one of the charter boats. In July when I talked to you, I talked about my experience, over 3,000 dives along South Maui, of the destruction of the coral reef. Tonight I bring you a report on, on the status of Maui's coral reefs by the Hawaii Division of Aquatic Resources in partnership with the Coral Reef Assessment and Monitoring program at the University of Hawaii. This was started in 1999, and is updated as of 2006.

The coral cover in 2006 ranged from 74 percent at Molokini to less than 10 percent at four sites, three out of the four along the West Maui coastline. Coral cover increased by, at only one reef down at the Ahihi-Kinau Preserve. Mean coral cover of the nine reefs declined from 35 percent when the sites were first surveyed to 27 percent in 2006. Thus, nearly one-quarter of all the living coral that was lost over this period.

Number one problem is invasive algae. Studies by researchers from the University of Hawaii strongly suggest that elevated nutrients from wastewater or fertilizers are fueling accelerated algae growth, and the golf courses and landscaping greatly contribute to that. Invasive algae is by no means the only problems with, affecting Maui's coral reefs. It is important not to discount the other potential factors such as increased sedimentation, chemical runoff, and other pollution. And we see whenever the bulldozers start bulldozing the land the sedimentation just goes crazy any time it rains.

The summary says that the goal of those charged with the protection and restoration of Hawaii's natural resources, and, Council Members, that is you, must be to prevent such severe degradation from further affecting Maui's reefs. Given the trajectories of decline over the last 7 to 13 years, it is evident that substantial deterioration can occur rapidly. Without steps to reduce land based impacts, there is unlikely to be substantial recovery across the island's reefs. I'm just going to leave you with two thoughts. We all know that one ounce of prevention is worth a pound of cure, and Winston Churchill said those that fail to learn from history are doomed to repeat it, and we really don't want to see that repeated in our coral reefs. And I've brought a copy for each of you.

CHAIR MOLINA: Thank you, Mr. Blum. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Cambria Moss followed by John Naylor.

MS. MOSS: Aloha. Thank you very much for coming to have this hearing in Kihei as we requested. We really appreciate your amazing patience to listen to all of us. My name is Cambria Moss, and I've been a resident of Kihei for six years, and I'm a professional violinist and a member of the Maui Wedding Association and the Maui Wedding Network. I play for weddings and receptions. According to both the Maui and Hawaii Visitors Bureau statistics there are approximately 8,000 weddings on Maui annually, more than anywhere else in the world. We all know why that is. A

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

bride's dream when she's sitting in Wisconsin in the rain or the snow of coming here to the beauty and romance of a tropical paradise, beach, estate or resort wedding followed by barefoot photos on the beach of the couple and their wedding party, followed by a romantic tropical honeymoon.

There is over \$500 million spent each year on weddings alone on Maui. That is not counting what they spend on their honeymoons or what their wedding guests spend on vacationing here because they had to come for the wedding. There are over 600 wedding vendors on Maui listed on the Maui Wedding Network: ministers, musicians, florists, wedding planners, caterers, bridal and tux shops, photographers, videographers, makeup and hairstylists, DJ's, limo drivers, many are longtime family businesses with young people helping out, and then taking over as they grow old enough. I have played music for hundreds of weddings each year for six years, and I have noticed a few changes recently.

Number one is the traffic. The 600 hardworking wedding vendors are having a more difficult time getting around to the wedding and reception locations, sometimes getting stuck in traffic jams and being late or missing the weddings. Because it's seasonal work we often have to work several weddings a day to make the money during the months that are peak to save it for the down times. The construction traffic recently has really made it more difficult to get around to those weddings in a day, and many of us wedding vendors have helped contribute recently to cutting down on traffic by only working in the areas we live in. I work in, live in South Maui and now I turn down requests for weddings anywhere else on the island to stay in South Maui to cut down on driving traffic all over the island.

I'm hearing more couples say that after their wedding day they plan to travel to a less developed island for their honeymoons, which they used to spend on Maui, due to the increase here in development, beach crowding, and the decline of the coral reefs and shrinking natural environment. I believe that this huge development project is going to be detrimental to the wedding industry, which is a large part of our tourism industry. The construction trades employ a lot of good, hardworking people here on Maui. The majority of them could never afford any of these homes that are being proposed in this project. Our largest industry is the visitor industry and we are losing, we are at the risk of losing more visitors coming here --

MS. NAKATA: Three minutes.

MS. MOSS: -- and the money that they bring directly into the hands of hardworking enterprising families here. I believe that the traffic increases during and after the construction of Wailea 670 and the construction runoff, the golf course runoff, the problems that, that Warren just spoke about that that's having on the reefs will have a detrimental impact on our visitor and wedding industry. If we lose the beauty that we have here on Maui that people come here from all over the world to seek, we will lose them and their money. Thank you.

CHAIR MOLINA: Thank you, Ms. Moss. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, John Naylor followed by Mary Groode.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. NAYLOR: Hi, good evening, Council. Thank you so much for holding this hearing tonight in Kihei. I think it was particularly important since there's three new Members of the County Council since there was any testimony heard in Kihei. So thank you very much. Please, everyone, thank them. I'm here because there's a lot of issues that I'm concerned about in this development. Show me the water. I mean water is, we, we are in a major crisis with water right now, and I think it's a worldwide phenomenon. I'm afraid wars will be fought over water in this next century. It's the new oil, but it's an issue here on Maui, and we frankly don't have enough of it. So that's one of my things.

The other thing is affordable housing. That is a huge issue here. Now I think another woman, another speaker started to touch on this idea about what happens when there's a lot of construction jobs. We've just gone through a couple of these periods, one in the late, late '80s and one just very recently. And people move here for construction jobs. What we need is slow and steady jobs for the people who live here. When someone comes over here, potentially in their pickup truck on the Superferry, you know, they're going to need a house. They're going to need a roof over their head. And so that adds to our other crisis which is housing. It drives up the prices of rentals, and once again I remember seeing a few years ago a woman and her kids living in a closet. It was on the front page of *The Maui News*.

Now I'm also concerned about open space. I work at the resorts. I've done that for years, and I hear what people come here for, you know, and, and it's a unique situation that I'm in to do that, because people are relaxed and they're letting me know what's going on. And traffic is obviously a big issue. But it's other things. People come here for the natural beauty, and they don't like to see turds floating out in the water. They, they don't want to be at a beach that is like Fort Lauderdale on spring break. You know, people need some space, and they need it in Wailea and Makena. We continue to encourage this, and we all, every one of us, benefits either directly or indirectly from that industry. So we need to take care of it and make sure that it's sustainable as well.

Now the job thing is important because I think a lot of people here that are supporting this project are directly related to it either in the real estate industry, the construction industry, the unions, et cetera. So they have some benefit from being here.

MS. NAKATA: Three minutes.

MR. NAYLOR: I think all the other people that are here, and I'm curious how many people here are opposed to this project? I suspect that these people do not have a direct benefit to the construction trades. We need to deal with our water issue first, and I, I really encourage you to support the bill that's, that I'll just call the "show me the water" bill. This is extremely important, and let's have affordable housing that's in the development and that is truly affordable. And we don't need any more "McMansions" with big swimming pools and waterfall landscaping; do we? We need to do the right thing for the people here, and I know you guys

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

know what that is. So please, I ask for your kokua and to do what is pono for the people of Maui and particularly the Hawaiian people.

MS. NAKATA: Four minutes.

MR. NAYLOR: Thank you very much.

CHAIR MOLINA: Thank you, Mr. Naylor. Committee Members, questions? Seeing none, thank you. Next to testify, Mary Groode followed by Angie Hoffman.

MS. GROODE: Aloha. Thank you very much for being here tonight in Kihei. I worked all morning until midafternoon. I'm happy to be able to come and speak to you. My name is Mary Groode. I'm speaking for myself. And from my point of view, there is only one thing that's important for you to hear tonight. There is no water to do this development. All these issues of so-called affordable housing which would be a mortgage payment of \$4,000 a month, which I can't afford. Who uses the golf course, road improvements, parks, or no parks? Concessions of one kind or another from the developer, these are non-issues because there's no water.

I've lived on Maui for over 30 years. We weathered the seven-year drought which was the worst drought that they've ever had here since they've been collecting rainfall and counting it. We never had to conserve water even during that long dry spell in South Kihei and Central Maui. Now we are having to conserve water. Now the aquifer is being pumped beyond capacity to be replenished. We already have 3,000 plus committed single, multi-family timeshare and hotel units committed to be built. Even though we're conserving water, we still have already said yes to these guys. Another 5,612 are designated and another 4,017 are proposed. We need a moratorium on development. We need to save the water that we have, if it turns out we have any, to supply affordable housing...(change tape, side 1B)...middle and high school. After these things which we need are built, then we can consider a development of multi-million dollar houses and golf courses.

Weather patterns on this earth are changing. We have no assurance that the previous rainfall amounts that we've always enjoyed on Maui are going to continue into the future. We don't know that. You do not need a law passed that says show me the water. You folks can read the papers. There have been so many articles in *The Maui News* in the last two months that prove we don't have the water. You don't need a law passed that says show me the water to deny development. We don't have it. We are overusing our aquifers. Whether you call it the Wailuku Aquifer, the Kamole Aquifer, it's all underground water, and you can't steal from, from Peter to pay Paul without going bankrupt.

MS. NAKATA: Three minutes.

MS. GROODE: Please don't paint us into a corner by approving development without water. Then would be, we would be forced to look at desalinization. Do you know it takes as much electricity to run a desalinization plant as it does a steel mill? Do you know how many tons of

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

pollution that would put into Maui's skies, our children would be breathing? Then we would have all this concentrated salt, and you can't put it back in the ocean environment without disturbing the environment. And then we don't have anything to do with it. You sure can't use it because it's full of shit from the boats that are still dumping and not pumping. In other words, we would have a whole list of problems that we don't have now as a result of saying yes to development when we don't have the water to do it.

MS. NAKATA: Four minutes.

MS. GROODE: We don't have the water.

CHAIR MOLINA: Okay. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify we have Angie Hoffman followed by Dan Grantham.

MS. HOFFMAN: Aloha. Thank you for having a night meeting in Kihei. I'm Angie Hoffman. I grew up in Kihei and have seen many changes here. I've seen Kihei grow up from a small dusty town into a bustling tourist attraction. I feel Kihei's growing pains and think a lot of bad planning decisions have been made in the past as Kihei grew, specifically regarding infrastructure.

I think a lot of the ideas put, put forth today like multi-use walking community, greenways, bikeways are great, but those are things that should be implemented into our existing communities. We should not be developing natural landscapes that is culturally important to our people in order to bring these ideas to our islands. There is so much that needs to be improved in our community, it seems ridiculous to expend any energy and resources on a new community.

I also think we should not be sacrificing this culturally important natural landscape for the, these promises of affordable housing. If the mortgage payments are from 2,000 to 3,000 a month without taxes, insurance, homeowner's fees, the homes that will be built on-site don't sound to affordable to me.

I'd like to bring up the fact that there are many non-profit and philanthropic organizations that develop affordable housing without making the sacrifices that this development is asking South Maui to make. We are using the water sources to an unsustainable level. We have many more needed facilities to provide water to, like another hospital, a South Maui high school, a real affordable housing project or many of them before we can think about another golf course, more shopping centers, or luxury homes. If you look at any real estate magazine, you can see there's no shortage of luxury homes for sale today.

I'd like to end with my pet peeve issue and that is our beaches don't need more people. I grew up spending every day all summer long on the beach and enjoying the beautiful, unspoiled beaches. This is the quality of life I grew up with. I was on the beach this weekend and saw the younger youths of today still enjoying this quality of life. This is the way it needs to be kept. Moratorium all the way. And to end, I'd like to acknowledge all the youths that showed up. . . They care. Mahalo. Mahalo. You can obviously see, you can obviously see that the youth

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

care about what happens in the next few generations. Think seven generations ahead, because Maui needs that. Maui needs that much love. Maui needs that much pono.

MS. NAKATA: Three minutes.

MS. HOFFMAN: Mahalo. Mahalo for listening.

CHAIR MOLINA: Thank you, Angie. Committee Members, questions for the testifier? Seeing none. Next to testify, Dan Grantham followed by Nicholas Vaughn.

MR. GRANTHAM: You have tapped a vein tonight I think. Thanks for coming. I'd like to acknowledge all people here tonight for coming in good faith. I specifically exclude corporations from that because corporations are forbidden, are forbidden by law to be compassionate and humane when there's profit to be made.

What is affordable? How can we say that a home over \$200,000 is affordable to most of the people on Maui? According to newspaper ads, for 200,000 you can get a rather large, newer home on a spacious lawn in various cities on the mainland, which is a good reason so many local families now live there. Too often buildable land is hard to acquire here and quite expensive, but remember Wailea 670 costs \$26,000 an acre, so the owners can afford to be truly affordable. Please be aware that high-priced developments not only attract rich immigrants, they also drive the local families away. They do this because they take up limited resources like buildable land, water, living space, and infrastructure that are now no longer available for local families. They increase the bidding pressure on what lower priced homes are left.

We can see a clear pattern over the years that as Maui developed itself for the rich consumer, its real communities were left behind to languish in the past, undernourished, undeveloped, while attempts at new communities have been dependent on the impulse or interpretation of professional land developers. We have seen that depending on unenforced promises does not deliver the goods. Over the last two years the Council has made some real progress in addressing home affordability.

There are ways to make this proposed development conform to the promises that many candidates made to get elected. Those ways are simple. Make it smaller, make it really affordable, more efficient using fewer resources with less waste and pollution. Protecting native plants, cultural sites, and access to nature; a community filled with working families doing needed work to restore the Maui we value; improving what we have instead of selling off the last best places to the highest bidder for aristocratic fantasies that slowly and steadily degrade our environment and thereby our economy.

Where are the schools, the farms, the industries, and lifestyles that make Maui a favorite and opportune place to live? Could they be buried under the weight of our privileged corporate lords? You, the government, are the people's negotiators with the powers that so often run things their way.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. NAKATA: Three minutes.

MR. GRANTHAM: Don't let us down and sell us short. Hold out for a deal worth making.

CHAIR MOLINA: Thank you, Mr. Grantham. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Nicholas Vaughn followed by Mike McCormick.

MR. VAUGHN: Hello, Council. My name is Nicholas Vaughn. Thank you for coming down here tonight and thank you for listening to me. I'm not on a side, and I'm not with an organization. I'm just a resident of Maui, and I am concerned for this island, very concerned for this island.

A few points that I'm concerned on, one being traffic and parking. I ride my bike all over this island. I do not drive a vehicle, and I'm being ran off the road by fast driving people and aggressive drivers, and if we are expanding this highway I don't see it getting any better. People are going to drive faster and more aggressively, and we should be riding bikes instead of cars. More power to you.

So..., also, beach access. I'm very concerned with that. People were already discussing that. There's a lot more people on the beaches, there's a lot more pollution on the beaches. I'm picking up litter every day when I'm on the beach. I'm watching fish disappear. More people, I see tourists out spearing fish, leaving them injured in the water, stomping on the coral. This, this can't go on.

I'm also very concerned about the native plants and animals in Makena and La Perouse. This whole area needs to be protected, not developed. I'm also very concerned about light pollution. I love to go down to Makena and watch the stars at night. It's one of the few places left in South Maui that you can do that. And if we keep developing like we're developing now, you won't be able to see the sky at night. It's already happening. I live in north Kihei, and I cannot see, I cannot see the stars at all. So these are things that I'm concerned about.

Water, today in the Maui newspaper, on page three: Central Maui short of goal. Water use down but not enough, with a nice rainbow picture right there for you. You know, we don't have enough water. It's already been brought up and people had a lot of better things to say than I can. I'm just very concerned about the water on this island, ocean water and drinking water. Thank you very much for listening to me.

CHAIR MOLINA: Thank you, Mr. Vaughn. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Mick McCormick followed by Amy Chang.

MR. M. McCORMICK: Thank you, Chairman Molina and Maui Council Members. My name is Mike McCormick and tonight I'm representing the Maui Meadows Neighborhood Association. Back in 19, excuse me, back in 2002, we wrote a resolution that was passed by our general

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

membership and our board that we sent to the County, and I see Mr. Nishiki in the audience tonight who was a Council Member back then. He was on the Council. I want to read that resolution.

Whereas, the residents of Maui Meadows will be directly affected by the future development of vacant parcels in Wailea and Makena; and whereas, the Maui Meadows Neighborhood Association Board of Directors have made it known to various County and State agencies of our interest in being part of any decisions in South Maui; and whereas, Maui Meadows Neighborhood Association and its members continue to be concerned with traffic volumes on the Piilani Highway, the demands on Maui's limited fresh water supply, the loss of valuable open space and cultural sites, and other corollary issues of development; and whereas, the board will pursue having hearings on these issues held in South Maui. Thank you. And whereas, the residents of Maui Meadows have expressed support for no new development until the Piilani Highway is widened to four lanes, an Upcountry road in Makena area is built, and water supplies, and adequate water supplies for new developments are guaranteed. And therefore at the general membership of the association on 2000, October 22nd, 2002, and again endorsed in support of these positions and directed the board to continue to monitor and act in this regard. Now this was adopted in 2002, and our board met just last week, six days ago, and reaffirmed this.

Now on a personal note, I want to mention that there's our Member Anderson, Councilmember Michelle Anderson has written a bill called WR-13. Some people call it the "show me the water" bill, other people call it the water availability bill. Every developer should be meeting those requirements to prove that they have water before they take up your time. There is business on this island that this County Council needs to be attending to rather than spending all of our County time sitting around, not getting the County work done just to do the developer's work.

So I'm asking you please take a look at WR-13. This will ensure that water for our citizens is not being jeopardized by the over pumping of our aquifers. This bill will also allow our, our County government, like I said, to focus on all the vital issues regarding Maui County. By passing this bill, developers that come before the County will prove that they have enough water before their projects can go forward.

MS. NAKATA: Three minutes.

MR. M. McCORMICK: And currently our Water Director Jeff Eng and the USGS, and that's the United States Geological Survey, has said that our water situation on Maui here is in a critical situation. So for the heck of it, before the meeting today, I went on the website to check this out, and everybody here can go to the USGS website. Just so everybody knows, Maui is getting the lowest rating in the United States. There is poor and there is different ratings. We are in the poorest rating of what available water we have and that's from stream runoff and also the rainfall situation that we're currently in. Not only is Maui in the worst situation of the United States, we can't get a contract from Colorado, like California or Arizona can, to pipe in water. We're stuck with what God and the rainfall brings to this island.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. NAKATA: Four minutes.

MR. M. McCORMICK: So we need to protect that. But Maui, of all the islands in Hawaii, now is in last place. So our water condition is worse than any other Hawaiian Island. Thank you.

CHAIR MOLINA: Okay. Thank you, Mr. McCormick. Committee Members? Member Anderson?

COUNCILMEMBER ANDERSON: Thank you for being here, Mr. McCormick. What website are you referencing, and what is this rating? Could you be more specific? Was this on USGS website?

MR. M. McCORMICK: If you go to the USGS website, they have a map of the United States, and then you can go in and select the area of the United States that you want to look at. First, I looked at the United States and the rating system goes from red to blue, blue and green colors notating adequate rainfall and stream flow. But on that website you can also click in the Hawaiian Islands to see what the status is here. But it would be real good for everybody to really look at this, 'cause this water situation is critical and things do not look good right now.

COUNCILMEMBER ANDERSON: So the rating is for, specifically for water availability or. . . ?

MR. M. McCORMICK: Water availability based on stream flow in the aquifers and also on rainfall, rainfall.

COUNCILMEMBER ANDERSON: Okay. Thank you.

MR. M. McCORMICK: It's a survey that's been done over 30 years and to get into this map they have to have accurate data. So this isn't just something that's recent. It's based on 30 years of data.

COUNCILMEMBER ANDERSON: Thank you very much.

MR. M. McCORMICK: Okay.

CHAIR MOLINA: Thank you, Member Anderson. Member Mateo.

COUNCILMEMBER MATEO: Thank you very much for your testimony. Just for my own information, the name is very familiar. Are you a realtor?

MR. M. McCORMICK: No, I'm not.

COUNCILMEMBER MATEO: You're not the realtor?

MR. M. McCORMICK: No, I'm not.

COUNCILMEMBER MATEO: You, you have information regarding statistics.

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. M. McCORMICK: Right.

COUNCILMEMBER MATEO: Do you have information regarding the water use consumption for Maui Meadows?

MR. M. McCORMICK: I would think since the lots tend to be some of the largest in, on Maui that they would tend to be using quite a bit of water. I know I've got drip, and I think people are being concerned right now. This is the first time in, in 30 years that I think we've been asked to really cut back on our water in Kihei and Central Maui. So everybody hopefully is doing their best.

COUNCILMEMBER MATEO: Thank you, Mr. McCormick.

MR. M. McCORMICK: You're welcome.

CHAIR MOLINA: Thank you, Mr. Mateo. Any other questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Amy Chang followed by Koree Hoopii.

MS. CHANG: Aloha, Chairman Molina and Council Members. Thank you. My name is Amy Chang and mahalo for this opportunity. I offer this for the precious descendents of our beloved land Na Mamo O Ka `Aina, the generations to come, and in gratitude as a 30-year resident, a guest of the Hawaiian tradition, and specifically to my teachers.

...*(Spoke in Hawaiian)*... Wake up, big families. Go forward until the lei of victory is reached. Arise, oh multitudes, the precious valuable descendents of our beloved land Na Mamo O Ka `Aina. Crying are the small stones that have been scattered, and we need to build again the rock so that we can complete this new foundation for all of us. The flowers, the flowers, the children to bring peace again. We need a true lei of victory for all the generations, the multitudes and descendents of this beloved land, not just a small kine bone, condo offering that's really of a membership club for the wealthy.

And as a, a steward of these chants I use my very temporary mana and power I have to bring honor. And you also are stewards of this land, and I ask on behalf of these beautiful people and for the thousand people that have signed this petition, that you use your wisdom and na`au, your hearts, and your very temporary power that you have been given to work, I know you work really hard, to work even harder; to reach out and to hold out until a real true lei of victory is reached for all the multitudes and the generations of people to come on this land. ...*(Spoke in Hawaiian)*... Wake up, big families. Wake up, big families. Go forward until the lei of victory is reached. ...*(Spoke in Hawaiian)*... Wake up and I humbly ask that you take into your hearts the intention of these thousand people who deeply care about land, about jobs, about the oceans, about the generations. I ask that you really take this into your hearts. Thank you. Mahalo.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Thank you, Ms. Chang, for your testimony. Thank you. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Koree Hoopii followed by Jesse Kong.

MR. HOOPII: What's up you guys? Aloha, my name is Koree Hoopii, born and raised here on Maui. Born all over the north side. Raised over there. Lived over there for my whole life. And I get couple things for say. Had one guy over here with one paper, yeah, say about how he going satisfy all the people who need houses. Where you going satisfy them? You guys drop those prices, yeah, and let the water flow down, brah, okay, 'cause you guys never ask questions on how we like the prices, we the people. You guys get \$350,000 or something like that, hundred thousand dollars, 350 to 550. And I don't know any of my local family that can afford that kind housing.

You know my mom and my father, they work hard every day. I got to, I started for work. I going start help paying just so we can get by. And for them try buy one house that is half a million dollars, brah, that's ridiculous. Every time I drive down the road I look, I look the size of the housing. Every house is haole, haole, haole, Hawaiian, haole, haole, haole, Hawaiian. Wow. And that's tripping everybody out, brah. And that's why we stay over here fighting, 'cause you guys going build those houses and not going fill up with Hawaiians. Serious kine, brah, get all these guys over here. Ask them how many of them live inside the half a million, half a million dollar houses up there.

UNIDENTIFIED SPEAKER (from the audience): Not one.

MR. HOOPII: Not, exactly, brah, right there. Not one, brah. I no live inside one. And you like know what, get kids these days, they growing up inside all these ghetto places, Happy Valley, and you like know what, they getting bad habits, drinking. You know me, myself, I get in the habit too, they smoking. Well, I not smoking, but I drinking.

And you like know what, and more of this you guys going try build that and we get all this kind of debris, junk, trash, and then get more people go down to the beaches get 'em all dirty, and nobody can go dive. The water going come ugly. The waves going come ugly and going run us away from our home. That's, that's our peace right there, the beach. That's where we go to have fun and throw da kine pot luck, you know, get our family together, and you guys going try take that away. Brah, that's like taking away our fun. That's like taking the toy away from the kids, brah. We not going, we not going have nothing for do. And you guys like build all this kine housing for, for nobody who actually is a local here.

And another thing is the, the ocean. The more you guys build and pollute the air, the more it's going to go into the ocean and kill the coral, all that other kine stuff. Endangered plants, you guys going be running over while you guys stay up there. And probably by the time my great grandchildren going reach their middle age, not going have that beach, not going have the beaches down there, Lahaina or Hana.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. NAKATA: Three minutes.

MR. HOOPII: You like know what, that's ridiculous. Because I, I think everybody and all the Hawaiians they deserve, they deserve that kind of privileges, and it's disrespectful. All right. All right. All right. I get couple more things for say. Another thing is when you guys do that building on top all the `aina and showing you guys heiaus and halaus inside this haole's backyard, brah, that is nuts. It's disrespectful to the culture. It's disrespectful to us as the Hawaiians. That's our culture, and you guys just displaying 'em back there like that's one, what is that, oh, the decorations back there, and it's not good, because while you guys doing that, you guys running over all the native things that are found only here on Maui. And I think I speak for all the people here today, and all the people down this whole island, the Hawaiian Islands.

MS. NAKATA: Four minutes.

MR. HOOPII: What was that?

UNIDENTIFIED SPEAKER (from the audience): Go ahead, brah. Finish up, finish up.

MR. HOOPII: All right. All right. All I got to say is I represent all the Hawaiians, all the kids from my school, all the kids here, because they couldn't be here, and I bet if the land could speak, they would tell you leave them alone. All right.

CHAIR MOLINA: Thank you, Koree. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Jesse Kong followed by Colin McCormick.

MR. KONG: Aloha, everybody. My name Jesse Kong. I'm 15, and I go to Baldwin High School. Coming from one Hawaiian ancestry background, you know, I know it's our responsibility to malama ka `aina, you know, take care of the land. And, you know, more development just going suck the land dry of its resources. We only on one island, yeah, you know what I mean. We no more too much resources. We limited. And, you know, where the water going come from? Iao Valley that's, like, pretty much the main water source on this whole island.

And in that area 670 get, um, well, I know of two, two species of plants, the Nehe and the `Awikiwiki, they almost endangered, yeah. There's only 150 of `Awikiwiki plants and only 30 of Nehe plants left, and they're only found in that lava flow right there in that area. And it's illegal for kill those plants. And development would just cause more and more problems. More houses in Wailea will just bring more haoles to the land, you know. I mean pretty much people from the mainland they, I don't know, I'm not judging them or anything, but they don't really know about our environment, you know, too educated about the land. You know, why, to me I don't think they really care about our beaches, our environment. I mean try go look Waikiki. Thing's dirty. Get, like, plastic bags all over the beach. Get, I don't know, doo-doo floating in the water. Who knows what stay in there.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

And, eh, you guys like see Big Beach like that? No, eh. And like, and Big Beach, plenty Hawaiians, yeah, and not just Hawaiians, local families that just been going down there for generations. You know, just for hang out, you know, get away from this society, you know, go far out there, you know, just cruise with your family, you know, have a good time. But slowly plenty of the society been coming out there and with that more development going have way more people out there, then going look like one Waikiki.

And, you know, pretty much I just really like things stay the way it is or even get better, you know, one more better way. And I also like for say, you know, like just only a few years ago, I only 15, but like a few years ago, you know, I could just go walk outside and had one beach, you know, but down in Kihei the beaches aren't that nice anymore. I mean, I remember down by mudflats we used to be able for go down there. Had one big beach. The beach was pretty big down there. But, like, I don't know, now I stay looking and the beach stay getting more small, and because global warming, erosion on top of that. So we gotta really preserve our beaches, too. And like, yeah, now it's one bird sanctuary. We no can go over there, so not too many places on the island.

MS. NAKATA: Three minutes.

MR. KONG: Three minutes. Okay. I also like for say that I go to Baldwin High School and only the lunch period today, 45 minutes, we got 500 signatures for this petition. . .petition for save Makena. Got 'em out in the community or, you know, just at our school, only 45 minutes, you know. We can keep doing 'em every day, we can have like 5,000. How much you like, name it? Oh, yeah, I like for present this to you, and that's all I got to say. Thank you.

CHAIR MOLINA: Mahalo...(change tape, side 2A)...Any questions for the testifier? Seeing none, thank you. Next to testify, Colin McCormick followed by Jimmy Conniff. Colin McCormick?

MR. C. McCORMICK: Aloha, Council Members. Good to see you guys again. I came here again to tell you, once again, that Wailea 670 truly is precious resource. We have to really be careful with this land. Within the Wailea 670 lava flow there are two species of plants that are really highly rare, and they need our attention, and we really have to be careful with their, their future, their fate. One of them is a plant only found in this lava flow, nowhere else in the world, and we really have to hold onto the things that make our community special, you know. Within this lava flow there's also many archeological sites and we have to be careful again not to just put it in someone's back yard. It's, it's totally disrespect. We can't do that anymore. This, this place needs attention.

There's, there's other things too besides from, from the native plants and the lava flow. Who knows what's under here. Who knows. This, this place was inhabited for a long time. At one time the south area districts, the Honua`ula moku was filled with as many people as there are now today. Two hundred thousand people lived in the areas from, from Wailea 670 all the way to Kanaio. So it's generations of, who knows, bones and what else is underground that we have to just, we have to respect already. And this is really growing up on the south side, this is all

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

that's left on the south side already. Makena is our home, you know. We, we love this place. You know, its, I'm a teacher, and I need a place to go at the end of the day to clean my soul out. You know, I didn't want to get emotional but, you know, this place is so, so special to me, and it's so special to so many people that came tonight. We love this place, you know. We need this place. Our children need this place. This is a place where you come to at the end of the day, go to Makena Beach and your, your soul is clean every day. And people have to realize the bigger picture of things, you know.

This development is going to, is going to totally impact this area. It's going to totally change it forever. It's never going to be the same, and from then on where are we going to go? Where are we going to go? Then we're going to have to start driving to north shore and then we're going to have start driving to Hana. You know, we, we want our own special place in our own community. All the places have been destroyed in the last 20 years. You know, we need something left for us in the South Maui community. So please I, I really, I ask you please use your wise judgment on this. This is a really important place. It keeps people out of trouble. It keeps people, you know, going back to work the next day after a weekend all clean and revived. You know, it's a really important place not only for the people but for, again, native plants. You know, the Hawaiian culture, there's strong Hawaiian culture there still. I suggest you look at some of the, the sites if you can up there. It's amazing. There's some beautiful places up there, and we really have to just not take these kind of places for granted anymore. This is all we have left. Thanks for your time.

CHAIR MOLINA: Thank you for your testimony. Committee Members, questions for the testifier? Thank you. Next to testify, Jimmy Conniff followed by Joan Martin.

MR. CONNIFF: Hi, my name is Jimmy Conniff. I live in Kihei. Everybody who's testified so far has said things so much better than I can about the water, the reefs, the affordable housing, cultural sites. I think we are maxed out and people that are here, I don't know how to put it, but if, if more of them come here, we're going to just run out of what we have already.

My main concern is an emotional one. It hasn't been said yet. I'm an old guy, you know, and I won't be alive when these places are built or wherever it goes, up the hill or down to the water. But I have a grandson who's six. I'm 67 and I don't want to have the, I've testified before and this is what hurts me and feels unhealthy, is that someday he'll bring his grandson to places that we like to surf, or fish, or hike, or go. And he'll have to say we can't come here anymore because it's been fenced off. That's all I got. Thank you.

CHAIR MOLINA: Thank you, Jimmy. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Joan Martin followed by Joy Gaston.

MS. MARTIN: Aloha. My name is Joan Martin. I'm testifying as a concerned citizen of South Maui. But first I want to take a moment and thank you very much for coming back to Kihei for this hearing. And I want to thank everyone who's here tonight and who came earlier. What a great turnout. And it just shows what our community spirit is like. And especially I want to thank all

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

the young people. It's wonderful to have you here this evening. I want to thank you all for the many hours you've devoted to the issue of helping Maui's families obtain the dream of home ownership and the attention to detail you are giving to the Honua`ula project.

I've been an active, an active advocate for affordable housing on Maui for the past four years, and I want to thank you in this area. With the passing of Charter Amendment 2 along with the new workforce housing ordinance, these are two important steps in the process to move Maui's working families into affordable rentals and homes. I've watched the Wailea 670 project take form over eight years, and I've gained a great respect for the development's team sincere response to the community's concern and have seen many positive changes they have made. I've also heard numerous reasons why developers haven't wanted to bring forth a development under the new workforce housing ordinance. There's a lot of development going on all over Maui, but this is the first one that I'm aware of that is willing to build the affordable units we desperately need in South Maui in compliance with the workforce housing ordinance.

I feel it's time to get moving on this project because of all the affordable housing it will bring to the community. There are Maui residents working two and three jobs who still can't afford to purchase their own homes and who's high rents go up every year. We need to help them by creating better housing options so they can afford to live and stay on Maui. This new development is an important step in providing much needed housing for Maui's working families. I also believe that the affordable housing created through this project should be affordable in perpetuity and not be affordable only to go to market price after a number of years. Mahalo.

CHAIR MOLINA: Thank you, Ms. Martin. Committee Members, questions for the testifier?

UNIDENTIFIED SPEAKER (from the audience): ...*(Inaudible)*...

CHAIR MOLINA: Excuse me, please. Committee Members, questions for the testifier? Seeing none, thank you for your testimony.

MS. MARTIN: Thank you very much.

CHAIR MOLINA: Next to testify, Joy Gaston followed by Lori Sablas. And again, folks, I just want to remind you, please show respect for each other's opinions. Thank you.

MS. GASTON: Good evening. My name is Joy Pu`uolani Gaston. I'm a resident here in Kihei. I'm one of the school teachers that Mike *[sic]* Cella just talked about that couldn't afford to buy a home there if I wanted to. I come from a family that moved here in 1921, and I've been in Hawaii since 1969. I'd like to speak about why, and why, why.

There's a lot of things that transcends buildings, people. When we're gone this will still be around, hopefully. This is a recyclable item. It's part of the hydraulic cycle that goes up and down. The human body is 71 percent water just like your oceans or your earth is. And this

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

transcends a development, a developer, or property. This links every person in this room. The molecules in this water have been through our 65,000 miles of blood vessels, plasma, capillaries, have gone through our bodies. Every living thing on this planet earth has drunk this water. The molecules in my body right now with this water have may been in yours. And we are linked genetically with this water if you think about that for a minute.

The fresh water here we have on Maui if--Michelle, you mentioned it. I teach fifth grade, and my ten year olds booted this up today from the Maui County Board of Water Supply. It tells about the usage. It tells about what Mr. McCormick, the non-realtor, talked about right here. We've already got the aquifer that made this water; 20 years to make this pure water. We're already digging it up as ground water and transporting it. We're already digging up your stream water which we have to put chlorine in. I used to be the Vice Principal of Lahaina Intermediate. We closed the school down and the neighborhood had to boil their water because of giardia. I was the Vice Principal at Kihei School. We had to close the school down and boil the water for giardia, bacteria in the water, because we are using the ground water now.

Low cost housing. Everybody talks about that. I'm concerned about what is low cost to you may not be low cost housing to me. Chamber of Commerce indicates that the average hotel worker earns \$33,700 a year in 2006 on the island of Maui. They cannot afford payments from 2,000 to \$5,000 a month on a \$500,000 home. That's low cost housing to this development. That may not be low cost housing to the local relative, local person, or your relative that works in the visitor industry. It may take two or three of them to buy a low cost house. Also, I have booted up the website for this Honua`ula, and it seems that 30 percent of this low cost housing is not even going to be built within that 600 and something acres.

MS. NAKATA: Three minutes.

MS. GASTON: It's going to be built something else, someplace else down here with Kihei. It says so on their website. I don't know if that's true or not. But what I'd like to say is something's more important or transcends us, and this is what it is. Why, why? It's the right thing to do, is to save this for future preparation for everybody. Thank you.

CHAIR MOLINA: Thank you, Ms. Gaston. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Lori Sablas followed by Kahekai Nishiki.

MS. SABLAS: Aloha, ahiahi. Good evening. My name is Lori Sablas. I have been a resident of Kihei for almost 30 years. I would like to thank this Committee for scheduling tonight's meeting here in Kihei, my hometown. I'm opposed to Wailea 670 because of what the name implies; 670 acres of development. I don't think it has a place in Kihei or anywhere else on Maui for that reason. To put this project, thank you, to put this project in perspective consider this. When the Kaanapali Beach Resort was developed in the late '50s, the plans there then were to take 500 acres of prime oceanfront property under one owner and develop it into what has become the world's first master planned resort. From this 500 acres evolved 5,000 hotel and condominium rooms. And for every room a job was created for local kids, like myself, who otherwise might

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

have had to leave Maui to find meaningful work. Now almost 50 years later, Kaanapali is still providing livelihood for many island born residents like myself.

I remember seeing the parcel set aside in north beach from plans developed in 1959. Now 50 years later, the final stages of this planned resort is near completion and continuing to provide jobs for island residents. Five hundred acres in 1960 versus 670 acres today. This is a massive project. What long-term benefit is this project providing for Maui other than to join other projects on Maui which are driving up real estate values and making our island unaffordable. Why do they need the developers? Why do they need to develop so many acres under the false pretense of building affordable homes? With interest rates climbing how many local residents will be able to qualify for mortgages? And if they get into the homes, what happens when they can no longer pay for the mortgages. Will those in real estate gobble them up and resell the homes to mainlanders? I don't think that's what we'd like for Maui.

I have seen more changes on my home island in my short lifetime than my mother, her mother, and grandmother combined. Three generations before me, guys. If, if we continue along this path, if we continue along this path, what will this special place on Maui be like if we continue to abuse it as we have been doing the last couple of decades? Thanks to *Akaku*, I listened to hours of testimonies and deliberations on this project.

MS. NAKATA: Three minutes.

MS. SABLAS: Maui came out in force, and it was heartwarming to see the `opio, our younger generation speak up for our island. Mahalo to you. Members of this Commission, please listen to the community, our future generation. There are too many unanswered questions on this project, and I want to especially acknowledge Councilwoman Anderson for having the intelligence and diligence to ask the tough questions. I, I have learned, I have learned being a native Hawaiian that the Hawaiians have a way of thinking seven generations back and seven generations forward. Think now, think of what Maui would be like if you as the stewards were to adopt this concept. Ask yourselves what would Maui be like seven generations from today if it continued the path we are.

MS. NAKATA: Four minutes.

MS. SABLAS: While I realize that many hours have already been spent, and I appreciate the hours you spent discussing this project, I ask you, the hours spent are nothing compared to the long-term negative impact this project will cause on Maui. We do not need to sacrifice 670 acres of my home island for this project. Mahalo.

CHAIR MOLINA: Thank you, Ms. Sablas. Committee Members, questions? Seeing none, thank you.

COUNCILMEMBER ANDERSON: Lori. Lori.

CHAIR MOLINA: Oh, hang on. Hang on, Lori. Question from Member Anderson?

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

COUNCILMEMBER ANDERSON: Could you leave your testimony, please?

MS. SABLAS: I'd be happy to, yes.

COUNCILMEMBER ANDERSON: Thank you.

CHAIR MOLINA: Okay. Thank you. Next we have Kahekai Nishiki to be followed by Dennis Elaban. And after Mr. Elaban is done, we will be taking a short recess.

MS. NISHIKI: Hi, my name is Kai Nishiki, and I came from Haiku, and I thank you for having this meeting so that local people can express their opinions and their desires for their own community. I think that long-term development needs to be examined carefully and not just the short-term benefits to construction and the welfare of the wealthy who just want houses to come here to a couple times a year. Local people live here and when you support projects like this, you are settling for less than our community deserves. Let's not settle. Let's stand up for what we deserve and what local people need. And they don't need Wailea 670.

Like many people have said, there is a shortage of water and affordable housing here. Our land and resources should serve the local people. The people who live here are tired and should be tired of being looked upon as servants to the wealthy. The developers offer affordable housing for us, but where is it? And is it really affordable? Is it next door to their mansions on the golf course overlooking the ocean? No, it's in the industrial area. This shows their true intent. They take the best, and they give the crumbs to the people who do their yard work and serve them food. Let's not settle. Let's ask for what we deserve. We deserve justice. We deserve our, our land to be for our people. Thank you.

CHAIR MOLINA: Thank you for your testimony. Questions for the testifier? Seeing none, thank you. We have Dennis Elaban. Dennis Elaban?

MR. ELABAN: Aloha. My name is Dennis Wainui Elaban. And when the first time when I came out here when you guys had the Wailea 670, I had five of my, my mo`opuna from one-year old to ten-year old, and I said that this thing that you guys is doing is wrong, that they want to preserve it so that they can see what it looked like, you know, what it looks like in the future, and their children to see what it looks like. That's why I say . . . *(Spoke in Hawaiian)* . . . No more water, no more life. What I say to you guys, you know, affordable houses, you know, to me is all BS, because it ain't no affordable houses for nobody.

And, you know, if you guys, if these developers wanted to separate the people who work for them, send them way down Kihei down the other side, when in the beginning, I think the people supposed to be there in the development. What is that? Well, who, who said that, you know, who changed that plan that made it so that, you know, the people who work got to live far away from where, where the development stay when it supposed to be in there? You know, who, who is, who did that thing, you know? And, you know, we got to, we got to malama, malama o ka

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

September 10, 2007 (Kihei)

---

`aina, malama ka wai. Without the water, without the land, we no, we no more nothing. Hawaiians and also all the people over here, Hawaiian, haole, whatever, you know, we all live here, we all try to..., and nobody can buy houses. You know the median, the median house, the median price is five, 600,000. Who can afford that? Nobody.

You know, stand up for the children, the children of the future. We are, you know, I mean we live here. We going continue to live here. You know, as my, my, my mo`opuna, their mo`opuna, their mo`opuna after that, they all going live here. But who can live here and no can buy one house just for, for live in. You know, and we work really hard over here on Maui. Everybody. Everybody you see over here work hard but, you know what, no can buy house.

UNIDENTIFIED SPEAKER (from the audience): It's all about greed.

MR. ELEBAN: You know that. Over here, Maui attracts people who have money and it's all about greed. This greedy, a lot of greedy people live here on Maui that are trying to make..., people come here and they're trying to change this whole environment on Maui to change to their lifestyle, not to the people who live over here. The people who live, who live over here, they, you know, they got to work for the rich people.

MS. NAKATA: Three minutes.

MR. ELABAN: And everything is changing so that these guys, you know, these guys can impose their way of life on us guys and that is BS, yeah. But I like, I like to thank, I like to thank all the `opio that came. Mahalo nui loa. And for all the people that came too, mahalo. Imua ka leo lanakila. Forward the voices of victory. Imua. And I like to thank the ladies on the Council. Thank you guys for standing up for the people. And also one more last thing I'd like to say. People, keep your eyes and ears close to the people who we elect to the Council. Watch the people and listen to the people who vote for the things that the people need to have done, and, and, and, you know, will have done. And the people that don't, we need to get them out and we need to get people in who will listen to the people, who will do things for the people. Aloha.

CHAIR MOLINA: Okay. Thank you, Mr. Elaban. Committee Members, questions for the testifier? Seeing none, thank you. Okay. Folks, we're going in recess and when we come back from recess, we have Pat Borge followed by Kimokeo Kapahulehua. Meeting in recess. ...*(gavel)*...

**RECESS: 8:15 p.m.**

**RECONVENE: 8:29 p.m.**

CHAIR MOLINA: Okay. Folks, we're going to get started again ...*(gavel)*... The Land Use Committee meeting for September 10, 2007, is now back in session. We have next to testify Pat Borge followed by Kimokeo Kapahulehua. Pat Borge followed by Kimokeo Kapahulehua. Okay. Ladies and gentlemen, please take your seats. We have a gentleman ready to testify on this item. Okay. Mr. Borge, you may proceed.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. BORGE: How you guys doing; all right? You guys got a tough decision to make here. How's it, Mike? I hope you guys get my scratch feed. You guys when get my scratch feed? Good. Good. There was a big article about the Superferry the other day in *The Maui News*. I just want to just make one, read this off from *The Maui News*. It says experienced investors should go into an opportunity knowing all of the risks of any venture. So that means to me that we don't owe Charlie Jencks nothing, because you represent the people of Maui. We tell them what we want. For instance, you know the negotiations you guys were saying he going give us one day for the public golf course, there's seven days in a week. We should have three, maybe they get four. That's negotiations. Not he tell us what he like.

And I am very upset, here's Charlie Jencks. You know, I don't know you personally, Charlie, but I know you and I used to work for the Public Works. Shame on you for handling the affordable housing in front of this Council Members and put pressure on them for them to make this decision, because there's no affordable housing. And you know it, and I know it. These houses is going be for the workers and the people coming from the mainland going live in those 250, 300 something thousand dollar homes, and our local people still going be out affordable housing. Take care the people. You guys represent the people of Maui.

And besides 670, what about Piilani Highway? The worse highway on Maui, and you guys going shove this thing down our throat. Now if I'm on that highway and I'm telling you that the Piilani Highway is not safe and yet you guys go forward with this project, and I get hurt or if I kill somebody on this highway, aren't you responsible? Because I'm telling you the highway is not safe. The people are telling you it's not safe, and you guys going to put in all those houses. And this guy said, oh, it's a community, they can ride their bikes and all of that. They're not going to go down to the beach? They're gonna put 23 parking stalls down in Wailea for their development. Twenty-three. How many people going live up there? More than 23 people.

I mean shame, shame, shame, shame for them to use that affordable housing as one bait. They call it palu the waters, and that's what they doing to the Council. Shame on him, because we gotta, it's going to fill up our landfill, you guys gonna do a sewer treatment plant, and second, there's no water. You must realize Maui is growing. Eh, you guys like live Honolulu, you guys go move Honolulu. We don't want Maui to become Honolulu. That's why Maui is my home, it's my roots, and I'm proud to be from Maui. And it's up to you people as Council to take care of the island and not just sell it to the highest bidder, you know. I'm tired of it.

MS. NAKATA: Three minutes.

MR. BORGE: I live here all my life and to see all this, all this building for the rich, for the rich. I used to caretake [*sic*] for one, for one gentleman for eight years. His water meter ran 24 hours. Shame. You guys know all that houses, how much water those houses take out there? It's ridiculous and half of them not even here half of the time, you know. Eh, take care the people. Take care the people. Take care the Maui. That's what you guys were elected for. And like the gentleman before came up earlier, and he said, you young people, eh, right on for coming out.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

Keep up the fight, no give up because it's for you guy's future. And that gentleman said you watch how the Council vote, because you guys go out and vote, and the guys who no vote your way, get 'em out.

CHAIR MOLINA: Thank you, Mr. Borge. Questions for the testifier? Seeing none, thank you. Next to testify we have Kimokeo Kapahulehua followed by Joyclynn Costa.

MR. KAPAHULEHUA: Good evening, Council Members. My name is Kimokeo Kapahulehua. I come before you in behalf of Na Kupuna O Maui. Na Kupuna O Maui is concerned about the project. Na Kupuna O Maui has been on the project with the developer more than six years. In the last six years, every year we've had a kupuna passed away. So there's six of them that's not here to hear tonight or see what the project will go through. And as we know, kupunas is older people now, so there will be probably others that will be passed on. Kupuna's responsible for its people. Kupuna is here tonight to support this project. It's here to support affordable housing.

We in Department of Land and Hawaiian Homes have quantum blood to get Hawaiian homeland. You need to be 50 percent to be a candidate to get Hawaiian homeland. We're concerned that 49 percent does not have a home. We, we look towards all the development on Maui to consider the 49 percent, and we also ask this development to consider the 49 percent for affordable housing. When you talk affordable housing, the Department of Hawaiian Home Land receive the highest award in the nation for providing the most affordable housing in the State of Hawaii. On Maui they have provided more than 2,400 houses. Recently, my son was a beneficiary in Leialii in Lahaina. His was the most small package to buy, which was 220,000. You can get a package up to 325,000 if you choose to. Now just imagine. We, Hawaiian people, we have the quantum of 50 percent blood...*(change tape, side 2B)*...because the Department of Hawaiian Home Land Commission is responsible for our infrastructure. So we have. . .only the land is not included. So all the costs that I just shared with you was the housing. And today we have hundreds of families that are beneficiaries on this island and because of this deal.

Now you, as the County, should not absorb these infrastructure costs. So we know, kupuna know that affordable housing is going be taxed on the infrastructure. So where Hawaiian Homes have paid for the infrastructure, now somebody gotta pay for the infrastructure. So this infrastructure is an added cost to affordable housing.

We know that this developer is making it all possible for his 700 affordable housing to meet its range. Some of 'em going be according to the income. But you must also know that this 700 houses is not held by the developer, it's held by us, the people, because the law says now the developer must make 50 percent of its project in affordable housing.

MS. NAKATA: Three minutes.

MR. KAPAHULEHUA: And also, it says that the developer can choose in the ordinance to put this housing wherever he wants. So whether he put some there and some there, he still gonna put in.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

We, Kupuna O Maui, support affordable housing. We, Kupuna O Maui, support the preservation plan for this project. We, Kupuna O Maui, supports Wailea 670.

CHAIR MOLINA: Thank you, Mr. Kapahulehua. Committee Members, questions for the testifier? Seeing none, mahalo.

MR. KAPAHULEHUA: Mahalo.

CHAIR MOLINA: Next to testify we have Joyclynn Costa followed by Mele Coleman. Joyclynn Costa?

MS. COSTA: My name is Joyclynn Costa, and I stand before the heirs of Honua`ula. So as not to cause wrong to the legal heirs-at-law, I declare to the Council Staff, legal advisors, not limited to but extended to all bodies, departments and committees involved, my writ of course and require full disclosure if prevention of declared inherited rights to legal allodial title become challenged by way of approval of any and all aliens, but not limited to use of said metes and bounds to Honua`ula, in accordance to your oath of office which I, I accept.

United States Constitution, Article 2, Section 3, the doctrine of political question. It is not within the province of the court to inquire into the policy underlying actions taken by the political departments, Congress and the President, in the exercise of their conceded powers. This commonplace maxim is, however, sometimes given an enlarged application, so as to embrace questions as to the, to the existence of the fact that even questions of law, which the court would normally regard as falling within its jurisdiction. Such questions are termed political questions, and are special, and are especially common in the field of foreign relations. The leading case is Foster vs. Neilson, where the matter in dispute was the validity of a grant made by the Spanish Government in 1804, the land lying in the east of Mississippi River in which there was also raised a question whether the region between the Perdido and the Mississippi River belonged to, in 1804 to Spain or to the United States.

Chief Justice Marshall, Marshall's opinion of the court held that the court was bound by the actions of the political department, the President and the Congress, in the claiming lands for the United States. If there were not the rule, case, cases might often arise in which, on most important questions of foreign jurisdiction, there would be an irreconcilable difference between the executive and the judicial department. By one of these departments, a foreign island or country might be considered as at peace with the United States; whilst the other would consider in it, it in a state of war. No well-regarded [*sic*] government has ever sanctioned a principal so unwise and so destructive of national character. Thus. the right to determine the boundaries and the country is a political function, as is the, also the right to determine what country is sovereign. The political department has made the determination, Public Law 103150.

Whereas, the Republic of Hawaii also ceded 1,800,000 acres of crown government and public land to the Kingdom of Hawaii, without consent or compensation to the Native Hawaiian people of Hawaii or their sovereign government. Whereas, the indigenous Hawaiian people never

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States, either through a monarchy or through a public, plebiscite or referendum.

MS. NAKATA: Three minutes.

MS. COSTA: The land patent is the only form of perfect title to land available to the United States. In America today people think they own their lands, but unless they have the land patent on the land they do not own it. Most people today obtain real estate by contract, and then on the fulfillment of the contract they transfer control of the land by warranty deed. The warranty deed is merely a color of title. Color of title means that which is assemblance or appearance of title, but not title in fact or law. I request a written legal opinion in the validity of the warranty deed for Wailea 670 aka Honua`ula Partners LLC to the extent of the title examination. This I give to you as a caveat.

CHAIR MOLINA: Thank you, Ms. Costa. Committee Members, questions for the testifier? Member Anderson?

COUNCILMEMBER ANDERSON: Ms. Costa, thank you very much for being here. These folks are all descendents of native Hawaiians who held, who hold royal patents on this land?

MS. COSTA: That is correct.

COUNCILMEMBER ANDERSON: And in your understanding of the law, does a warranty deed supersede their rights?

MS. COSTA: The warranty deed does not supersede their right. They have absolute perfect title.

COUNCILMEMBER ANDERSON: And, and so. . .and so what must the developers of this property do to cure the title in order to recognize the rights of the heirs of the royal patents?

MR. SAGAWINIT: The, the property is not for sale.

MS. COSTA: In order for them to clear their warranty deed they need to, to show the examination which Mr. Jencks has promised a bunch of young adults that he would diligently try to do, which is not good enough. We need to see that title examination to see clear links, clear links from the heirs-at-law of Honua`ula.

UNIDENTIFIED SPEAKER: At law.

MS. COSTA: They need to see the heirs-at-law or, or be subject to collateral attack. The families know that they live there, they've lived there in the past, and that they have the rights to that property. They have absolute title. So now that you know, you cannot sit in the dark and tell the people that you did not know, and you decided to have homes built on somebody else's land.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

I will, I will remind the Council that within his warranty deed, his warranty deed states that the grantor grants to his grantee, which is the same people, the, all the certain real properties described in Exhibit A, attached hereto, part of, and, and together with the personal property, if any. That is what he has in his warranty deed, that he grants to them anything that he might have, if any. I need him to declare what does he have. And his, his, also his warranty deed contains exclusions, which is two of the patentees. The royal patents are excluded from his deeds. So these people who want to walk back onto Honua`ula and do the life, their lifestyle that they choose to cannot be stopped, cannot be stopped --

MR. K. HOOPAI: By law. By law.

MS. COSTA: -- by law.

COUNCILMEMBER ANDERSON: So, Ms. Costa, you say that the developer has to show his title examination. How is that different from a title report?

MS. COSTA: All they do is tell you they went and looked, but it does not show you your clear link. That is the very first thing that you, that you require from your application to show clear ownership. That's all we're asking, is put that paper on the table and show from the royal patentees that's in his warranty deed, where those signatures are that signed over until it got to him. And I will assure you there are no signatures.

COUNCILMEMBER ANDERSON: Thank you very much.

CHAIR MOLINA: Thank you. Any other questions? Mahalo. Thank you for your testimony. Next to testify we have Mele Coleman followed by Richard Michaels.

MS. COLEMAN: Aloha. Thank you so much for having this meeting tonight. We really appreciate that you guys changed the times so more people could come. My name is Mele Coleman, and I spoke to you at the last hearing. And this time I'd like to just focus in on the coral reefs and speak on behalf of the coral reefs. So I'm a second generation local, Hawaiian at heart, and I work directly with the ocean, with my two main jobs, and I really love the coral reefs, and I just want to speak out about what this development will do to our coral reefs if it ends up happening.

So basically, the coral reefs are a fragile ecosystem and most of you understand them, but just a reminder when you have development, you turn up the soil, you expose all the soil, the wind and the rain are going to take that, take that soil. All the sediment and all the silt is going to settle onto the reefs. Our reefs are going to be blocked from the sunlight that they need to survive, and they will die. And once the development is established, all those golf courses and those houses, there's going to be run-off. There's going to be excess nutrients flowing into the water which upsets the balance of these fragile ecosystems. Too much nutrients means we're going to have algal blooms that are going to cover the leftover reef that wasn't already killed by the sedimentation, and then those algal blooms will take over. We don't have enough herbivorous

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

fish to control these algal blooms. Whether invasive or native algal blooms, it will happen. The excess nutrients are going to flow down. Even if you put sandbags or, or, you know, put up the plastic, it doesn't matter. It still happens. It's been shown in the past, from scientific research, this does happen.

And I'm just bringing up the paper that was brought up earlier, I passed it out, and I actually put a little notation next to the important parts. And I just wanted to talk about it a little bit. So one of the things is it said, Kanahena Bay is the only area of the nine areas surveyed over the ten years that this survey, this project took place, it's the only place that increased in coral coverage and that is in the natural area reserve that I work at, at Ahihi-Kinau. So that's the only place where the coral reef didn't actually get worse, it got better. And that's because there's no development behind it. There's no development there.

And this development, Wailea 670, and Makena Resort, and all that is going to be right there next to our natural area reserve. Isn't the whole point of having a natural area reserve to preserve it for the future? So if we let this occur, it's going to degrade our last pristine coral reefs that we have here on South Maui, and that would just be so incredibly sad for all the locals here as well as all the tourists. And a lot of the tourists, their number one thing that they want to do..., I work on a sail boat, and I work down at the reserve, they want to go snorkeling. And I hear time and time again, oh, the reefs aren't as good as they used to be. And the only reef left that is still really, really good is where I work and that's right directly below Wailea 670, and it's going to get ruined. And how disrespectful of us to do that. It's our responsibility to protect our reserve. What's the point of having it?

MS. NAKATA: Three minutes.

MS. COLEMAN: So I'm kind of emotional about this. I just wanted to quote a few parts of the paper. So down there in the middle where I wrote key, it says that "there are strong indications that human impacts have been very important." Then it also says "cover has declined at several West Maui sites where anthropogenic, so human induced impacts from shoreline development and human use are likely the greatest." Okay. So it's really important. Turn over the paper, under the case study area, down there at the bottom of that paragraph, it says "even in the best of circumstances," this is talking about Maalaea, "the recovery of Maalaea would likely take many years." So once you have ruined a reef it is probably never ever going to recover. And then down in the summary it says "that once degradation is well established, affected reefs will have lower recreational or commercial value, and will support limited fish stocks to the detriment of all resource users."

MS. NAKATA: Four minutes.

MS. COLEMAN: And then also further down it says "without other steps to reduce land-based impacts, there is unlikely to be substantial recovery across the island's reefs." So it's our responsibility, and this is one of the last reefs in South Maui. We really can't just let this happen. You all see what happened to Kihei and to Maalaea. So I say that it's our responsibility to protect it.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Okay. Thank you for your testimony. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Richard Michaels followed by David Amack.

MR. MICHAELS: Good evening, Mr. Chairman and Members of the Committee. My name is Richard Michaels. I live in Makena. And first, I'd like to ask does everybody have a copy of the Google map that I distributed to you? I'm going to testify tonight as an expert on the traffic flow around here, because I drive it every single day. So if you'll look at the map, down toward the south part of the map everything in green there is the Wailea area. And you can see where the Shops of Wailea is.

And I've marked with black arrows the flow of traffic from the south, that's everything from Makena and also all the big hotels, the Grand Wailea, the Four Seasons, the Kea Lani, the Maui Prince, as well as the Wailea Point Condominiums, all other kinds of condominiums, Golf Estates, Wailea Highlands and so forth all flows to Wailea Ike, and then drives up Wailea Ike and transitions onto Piilani Highway. You'll see that mark with black arrows. And the transition to Piilani Highway is actually very, very easy because it's not an intersection. The traffic going up the hill goes straight up the hill and makes a left turn, crossing no other traffic, and the traffic coming south on Piilani makes a right turn into Wailea Ike. So it's very easy and there's no traffic light. No intersection.

I've marked in red arrows what the traffic flow might be if we can't use Piilani Highway, because parts of it are coned off during the construction of Wailea 670. We have some experience with that because, as, as you probably know, there's a massive condominium project going on right now opposite the Grand Wailea Hotel. On Wailea Alanui, which is four lanes, we have had every Monday to Friday at least one to two lanes coned off that we couldn't use as well as having flagmen to stop all the traffic when somebody wanted to make access to the condominium project. Something like that is going to happen when all of these construction, and all of the grading, and the building of the golf course needs to make access to Wailea 670.

But Piilani Highway is only two lanes. So if they're blocking a lane, where is everybody going to go? Well, I've marked in red arrows where you'll see that the traffic now needs to stay on Wailea Alanui and probably progress all the way up to the top part of the map which is Kilohana, and then make a right turn up that hill, and make a left turn onto Piilani at that point. That's where the highway becomes four lanes. There's a traffic light at that highway, at that, excuse me, at that intersection. If that happens, we, we had an experience of some of this earlier this year in the summer because they repaved the two, two lane part of Piilani, and they had to reroute traffic in this, in this manner. Plus when they, when they could use part of Piilani, the southern most part, they would divert traffic to Mikioi into Maui Meadows --

MS. NAKATA: Three minutes.

MR. MICHAELS: -- and across all the way to Mapu and back down again. So we've had some experience on that. The normal traffic on Piilani, on these two lanes at, from three to five

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

o'clock in the afternoon today under existing conditions backs up almost a mile, almost to Wailea Ike Drive. So you can see what would happen if all of the cars have to line up going up Kilohana and make a left turn at a traffic light standing in front of the fire station, which is marked on your map, the traffic situation could be a disaster.

So at the very least, if this project goes through, what I would recommend is that you make a condition that the Piilani Highway be widened to four lanes, which Mr. Jencks has said he would do before this, the first resident takes residence. I would suggest that needs to be done before the first construction truck shows up.

MS. NAKATA: Four minutes.

MR. MICHAELS: Thank you.

CHAIR MOLINA: Thank you, Mr. Michaels. Committee Members, questions for the testifier? Seeing none --

MR. MICHAELS: Thank you.

CHAIR MOLINA: -- thank you for your testimony. Next to testify, David Amack followed by Robin Newbold.

MR. AMACK: My name is David Amack. I live in Kihei. I do not own property in Kihei. I would love to own property in South Maui. You can imagine my interest when I got this in the mail? Did you get this as well? Okay. It's from 670, and it mentions affordable housing seven or eight times on both sides of this. Well this, this sounds great to me.

CHAIR MOLINA: Mr. Amack, can you address the Committee, please? Thank you.

MR. AMACK: Okay. I'm sorry I have to turn my okole to you. Some people say it's my best side. I thought there was a possibility that I could own property here, but when I see that the value of these properties, these condos are \$400,000, I have to go research the loan terms. And being very conservative, I have discovered that in order to afford a house that's \$400,000, if I put 20 percent down and that means I have \$80,000 lying around, I have to make \$88,000 a year. If I put 5 percent down, I have to make \$105,000 a year. And if I put 0 percent down, if I'm lucky enough to get a loan like that, I have to earn \$110,000 a year. This is not affordable to me, and I believe it's not affordable to you.

This insults my intelligence. This was put out, this was put out by the 670 people expecting us to buy into this. It calls into question, it makes you wonder what kind of company does this. So to the County Council, to the County Council, I ask you please be careful who you deal with and please be careful of what you approve, because what you're going to approve or not approve affects the youth of Maui. It affects them. It determines their future. To the people in the audience, I say please beware of the stranger that comes up and offers you the lure of affordable

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

housing. Get in my car, I've got affordable housing, and he's going to take us all for a ride. To the young people who came out today, thank you very much for being concerned, thank you for your passion, don't ever lose it, be active, ask questions, question authority, and vote.

CHAIR MOLINA: Thank you, Mr. Amack. Questions for the testifier? Seeing none, thank you for your testimony. Next to testify we have Robin Newbold followed by Wayne Nishiki.

MS. NEWBOLD: Thank you so much for coming to South Maui to listen to how we feel about this particular issue. It's a massive issue, as you know, a massive development, and we appreciate you coming here. Thank you. I know that you've heard a lot of testimony tonight about all the environmental impacts that we expect from Wailea 670, and they are of deep concern to me as well. I needn't repeat to you all of the concerns about water, cultural sites, endangered species and our reefs.

The reefs are particularly close to my heart. I'm a marine biologist. My name is Robin Newbold. For 30 years I've been diving on Maui's reefs, and for the past 12 years I've been studying and monitoring the decline in the fish populations on our reefs. Right now they're in severe danger. We have very few fish left on our reefs. We're working very hard and passionately to turn that situation around. As others have testified this evening there is, well I hate to say there's not much hope for it, because if there weren't hope we wouldn't be working so hard. But we really do need the support of the Council in this effort, and a development of this sort really undermines that.

One of the things that concerns me in particular along with the other issues that you've heard about this evening are the injection wells. I know that recently you had this matter brought before the Council, and you know very well that the injection wells in the Lahaina area have caused serious damage to the reefs. We don't need that in South Maui as well. We really do need your support in ensuring that our reefs are returned to their normal, healthy condition not only for the young people on Maui, for all of us who are enjoying Maui now, for the generations to come, but also for the economy. I mean if all we care about is the economy, we've heard tonight how important the economy is to Maui, and I hear all the time when I'm out on the dive boats, next year I'm going somewhere different, there aren't any fish left. So, I hear that every time. There's somebody who says I was here two years ago, I was here five years ago, I was here last year, and there aren't any fish left. Next year I'm going to, and they rattle off often, some lesser developed nation who is caring for their reefs and taking better care of them.

So please, at the very least, of course I would like you just to deny the permit for Wailea 670, but at the very least require a supplemental EIS. It's not too much to ask that an environmental impact statement that was done 19 years ago, that's when Reagan was President, 19 years ago that environmental study was done and Maui was a very different place when Reagan was President. Wailea was just beginning. We had Wailea Kai and I think two of the hotels.

MS. NAKATA: Three minutes.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. NEWBOLD: I was diving here at that time and there were a lot more fish. And any environmental impact statement that was done at that time would not have, could not have predicted what we've already seen in terms of development or the affects on water. Any impact statement done at that time would not have known about the injection wells. Scientists have learn more, and we as an island, as a people have learned more. We have to, at the very least, do a supplemental environmental impact study if you were to consider allowing 670 to go forward. Thank you very much.

CHAIR MOLINA: Thank you, Ms. Newbold. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify we have Wayne Nishiki followed by Lila Sherman.

MR. NISHIKI: Good evening, my name is Wayne Nishiki and I'm testifying on my behalf. You saw my first daughter testify. She came from Haiku just because she felt so passionate about what is happening to Maui County. I look today, and I see the young people, and I go, wow, that is how I started. I was a young boy testifying on behalf of save our surf here in Maui County. And I beg of you, Council Members, you are making decisions for these young people, the future generations.

Michael Molina and the rest of you Council Members, I thank you for having this meeting here in Kihei. As you saw by the testimony and the amount of people that came, people wanted to see what was happening, and I think a lot of them have not made a decision whether they favor it or not. You have tried your utmost best, all of you, to try to put all of the chickens into the box. You tried so hard, but as you can see you can't do it, and that is the reason why I'm saying tonight scrap this project. You can't put all--I hope that part wasn't counted towards my testimony and time. Michael, you know, sometimes you just can't do it. All of you guys have worked hard.

You know what, I saw one thing that you guys did, he wanted to put 30 percent of the affordables somewhere in an industrial area. Dignity for people that live here in Maui County. How do they feel if you would have put them down there? What, the, the affordables got to go down there or the apartment buildings? Why can't I live up where 670 is? How do you think people feel in their na`au, in their gut, when they are told that that's where you're going to live, the affordables, number one.

Number two, water. You put us all on ten percent reduction. There is no water. The developer has not come up with any answers, Michael, and the rest of you, as to how he's going to deal with the water. So how can you take this application? It's an incomplete one. There's no water. Do not give him any entitlements by passing this out.

Number three, I think that when I look at some of the other concerns that you people have in regards to the affordability of this project, and you've heard many people come and testify today, this is not an affordable project.

MS. NAKATA: Three minutes.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. NISHIKI: Thank you. How you build one is this, and, and I'm not telling you what to do. Private developers have tried so hard like this developer, but I understand why, because they got to make money. That's their bottom line. You and Charmaine need to get together, you Council Members and Charmaine get together, go find land, and build only affordable housing. Private developers can't do it...(change tape, side 3A)...they can't do it. Charmaine knows and Charmaine wants to work with you guys. You said that during this past election that this is the Mayor that the Council and, and, and, and the Administration can work. Well, show us, the people of Maui County, that you can do it and go develop affordable. You can't do it with this developer. You can't put all of the chicken into that box. It's impossible. So help the people of Maui County --

MS. NAKATA: Four minutes.

MR. NISHIKI: -- the local people here. I'm sorry. That's it. Any questions?

CHAIR MOLINA: Thank you, Mr. Nishiki. Committee Members, questions for the testifier? Member Anderson?

COUNCILMEMBER ANDERSON: Thank you, Councilmember Nishiki, for coming and sharing your mana`o. When you said, you characterized the local people, build for the local people. Who are you describing when you say that?

MR. NISHIKI: And, and, and for all of you tonight, even those of you in construction. You know, I know you want to build housing, but if the Council got together with the Administration and then built affordable, you people can be employed. That's one part of this community. The other people are, are here today, the young people here. These are the people that live here that are asking you tonight to make a very important decision. You got elected by these people. These are the local people that I'm talking about. You need to really search your hearts and don't make a decision if you're not ready for it.

Right now when I look at all the unanswered questions, I feel like you're not ready, and that's okay because one thing that we know, there is no water. And I don't know when the water's going to come. You need to ask the developer tonight where is that water that you're going to develop. Charlie needs to answer that question, because when I talk to people that have pumped in that area, Michael and the rest of you, there's only salt there. Have the developer prove that he's going to develop the water. But the most easy way out of this and I think the most responsible is to deny this project. And I thank you.

COUNCILMEMBER ANDERSON: I just want to make it really clear that the affordable units that are being proposed for north Kihei in the industrial area off Kaonoulu mauka, that's the developer's proposal. It's not the Council's proposal, and we haven't even gotten to the condition of affordable housing to even discuss it yet. So I just want to make the record clear that it's not a done deal, that we haven't even discussed that yet.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. NISHIKI: Yeah, and, and, and I thank you. And, and listen to what was just said. And I really, you know, implore you to really search your hearts. This is a developer's proposal. This is what they feel and feel how the affordable people and that's where they should live--not in their project. They want to put you aside. I have dignity. All these people have dignity. We want to be treated like human beings. We want to live here in Maui. We love Maui.

So don't let the developer, by making this kind of proposal, get away with it. It shows you something about a developer that puts this kind of stuff on the table. Hey, they don't care. They really don't care. Actions, actions speak louder than words, Joe Pontanilla. Please, you guys. Do you see what the developer's put up? The golf course. Same thing, Michelle. Yeah. Oh, private golf course. Well, the thing pumps 1.5 million gallons of water, but it's a private, and, what, they give you guys again the crumbs? Oh, go play Sunday or Monday. We don't need the golf course. This is the developer. Look at what they're saying and tell me if that is the kind of developer and the kind of people we want here on Maui. I say, no, we don't need them.

CHAIR MOLINA: Thank you, Mr. Nishiki. Okay, folks. Next to testify is Lila Sherman to be followed by Lisa Buchanan.

MS. SHERMAN: I am honored to be following Wayne Nishiki. At every Council meeting that I ever went to when Wayne was there, I thanked him and I thank you constantly. Every time I happen to see you, I am thanking you. And also, Michelle and Jo Anne, thank you for caring so much. Got to put my, I can't see my glasses, without my glasses. I don't know if you can see my shirt. This was given to me, this is a designer shirt worth quite a few hundred dollars. It was given to me by somebody who's wealthy. It says too much is never enough. That is the mantra of our developers. Too much money is never enough, too much development is never enough, too much development, too much influence is never enough.

Please show the people of Maui that the developers don't have Maui by the purse strings by holding carrots in front of our noses. You give me what I want, I'll throw you a bone. I'm saddened that visitors who come to my store have been coming for year after year telling me that they won't be coming anymore. They're tired of the traffic. They're tired of this. They're tired of not being able to see the night. Going to Makena when they, they often--I would too by the way. I love to go to Makena to see the stars. I can't see the stars anymore. I don't hear the sound of the Franklin quail. My heart doesn't sing at their song anymore. I miss it in Kihei. You don't hear it. All you see is Betsill Brothers, Betsill Brothers, you know. What can I say?

Anyway, also, no matter too much is never enough. Also, our coral reefs, our ocean is being lost to sewage, to fertilizers, to pesticides, herbicides, suicide for Maui. And by the way you union, wonderful union members who I applaud, by the way, I love unions, I just don't approve of some things. You want more development. Who's going to come? More, you know, all the people that come into my store, so many of them are construction workers who have moved to Maui. They've taken over all the rentals; right? Our rent is going up. We're losing our Hawaiians to the mainland. What, does this make sense? It doesn't make sense to me. So we bring in all

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

these construction workers who, as I do, would never really think of leaving to, leaving Maui. So they stay. And then when 670 is over; what do you have? You got nothing except more people living here taking your jobs.

Also, yes, what else would I like to say? I don't even know, I'm just so upset. All I ask is that you truly, truly, truly take the will of the people to heart and that you pray. At my store I passed out flyers for this, for this event. And people say, oh, they've already got their minds made up. I pray you don't have your minds made up.

MS. NAKATA: Three minutes.

MS. SHERMAN: I pray you haven't been influenced by the, the people who are trying to spread their influence. I pray that you do, do, do think of Maui and the future, and our future children, and so that the Hawaiians can afford to live here. The Hawaiians, who were here long before most of us were here, yes, look how many people are here. And we're sending them off to the mainland because they can't afford to live here. What a crime. What a terrible, terrible thing to do. I beg of you, please, let sanity prevail and stop this insanity.

CHAIR MOLINA: Okay. Members, questions for the testifier? Thank you. And for the record, that was Lila Sherman testifying. Next to testify, Lisa Buchanan followed by Bill Kamai.

MS. BUCHANAN: Aloha, Council Members, my name is Lisa Buchanan, and I was raised here in Hawaii. I'm a mother and a grandmother. I'm concerned of the amount of money being spent by the developers of Wailea 670 to convince the people that their project is all about affordable housing. I hear that they hired the same PR firm that Governor Lingle uses to do slick ads that never mention the private golf course, luxury neighborhoods, or lack of water for this project. They never mention the real prices that folks will have to pay and for these homes that are called affordable. There are not, these are not homes for my kids, and most of the local families I know can't afford. Let's tell the truth. Can't the Council tell developers like this they see through the shibai? Can't we get landowners to bring forward projects that actually benefit the people of Maui, not just mainland investors?

Okay. Many people in South Maui got flyers last week urging them to support the Wailea 670 project. The flyers said that those who spoke against it were against affordable housing and didn't understand our local values. This kind of manipulation is an insult to local families. What are these local values? Are they code for words for never speak up against the boss, are they code words for local families shouldn't question what big landowners want to do 'cause we need the jobs? This, this project has been owned by four different investment groups and none of them, including this one, has ever really...interested in seeing affordable housing included in their plans.

Let me read from Mr. Jencks' 2001 Change in Zoning and Project District Approval Phase I application, page 31. The application explained that there was no need for previous conditions for affordable housing placed on Wailea 670. This is an exact quote. "There are rental and

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

purchase opportunities for moderate income households in the region based on HUD median income estimates and multiple listing service sales data, and there is no evident dire need for additional supply as there was emerging over a decade ago. Further, the site and proposed community is not a, is not a particularly appropriate place for affordable housing. Even if there was a need, the hot, dry lower elevations are typically not strongly desired by local residents --

MS. NAKATA: Three minutes.

MS. BUCHANAN: -- and the site is removed from government, health and support services." I'm going to conclude. Instead these lands were seen by the developer as a low key, privately built membership community. So, Council Members, all we hear is how this project is about affordable housing. Were the developers and their consultants lying to us then when they told us this was not a good place for affordable housing? Are they lying to us now? Please get the truth. Mahalo.

CHAIR MOLINA: Thank you for your testimony. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Bill Kamai followed by Osheana Tashombe.

MR. KAMAI: Aloha and good evening, Chairman Molina, Council Members. My name is Bill Kamai. I am a business representative for the Hawaii Carpenters Union. I just wanted to go over some of the facts regarding almost everybody in this room. For us in the construction industry it means jobs. Everybody in this room get bills. Whether you get car payments, truck payments, whether you sending your kids to school, whether you got. . .or when, when you have to put food on your table. Everybody get bills.

The other thing I wanted to share with you folks is another fact, is that Maui is growing. You got our kupuna living longer. You got kids having kids. You've got people from neighbor islands moving to Maui. You got people from other country, from other states moving to Maui every day. Maui's population is growing, and you can't stop it. There's no laws, there's no anything in place to stop Maui from growing. That's the cold hard fact.

When people complain about traffic, when they complain about parks, about schools being too crowded and stuff like that, the harsh reality is the only way you're going to pay for these roads to be improved, for the parks that our kids play in to be bigger, for the schools that our children go to is you got to raise taxes. Everybody in this room gotta pay higher taxes if you guys want the government to pay for it. It's not free. That's another reality. Nothing is free. That money come out of our pocket or the developer pays more than his fair share for those very things; traffic, schools, and parks.

Another reality. When you come up here and you complain about traffic and you not from Maui, you just moved here, then you complaining about the very thing you helped create. I've been in the industry, construction industry for 29 years. I don't know of any developer on the books now that proposed to build houses at \$232,000. I'll, I'll share something with you. By the time this developer gets his project approved and build those houses, his affordable component, that 232

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

going be cheap, very cheap. That's probably the low end of the market. If anybody knows a developer willing to step forward and pay for affordable housing to keep local people here, let me know. Let me know. Nobody, and that's a harsh reality, and that's the tough decisions you guys gotta make, and we understand that.

MS. NAKATA: Three minutes.

CHAIR MOLINA: Excuse me, folks, please allow the testifier to finish without being interrupted. Mr. Kamai?

MR. KAMAI: I'd like to ask for your support because this developer is following the policy that you guys created. Every one of you had input on that housing policy. Legitimize your policy that you all helped create for this developer. Thank you.

CHAIR MOLINA: Thank you, Mr. Kamai. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Osheana Tashombe followed by Roger Pleski. Osheana Tashombe. Not here. Roger Pleski followed by Mary Lansel.

MR. PLESKI: Aloha, Council, Roger Pleski. I live in Kihei. I think to not approve this development is wrong. This is the only developer willing to build 700 affordable houses, willing to give \$4 million for schools and parks which all create jobs for our community. If you don't approve this, who's going to build these houses? The Council cannot build these houses without tax increases, so we all pay for that. This developer's willing to build these and pay for that. Thank you.

CHAIR MOLINA: Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Mary Lansel followed by Lucienne deNaie. Mary Lansel. Seeing she's not here, we'll move on to Lucienne deNaie followed by Bonnie Newman.

MS. deNAIE: Sorry it took a long time to come the back way. Aloha, everyone. Thanks for coming to Kihei and staying so late, but it does make a difference for working folks. My name is Lucienne deNaie. I am speaking on behalf of Maui Tomorrow. I passed out a little handout to you folks because I want to talk about the history of affordable housing in Wailea 670, because it's a project with some history. And actually former Councils, not yourselves, but former Councils already dealt with affordable housing at Wailea 670, already made a decision about it, already gave it complete entitlements, and this happened in 1992.

Your little handout is the current description of the project. This is some information that was provided to the Sierra Club by Mr. Jencks, and if you look where the little yellow tab is, it just describes the affordable housing philosophy of this project. Now maybe there's been a conversion on the road to Damascus, but either this project is telling its investors one thing and telling the public something else, or maybe it's just completely changed day to night. But they made some pretty strong claims in their, their original presentation that this was a very needed segment, a luxury segment, et cetera, et cetera.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

It's kind of interesting because in 1992 the community plan was amended and Project District 9 was increased to 670 acres, and it was renamed Wailea 670. Before that it was Makena Ranch and, oh, it had a, had a few other names. Yeah, anyway the, the Director's report to the Planning Commission for this Community Plan Amendment stated very clearly "in order to address the need for affordably priced housing, the Applicant has agreed to the following." And keep in mind this, this subdivision was 2,000 units at that time. And they agreed to provide 60 percent affordable housing allocated on the basis of 10 percent, very low to low income; 30 percent, low moderate income; and 20 percent, moderate income. This would have been 1,200 units. So in 1992 we already had owners of this property promise to give us 1,200 units of affordable housing.

We've gone a little backwards since then. In '94 it was heard by the Land Use Commission. They removed and added some conditions. And then the new owners took over in 2001, the current partnership, and their application you see before them. Their application was basically that they didn't need any affordable housing, that this condition that was agreed to ten years before really didn't need to be met anymore because there was no need anymore. Now I don't know if you were around in 2001. I followed the elections then. A lot of people were talking about affordable housing in the election of 2000, 2002, 2004, 2006, 2008. I am hoping that's not the case.

MS. NAKATA: Three minutes.

MS. deNAIE: Thank you. At any rate you can read for yourselves, something's not really scanning here, and I don't think Mr. Jesse Spencer, when he has a project description for his affordable housing, writes them like this. That this is, there's no need and this is a membership community and that's serving a certain part of the community.

So let's continue on. Now 2002, Mr. Jencks met with a lot of folks in the community. At that point he was offering 20 percent of the units or 280 units would be off-site as affordable housing. By 2004, this was up to 30 percent, 420 units offered as affordable housing. Now it was, at that point it was preferably off-site, but he was willing to include them on the, on-site. Now 2007, the workforce housing bill was passed. We have, you know, 50 percent of the units, 700 are going to be affordable, but really what happens if this is overturned in court, and what happened to the old affordable housing, and Mr. Jencks was the Public Works Director then.

MS. NAKATA: Four minutes.

MS. deNAIE: It was his kuleana to enforce public, you know, the public contract for affordable housing. So I hope this history is helpful in making sure you get what you want, because you've already had 1,200 units offered here. Thank you.

CHAIR MOLINA: Thank you, Ms. deNaie. Committee Members, questions for the testifier? Member Anderson?

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

COUNCILMEMBER ANDERSON: Lucienne, thank you. Did you say that the 60 percent, that was the condition of affordable zoning when, I mean of affordable housing when they got their zoning for the two golf courses?

MS. deNAIE: Yes.

COUNCILMEMBER ANDERSON: Is that the condition you're talking about?

MS. deNAIE: Yes, that is 1992 when it had actually passed as a Community Plan Amendment. And this was part of the Planning Commission report. Now I assume that the Council didn't do away with that condition. I found it in some old records that I had with the Director's report to the Planning Commission.

COUNCILMEMBER ANDERSON Okay. Thank you very much.

MS. deNAIE: Thank you.

CHAIR MOLINA: Committee Members, any other questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Bonnie Newman followed by Anita Wintner.

MS. NEWMAN: Aloha, esteemed Councilmen. Mahalo for being here, and I'll really try to be brief, because you've heard it all. I don't know that there's anything much new that I can tell you. I'm a 21-year plus grateful resident of Maui, and for over 16 years have been licensed as a realtor associate here on Maui. And I am for affordable housing, of course, but this housing is not affordable. We've heard that. We've heard statistics. I'm not going to bore you with them. I testified in July that there is already a glut of luxury homes available and being built as we speak, probably one every week. The `aina is being torn up; it's like a rape of the land, everywhere in south Kihei and Wailea. Hurts my heart. And there's plenty of homes for my esteemed real estate colleagues to sell without another one being built. And yet here is a proposal for many more to be built.

I understand that if some of these marvelous kupunas that are sitting here could afford these "affordable houses", they might have to obtain their mortgages through the project partner, Lehman Brothers or the subsidiaries. I understand the Lehman Brothers and some of their business allies were recently found guilty in Federal court of defrauding customers. Is this the kind of influence we want for our people? No, we don't. We don't want to line their pockets anymore.

And I also testified as to the traffic. I live in Maui Meadows. It's already, we know, full to capacity. I doubt very much that the blue rock could be blasted through that last mile of Piilani Highway to make it into four lanes. I don't understand how there's anything feasible here to be done for the people of Maui. We certainly don't need another private golf course. There's plenty of them. And I have great respect for the construction workers, but surely they've had a boom,

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

and they still have a boom, and they've got a boom for years to come without Wailea 670. There's so much construction going on in south Kihei and Wailea right now. So I have respect for what they do. I have respect for my real estate colleagues that sell high end property. They've got lots to sell.

So what do we need it for, I ask you? We know there isn't water and so forth. So rather than bore you further, I'm going to appeal to your courage. I'm going to appeal to your heart and your courage, because you have the power to not have this happen. It's very clear from the people here tonight, the people don't need this, the people don't want this, the residents don't want this. And the only people that can afford to buy, if this should be built, are, are people who already have homes. This would be second, third and fourth homes to be used a few weeks a year. These are people who do not care about our community --

MS. NAKATA: Three minutes.

MS. NEWMAN: -- or the quality of life here on Maui. And they don't contribute to our community. They simply rape the land. So I ask you, you have the power, have the courage to stop the rape of our `aina. Mahalo.

CHAIR MOLINA: Thank you, Ms. Newman. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Anita Wintner followed by Robert Wintner.

MS. WINTNER: Hi, I'm Anita Wintner from South Maui, and I oppose Wailea 670 for many reasons. The major problem being the water supply. How can you approve another 1,300 residence to be built when we already have water rationing going on now? And we know that the Makena Resort project is going to be coming up, it's just around the corner, which will need more water.

These private companies will be making millions and millions of dollars at our expense. I personally think the County Council should require another supplemental EIS. The last one that was done was 19 years ago and that's not acceptable. Widen Piilani Highway before the construction begins. All future golf course to be public and allow only non-potable water for irrigation. Don't allow new injection wells on Maui ever again. Require all new residents to have solar hot water, photovoltaic electricity systems along with solar street lights and yard lights. Require affordable housing to be built at the same time the Wailea 670 houses are being built. Save all cultural sites and native plant habitat and keep them open to the public. Get another archaeologist report selected by someone other than the Wailea 670 management group. Require community parks and green areas open to the public within Wailea 670. Require them to build, to make more public parking, restrooms and beach areas available to the public. Make sure the County has funding available for more policemen or firemen, schools, hospitals, and postal service. And based on the chart that I noticed over there, it looks to me like the local construction workers should have job security for many, many years to come without Wailea 670.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

County Council, go slow, don't give in to them, and do what's right for the people of Maui that voted you in, not the wealthy mainlanders. I'd like to see it kept ag land and open space. Don't rezone.

CHAIR MOLINA: Thank you, Ms. Wintner. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify we have Robert Wintner followed by Vernon Ta'a...*(change tape, side 3B)*...

MR. WINTNER: I think the message has been delivered, and I hope you hear it. I live in Kihei, I have a business in Kihei, and I think everybody's aware that Maui's now under siege by some trillion dollar investment juggernauts. I want to talk about the money. Among the..., Lucienne pointed out effectively that Wailea 670 has changed hands over the years and the number of affordable houses has varied according to the analysis of the investment owners. Two of the owners right now are Cargill and Lehman Brothers. They've taken an interest in Maui because they all view Maui as undervalued. And when we got to these seven digit prices for houses, that's when they thought that this would be a good place for them to invest.

Now I learned recently that they have a phrase in their industry, maybe some of you have heard of it, it's called monetizing the assets. They have assets here, or they think they do. I think a Hawaiian group testified earlier that maybe the assets belong to them. No one likes to consider themselves living in an asset that somebody in New York is trying to monetize, and that's what's going on here. These people we're dealing with are not home folks. This is a management group that's beholden only to a concept and that concept is shareholder interest. That means maximum return on investment.

It's hard to track all the mega development on Maui and particularly South Maui. A few years ago when Seibu was seeking approval to develop Makena, the developer's response to the water shortage was that that doesn't matter because by the time we're ready to build we'll find more water, because in time technology solves all problems. Wailea 670 has no water. They have no way to find more water. The developers may offer again to find more water or to build more roads, or schools, or sewage treatment plant, or maybe to mark down a few of these houses and call them affordable. They'll be willing to do anything that costs millions of dollars, because the sellout on Wailea 670 will be billions of dollars.

That money won't stick here. A gentleman from the carpenters union noted that it makes jobs. Take, counting the money for jobs compared to developing this land is like digging into the goose to get at those golden eggs. We all learned better than that when we were children. I think most notable is that in, in delivering the message tonight most of the proponents of Wailea 670, those are people who are in favor of it, stand to make money on that project while those who are opposed to it, who are the vast majority of people testifying here tonight, are here for love, the love for Maui and the way it is.

And I, I'd finally like to close by a personal irritation and that's --

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. NAKATA: Three minutes.

MR. WINTNER: -- okay, I'm almost done. And that is the, the project should be called Wailea 670, because it represents 670 acres to be developed, not Honua`ula. Honua`ula, and many of you know this, is a Hawaiian name for an ahupua`a that is far greater than Wailea 670. It's been turned into a merchandising tool. The buyers for these houses are not here tonight. They're on the mainland, and I would like to respectfully submit that if they don't want to call it Wailea 670, they should possibly consider calling it Santa Barbara. Thank you.

CHAIR MOLINA: Thank you for your testimony. Committee Members, questions for the testifier? Member Anderson?

COUNCILMEMBER ANDERSON: Robert, thank you for being here. Actually Honua`ula is not an ahupua`a, it's a moku.

MR. WINTNER: Okay.

COUNCILMEMBER ANDERSON: And I think the developers should respectfully change that on their website. It's not an ahupua`a as stated on their website. It's a very large moku that goes all the way up to Haleakala. And the meaning of Honua`ula is, there's a sacred meaning to it, and so I'm especially offended by the use of that name because of that, because Inez Ashdown, Maui County Historian Emeritus, taught me the sacred name and what it means, and it has everything to do with the Hawaiian story of creation. My question for you is you, you mention monetizing the assets. What does that mean?

MR. WINTNER: It's a phrase that, it just came to the surface for me. I can't tell you exactly what it means, but in general, you understand shareholder interest. Shareholder interest is what the big conglomerates, and when I say trillion dollars, you have to kind of parse that. A billion is 1,000 times a million; and a trillion is 1,000 times that. So these aren't individuals we're dealing with. I pointed this out to another, another great friend of ours, Everett Dowling, that these aren't people. This is a computer, this is a juggernaut, a machine that wants to now build out Maui for a bigger number under a bottom, a black line. That's the entire motive.

And what they mean by that is they all of a sudden viewed Maui--the reason that that area has changed hands over the years..., as, as you may recall in 1990 there were four hotels that went into South Maui in the \$50 million range: Four Seasons, Grand Wailea, Maui Diamond, and Kea Lani. And then we had the drought. There was depression. And that's why Wailea 670 languished [*sic*]. It had 1,200, as Lucienne pointed out 1,200 affordable houses, and then all of a sudden things doubled, and then doubled again, and then doubled again. Cha-ching, cha-ching. Here comes Cargill and Lehman Brothers. These people don't speak Hawaiian, they speak New York. These are juggernauts in the trill..., I'm not exaggerating, this is literal, in the trillion dollar range. All these companies are worth a trillion dollars at least. If they have to give something away and call it affordable, that's called merchandizing. I'm very good at merchandizing, that's my business. And that's what they're doing here. It's a lie.

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

COUNCILMEMBER ANDERSON: Well, with their billions in assets you would think that they could afford to drill some exploratory wells to prove they have some water.

MR. WINTNER: Well, I, I can only speculate that they'd run into brackish or saline.

COUNCILMEMBER ANDERSON: So monetizing the assets that, you know, just sounds like we're just on a list of assets.

MR. WINTNER: It's what feeds this idea that everything in Hawaii is for sale. They heard it, they believe it, they're acting on it.

COUNCILMEMBER ANDERSON: Okay. Thank you.

MR. WINTNER: Thank you.

COUNCILMEMBER MEDEIROS: Mr. Chair.

CHAIR MOLINA: Hang on. . .sorry, Mr. Wintner. Mr. Wintner. Sorry. You have a question, Mr. Wintner. Mr. Wintner. I'm sorry, one of the Members has a question for you. Mr. Medeiros?

COUNCILMEMBER MEDEIROS: Thank you, Mr. Wintner, for your testimony. I, I just want you to clarify for me that you mentioned that those that were proponents of this project stand to gain something from it, and I think you referred to money or whatever. How does the kupuna that are in their 70s gain any monetary benefits from this?

MR. WINTNER: Well, actually what I said is that most people here...

COUNCILMEMBER MEDEIROS: You said the proponents.

MR. WINTNER: I said most proponents --

COUNCILMEMBER MEDEIROS: Okay.

MR. WINTNER: -- are, are here to gain money, and I think that that's true. I think there are some people who are here, who are for the project are purely motivated, and they're motivated by this idea of affordable housing. My friend Kimokeo I think put it eloquently. He is for affordable housing because of the, the blood quota, and I'm all for the theory. I don't think the theory applies here.

COUNCILMEMBER MEDEIROS: It seems like the connotation of your statement, though, was that they would make money from being proponents of this project.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. WINTNER: What I said, once again, was that most of the proponents here stand to make money. I think that one of the biggest players is the carpenters union, and then, and then the developers themselves. If you think that the people who want this project to move forward are not aware of all the money to be made, then that's possibly naïve.

COUNCILMEMBER MEDEIROS: I, I would just, you know, say that when you make broad statements like that, you know, we want to be sure you're accurate with it.

MR. WINTNER: Well, that's why I put in the qualifier, most of the proponents here stand to gain monetarily.

COUNCILMEMBER MEDEIROS: Because we respect our kupuna, and we, we don't, you know, like to have that kind of general attack on them.

MR. WINTNER: No, I don't think that was a general attack. I think my respect for our kapuna [*sic*] is equal to your own, and I'm here to tell you, and I think the kapuna [*sic*] will back me up, that the kapuna [*sic*]/don't always agree with each other.

COUNCILMEMBER MEDEIROS: Okay. Yeah, it's kupuna.

MR. WINTNER: Well, thank you for the correction.

COUNCILMEMBER MEDEIROS: Thank you. And thank you for your testimony.

MR. WINTNER: Yep. Thank you.

CHAIR MOLINA: Thank you, Mr. Wintner. Next to testify is Vernon Ta`a followed by Daniel Kamahela [*sic*], Kanahele.

MR. TA`A: Good evening, Council Members. Thank you for your patience to hold this hearing this evening. My name is Vernon Ta`a. I am speaking on behalf of Mr. Herbert S. K. Kaopua, Sr., business manager and financial secretary for the Plumbers and Pipefitters Union Local 675. We are in strong support of this project, and we feel that we, as, as proponents of this project we've earned our keep to be able to, to, to qualify to buy these affordable housings. And we feel that our members who live here on Maui, who are plumbers, who are pipefitters, who are air conditioning mechanics are eligible to sign-up and pay for these houses. We are hoping that these projects, when they are, these affordable houses are, are built that we, our members will be able to afford these.

We are proponents of it. We're proud to say that we work for it, and we, we earn our keep to be able to afford these houses. And we thank you for the opportunity to put these projects, to put this project through that this developer is willing to follow all the directives that you have given them to have 50 percent of their homes to be affordable. And I understand that affordable is relative to the counties. Some of our guys may not even qualify for the \$250,000 homes. They

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

have to pay for the \$300,000 home. And we hope they can do that. We feel that some of our members can, because they work for it. And our, our members have to go to school for five years and have 10,000 hours to be a plumber, to be able to afford to live in the place that they love and that is Maui. We support you. Those of you who, who support this project, we support you 100 percent. We also support the developer on this project. Thank you.

CHAIR MOLINA: Committee Members, questions for the testifier? Seeing none, thank you. Next to testify we have Daniel Kanahahele followed by Sappho Henderson.

MR. KANAHELE: Aloha kakou. Aloha `aina. Sometimes I feel like an endangered species. I'm a kanaka maoli that still lives in Wailea. My name is Daniel Kanahahele. My father who was born in Lahainaluna, his name is Daniel Kanahahele. My grandfather was Clinton Kanahahele. He was from Hana and Kaupo. He was a principal at the plantation school in Lahaina and a teacher, and his mother was also from Hana. So I have many, many generations of family who have lived on these islands.

I have many friends who have come to this meeting tonight on both sides of the issue. And I think it's important as a community that we have this forum, because sometimes we are divided. But when we come together and we share our points of view, and we begin to understand our differences, sometimes that can bring us together, and we can come to a consensus. So I invited many of my friends to come here for that, for that purpose so that they can educate themselves about what's happening in Maui.

I would like to thank, for myself I would thank, I would like to thank *Akaku* for their live, for their broadcast of the City Council meetings and also for our other local media like *Maui Weekly*. I think many, many more people would be in attendance at this meeting if they knew enough to care. And because of *Akaku*, our public access station, which to me is an important resource and because of our local media I'm here, because I knew enough to care and to come. This is my first time testifying before the City Council. I would also like to, to thank Michelle Anderson, our Council Member from South Maui. I know her, I think I know her the best because she seems to ask the most questions at our Council meetings. And so I'm more, I'm most familiar with her voice. And I would like to thank her because I think she represents many of her constituents, not only in South Maui, but also throughout Maui County. And I would also like to thank the other Council Members, Mike Victorino and Jo Anne Johnson, who really pushed to have this meeting in South Maui. You can see by the turnout just how many people were interested in coming to this meeting. Thank you for giving us a chance to our three minutes or four minutes to, to share whatever we, we have in our hearts to share.

The bottom line for me is, is it pono? And that's the decision that you have to make; is Wailea 670 pono as far as the rezoning proposal?

MS. NAKATA: Three minutes.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. KANAHELE: For me personally my concern, and it's been echoed over and over again, is the water. Water is a public trust. Who owns the water? Nobody and everybody. We all own the water. You are the de facto stewards of that resource and there needs to be an accounting. How much water do we actually have? How much is available? Can you give the public an accounting of that number as the stewards of the water? Can you today tell us how much water is available? How much is being used? How much is going to be needed for those projects that are already in the pipeline but not hooked up? And if you subtract that from what's available and the number is zero, we can all go home. There's no need for us to be here. We can be at home watching T.V. on our bed.

My other concern is long before we were here --

MS. NAKATA: Four minutes.

MR. KANAHELE: -- there were native plants and there were native animals. I am a Hawaiian, but the true Hawaiians are the native plants and the native animals. They were here long before us. They deserve to be protected and preserved. They should be top priority along with the water. Protect those Hawaiians. Mahalo.

CHAIR MOLINA: Okay. Thank you, Mr. Kanahale. Committee Members, questions for the testifier? Seeing none, thank you. Next to testify, Sappho Henderson followed by Jonathan Lee.

MS. HENDERSON: My name is Sappho Henderson. I'm 86 years old, and I love this island. I'm just a visitor here, you might say, although I have lived here 15 years now, and I've been coming off and on before that. I'm astonished that you're going to build another, yet another golf course. I've been hearing that we have to conserve water so I've been trying to take showers with a teacup full, but that isn't going to work. Anyway, affordable housing is not going to be affordable for the average person. And I'm, I think it's a very dangerous thing to do with as little water as we have. Please don't do this. It's insane.

CHAIR MOLINA: Thank you, Ms. Henderson. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify, Jonathan Lee followed by George Aikala.

MR. LEE: Good evening, Chairman Molina and good evening, Members of the Council. My name is Jonathan Lee, field agent for the Plumbers and Fitters Union Local 675. I am speaking on behalf of the members who live and work on the island of Maui. Our members, many of whom were born and raised here, do not wish to move anywhere else. We feel that Maui County needs good development like the Honua'ula planning community. Good affordable housing is what our members need, but they, they are not able to work, they are not available or hard to find. It is the way of, it is the way of life here in Hawaii that our wives and our spouses must also work and still it's next to impossible to own their own homes. It isn't fair that only wealthy can enjoy owning a home here in Maui. We want to live, work, play here in Maui. We want our wives, our spouses to stay home and raise children. This project will go a long ways in making it possible

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

to own homes that we can afford. Therefore, we ask that you allow this project to move forward and give us hope that we can continue to live here. Thank you.

CHAIR MOLINA: Thank you, Mr. Lee. Committee Members, questions for the testifier? Seeing none, thank you for your testimony.

MR. LEE: Thank you.

CHAIR MOLINA: Next to testify we have George Aikala followed by Sampson Harp. And after Mr. Harp is done we're going to take a short recess.

MR. AIKALA: Good evening, Chairman Molina and Council Members, aloha. My name is George Aikala. I'm the field representative for the Laborers Union Local 368 here on Maui. I represent 500 members on the island of Maui alone and out of the 500 we have 60 apprentices that are here on the island also and working. A lot of the apprentices that I have, I would say about 50 percent of the apprentices that I have are from the ages of 19 to 25. We've had a meeting, and we talked to a lot of them about affordable homes.

Now these affordable homes, what I'm talking about is Wailea 670. Okay. We've...did our analyzing about the affordable homes. A lot of these, a lot of these young, what do you call, apprentices are able to meet the, what do you call, the prices, especially for \$232,000. Okay. These are the people that I'm speaking for. Also, not only the apprentices, also for our regular members out there that are also renting from individuals out there that are looking for, what do you call, buying themselves an affordable home. Now 600 homes are a lot of homes that are promised to be affordable for the island of Maui.

Now I know, I just heard a gentleman say maybe you guys ought to get together with our Mayor Charmaine and the Council to find somewhere to do affordable homes. Why not start with Wailea 670? Why can't you guys work with Wailea 670 and say, okay, look you guys are going to do affordable home, we're going to make sure it's going to be affordable home. Unless the County get involved, if the County can't get involved in this, but that's why you people are here. You guys are getting involved in this thing for the affordable home for the island of Maui so that we can meet the needs of the people that are here.

I've heard testimonies about people coming up here saying don't do this, don't do that. For all you know this might become something that's good for the island of Maui. I'm also one of the proponents that, what do you call, are asking that this, this project goes through. But we're not making any money out of it. I'm just looking for our members so that they can also have work. Besides the work, also be able to go ahead and afford one of these affordable homes here on Maui. And when I'm speaking about the members, I'm not talking about people that came from the mainland to work here. I'm talking about the local guys that are working here. You Council people that we elected are supposed to be finding work originally or to build the economy here for Maui. I believe this would do that for us. Okay. That's all I have to say.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Thank you, Mr. Aikala. Member Anderson?

COUNCILMEMBER ANDERSON: You know, there seems to be a lot of misinformation out there about what's affordable. And I live in South Maui, so I got both of those flyers. There's no indication anywhere on the price range. And I just wanted to clarify for you if you think that your apprentices can afford \$250,000 to purchase a home, there will be no homes available for purchase at 250,000. Anything in that price range and below, the developer is proposing in north Kihei in an industrial area for rent, not for purchase. They're going to be apartments for rent. So I just want you to know that. Unless your apprentices can afford \$350,000 and up, there's no affordable housing for them to purchase in this project.

MR. AIKALA: Well, the thing about it is in construction, when you do construction...

CHAIR MOLINA: Wait. Hang on. Mr. Aikala, go ahead.

MR. AIKALA: I beg your pardon?

CHAIR MOLINA: Go ahead.

MR. AIKALA: Okay. In construction the pay raise is a little bit better than working at McDonald's or working at the hotels that we have out here. So some of these people are able. They're bringing home, like, 23, \$26, \$26 an hour. They might be able to put, to buy an affordable home if their FICA meets the needs. I mean, in other words, if their credit is good, you know, they'll be able to buy 'em. And we've talked, and we've tried to explain to our members and our apprentices that these are the things that they need to do. Five years from now. . .if it's costing us \$350,000 like you say now, five years down the road it's going to cost more. You know, these young people over here can't be able to buy a home over here during that time either. You know, now is the time for us to go ahead and blaze the trail for them.

COUNCILMEMBER ANDERSON: I think a lot of it has to do with how much profit margin is involved, because we know that it's doable to build housing at 150,000 and still make a profit.

MR. AIKALA: Okay. So you're telling me down the road, maybe five years from now, that the prices will be lower than what it is right now?

COUNCILMEMBER ANDERSON: No, I'm not.

MR. AIKALA: There you go.

COUNCILMEMBER ANDERSON: I'm just saying that's what's being offered.

MR. AIKALA: Then this would be the best thing right now.

COUNCILMEMBER ANDERSON: It's the best that's being offered right now.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. AIKALA: I believe so. Thank you.

CHAIR MOLINA: Okay. Thank you. Samson Harp.

MR. HARP: Aloha and thank you for having this meeting tonight. Aloha, na kupuna, na kanaka, na po'e haole. Everything that we hear tonight was more than I could think of to say. I'm just offended by all of the commercials I've been hearing over the weeks. Ever since we had this thing for Honua`ula in the paper, I've been hearing every ten minutes commercials against how we are against affordable housing.

I do want affordable housing. What this proposal is, this sounds like cheaper housing. Now we got one of those flyers in my mailbox, and I was looking at all of these things that they're writing about, all of these half truths. How many of these half truths going take to make full lies? Now they misleading the people, and you guys are very intelligent or else you guys wouldn't be sitting here, you know. So the integrity of your guys' Council is being held on the line. If this goes through, then I know, for a fact, that you guys never listen to the people that put you up here, because the majority stands. No one wants this. The majority, kala mai, the majority here does not want this to go through. Now I don't know all the answers. I'm just here to speak, to show my concern against this devastation that they're calling a development. You know, and a lot of people that I know, friends and family, are in the construction industry. It's very hard for me to come up here. But I'm not against you guys. I'm not against the construction workers. I'm for the `aina. I'm for the people. Everything for the developers is money, money. Hawaiian is waiwai. That's wealth. The root word to that is wai, water. That's your guys' life. Going be too late when they realize they cannot drink this money.

You know, so please consider..., you've seen a lot of the youth stand up. Eh, two weeks ago last month we was the, the young boys out talking story. Now you see younger people stepping up to the plate. People are getting educated. They're knowing what's going on. Do the right thing for all of us, not for just the next ten years, I'm thinking about the next 100 years. When the developers come through and destroy everything, they're gonna go. You've seen it firsthand from many other cultures. My wife, native American from Alaska. Her village same thing. They came in developed, left. Now their people is in turmoil. Remember when they pau develop and all the resources gone, they can pickup and go to where they from. We gotta stick up here, and clean up the mess, and figure out how for get through this.

Something I'd like to share with you guys before I pau.

MS. NAKATA: Three minutes.

MR. HARP: I just learn a new word in Hawaiian, the old word for family. Ohana is a word that started in the '20s. The real kanaka word, the kahiko word for family is `aina. So aloha `aina. Mahalo for your time. Please like I said, do the right thing. Do what is pono. Never mind the money. No can that. No can. Mahalo.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Mahalo, Samson. Questions for the testifier? Seeing none, mahalo. Members, we're going to take a ten minute recess. . . .(gavel). . .

**RECESS: 10:09 p.m.**

**RECONVENE: 10:28 p.m.**

CHAIR MOLINA: . . .(gavel). . . The Land Use Committee meeting for September 10, 2007, is now back in session. Members, we'll continue with our public testimony for LU-38. Next to testify we have Shawna Griffiths followed by Cody Nemet. And folks as a reminder tonight, for those of you who can, we would certainly appreciate a little help tonight to help put away some of the chairs. We got a lot of chairs out tonight, and we have a very small staff in terms of numbers. So if you could kokua, if at all possible, we would certainly most be grateful. Shawna Griffiths. Shawna Griffiths. Did she go? Okay. Shawna's gone. Cody followed by James Williamson...(change tape, side 4A)...

MR. NEMET: Aloha, Council Members. My name is Cody and everybody knows me as Koko. I just want to address the stereotype against us local people. You know, a lot of people think that we're ignorant, we don't really know what's going on. In the classroom we may not know all the answers, but outside the classroom on the `aina we know a lot more. We live off the land. We love the land. And, more importantly, we're brought up to share what we have with each other. We need to rethink everything that's going on and get the priorities of the people and of the islanders together. Maui has been my home since I was a baby, and I've grown to love this land. I cry for this island.

As much as everyone else who is here today, I believe in affordable housing and I believe we need work for our island people. But what I don't believe in is golf courses when we already are struggling with our own water resources. I don't believe in another shopping center like Shops at Wailea which local people don't even go to. I don't believe in the desecration of ancestral sites which are being used for decorations and amusement. I respect everyone here today, and I understand why some of you feel the way you do. You want more job opportunities, you want more affordable homes, and so do we. But at what cost? A paradise lost, our culture driven to extinction.

What is really sad is these things have been happening to the people of Hawaii since Queen Liliuokalani was taken out of her thrown. But we're not rolling over anymore. Maui is a precious gift and a blessing to all of us. If this `aina could speak, what do you think this `aina would say? We need to take care of Maui now so Maui can take care of us in the future. Look at everyone here today. We have nothing to gain, but everything to lose. The developers, they have everything to gain and nothing to lose. Aloha.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Mahalo, Cody. Committee Members, questions for the testifier? Seeing none, thank you for your testimony. Next to testify, James Williamson followed by Iona Rahn. James Williamson?

MR. WILLIAMSON: Aloha. My name is Jim Williamson. I am president of the Maui Meadows Homeowners Association, and my testimony tonight will be on its behalf. In previous testimony I recommended that the Wailea 670 rezoning application be denied until the long-term availability of an adequate water supply is properly verified.

Tonight, I will discuss the position of our association on the need for an update of the project's environmental impact statement as a condition for consideration of any rezoning requests. The EIS was last prepared in 1988 when the project owner was VMS Maui 670. Since then the project ownership has changed three times. In 1988, the project concept was for two 18-hole golf courses, one private and the other public. Now there's only one 18-hole private golf course proposed. The project plans to widen Piilani Highway will require 18 months of construction with heavy blasting, reducing traffic to one lane, and diverting traffic through adjacent homeowners for which little detail is provided. The EIS listed no cultural sites and few native plants. Although the project area is important culturally, the current developer so far refuses to set aside an appropriately sized area for preservation of cultural sites and native plant habitat. In addition, the 2001 archeological review conducted only minor excavation in just five of the 24 identified sites.

The Wailea 670 project is the largest of many such projects being proposed for South Maui, none of which could have been anticipated some 20 years ago. Wailea 670 and the proposed luxury Makena Resort development would add 2,500 units and a new hotel to what is a dead end road. Evacuation of people concerns would simply be resolved by installing a warning siren according to the plan of this developer.

MS. NAKATA: Three minutes.

MR. WILLIAMSON: The only proposal was for a mixed-use village center, including a visitor information center, and differs considerably from what is proposed right now. The 37, 370 acre mauka residential section would contain upward of 1,300 living units in the previous, with a total of about 2,600 units.

On the other hand, the 1988 version was to use water directly from the established Iao Aquifer and upper Waihee systems by connecting it to the Maui Meadows and Wailea distribution systems. The changes since the 1988 EIS are substantial, and I believe unquestionably require a major revision to the document before further consideration by this party of the application for rezoning should proceed.

MS. NAKATA: Four minutes.

MR. WILLIAMSON: Thank you.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Thank you, Mr. Williamson. Committee Members, questions for the testifier?  
Seeing none, thank you for your testimony.

MR. WILLIAMSON: You're welcome.

CHAIR MOLINA: Next to testifier, Ilona Rahn followed by Maury King.

MS. RAHN: Aloha, everybody. I'm Ilona Rahn. I have all this kind stuff written down and, you know, kind of planned for say, but pretty much everybody when cover everything, yeah. You know, in looking at this paper, you know, this Honua`ula stuff, I mean word for word, we don't know local values. These values came from us. Tonight get all these bruddahs back here, all these sisters, brah, we hardly even know each other, but we stand together as one for the one thing we believe in and that's for save our `aina. You know, we no more too much things left over here. And like all these signs that the bruddahs was holding up before, we no need one other Oahu. You know, we no need any more development. We don't, especially not on this place. I was blessed for be a part of one group that got to go up there and walk this land and feel the mana that come off of that place. You know, I no think half the people even been up there before in their life. This place get heiaus, you know, get cultural significance to us. And even in that *Maui Times* for see parts of that in people's backyards, so what that can be like one discussion piece or something when people go visit them. That's, that's disrespectful. It is.

You know, this affordable housing is good, but it doesn't have to be there. It can be somewhere else. You know, the jobs, yeah, people need jobs, but like I said, no gotta be there. They get plenty more land for put our affordable housing for our people. You know, and for the bruddahs that was saying that, oh, you know, no matter what you no can stop 'em, no way. We might not stop 'em, but you know what, we can slow 'em down as long as we keep sticking together. That's all I get for say.

CHAIR MOLINA: Mahalo for your testimony. Committee Members, questions for the testifier?  
Seeing none, thank you. Next to testify, Maury King followed by Ray Van Wagner.  
Maury King?

MR. KING: Aloha, Council Chair, Council Members, community members. Everybody, thanks for being here. It's kind of a tough room tonight if you're for this project, huh. I'm just going to talk a little bit more about the water and mention a couple of other things. Since I testified on July 25th, we've all been put on a voluntary ten percent cutback. That's pretty scary in lieu of this plan. I also understand there's over 3,000 units already committed to be built for South Maui, and if we don't know where the water's coming from for what we have now, I don't understand how we can build those 3,000, and then thousands more after that without really getting this question answered. So, yikes. Someone did mention the M word earlier this evening. Moratorium may be a little strong, but we really should get this water question answered before we move forward on these, on these large projects I think.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

One of your fellow politicians who I understand was in favor of this project and as they've learned more about it, Joe Bertram apparently has changed his mind and no longer supports the project. So it's good that somebody listened. And if we have to keep building, I really would like to implore us to consider solar panels on every roof, so it will be generating the electricity for the island. At least if the people aren't living in their houses, they can be providing power back to the grid, and we should probably be considering more native plants landscaping, xeriscaping, low water landscape rather than trying to make the desert so lush. Thank you for listening and thanks for the great job you're all doing.

CHAIR MOLINA: Thank you, Mr. King. Committee Members, questions for the testifier? Seeing none, thank you.

MS. HOFFMAN: We, we have a request. This is Shawna Griffiths. She's in high school. She's been waiting hours to speak.

CHAIR MOLINA: Yeah, Shawna, I know we called your name earlier. You can go ahead.

MS. HOFFMAN: Thank you.

MS. GRIFFITHS: Aloha, my name is Shawna Griffiths. I'm a senior at H.P. Baldwin High School. And first off, I would like to thank all of you for letting me speak tonight. I'm sure I speak on behalf of probably majority of all the people here, boys in the back supporting. You know, we're really against this. You know, a lot of the Hawaiian people, this is, this is their home; a lot of our youth, you know. All these golf courses and these houses, it's not right. I mean where are, where is the children of tomorrow, where are we going to go? I mean everything's being run down. There's just no place for us to go anymore. And the beach, you know, that's natural. That's our home. You know, all this building and, you know, it's taking away from our home, our hearts. And basically we don't want Maui to be another Oahu. Thank you.

CHAIR MOLINA: Thank you, Shawna. Questions for the testifier? Seeing none, mahalo. Next to testify, Ray Van Wagner followed by Larry Mischle. Ray Van Wagner? Not here. Larry Mischle? Larry Mischle? Paul Lono followed by Amanda Dayoan. Paul Lono? Paul Lono? Okay. Amanda Dayoan? Amanda? Kenny Barr followed by Terry Sakevitz.

MR. BARR: Good evening, Council, and thank you for giving us this three minutes to pour out our hearts here. I have kind of a lot of disjointed comments to make here. I'm going to start with Piilani Highway. Not many people have mentioned this tonight, but it really is no longer a highway. It's become what is known on the mainland as a boulevard. It moves traffic from one traffic light to another, a block or two. We really need a highway in Kihei now to connect Wailea and Mokulele Highway. I'm not suggesting the developer build it, but I am suggesting that you don't approve any more big projects until we get a new highway, whether it gets put on the State list or whatever.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

During your Committee hearings there's been no discussion or alternatives about this project. It is zoned Agriculture already. So how about considering maybe it be all affordable housing and maybe half ranch land. And before you laugh at that, if you look along Piilani Highway there's cattle up by Kanaolu Road and between Keonekai and Kainani. So somebody's still making money from ranching over here.

Quality of life has been slipping away. We live on a small island. We just cannot keep building and building until there's no room left. I don't think anyone should have to feel bad about saying I'm lucky enough to have been born here. We're lucky enough to have moved here 25 or 30 years ago when Maui was such a special place in the world. I don't think anyone should be embarrassed to say let's slow down. Let's protect and save what's left of Maui for the future. Kihei and Kihei Road has become an out of control crowded rat race. The beach parking is jammed, and it's only 2007. No one lets you turn left on Kihei Road anymore, maybe some of the old timers, but by and large we've been taken over by the mainland mentality of which Wailea 670 will contribute more of that mentality; ride your bumper, always in a hurry.

I want to make kind of a politically incorrect comment here. As I get older on Maui I've always wondered why over the years, as I follow the Council and the Planning Commission, why those who are born and raised here on Maui, both Council Members and Planning Commissioners, in positions of decision making were so favorable to development and seemingly overdevelopment? Why were they so favorable to give away their paradise? I finally figured out later in life that the members of those early years of, of development and tourism were still from the generation of plantation workers and this was the keys to new opportunities. Some of their friends from their era had acquired the dry kiawe laced lands as the water was to come from Iao, and they helped out their friends and everyone was happy, and there was still lots of land and open beaches. But now the lands have changed hands, some a couple of times over. These new owners of many lands in Kihei and Wailea are looking to maximize their profits.

MS. NAKATA: Three minutes.

MR. BARR: There are no friends to help out anymore, and you folks are the occupants of those Council seats of 25 years later, and you owe these people nothing. You may owe, you do owe the young people of Maui a somewhat livable Kihei and Maui.

Another comment about the, the affordable housing, and I mean I think that 175 to 200,000 is basically what people can afford. They still have other living expenses. The gentleman who mentioned 234,000 is the cheapest house that can be built, I don't know, you gotta find someone who can build them for 175 to 200. And lastly in closing, like some of the testifiers who spoke earlier in support of the project, who had money to make, I own Wailea Taxi. I will also make money from it, but I value our quality of life more. Please slow down our lives and growth. Thank you.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Thank you, Mr. Barr. Committee Members, questions for the testifier? Seeing none, thank you. Okay. Terry Sakevitz. Gone? Thomas Kuliolio-Juan. Thomas Kuliolio-Juan? Not here. Jeff Von Schmauder? Jeff Von Schmauder, okay, followed by Zaira Blasini.

MR. VON SCHMAUDER: Well, good evening, Council. Thank you for the opportunity here tonight. You know, there's times in our lives when there are things that we cannot put a price tag on and this is one of those things. It's time for us to have a shift of consciousness from the almighty dollar to doing what's right. I am a realtor in the Wailea-Makena marketplace, and I adamantly oppose the Wailea 670 project. This kind of development is what I would like to call environmental terrorism.

The area considered for development is part of the Hawaii dry ecosystem. This land is vital to one of the most endangered ecosystems in the United States. It's time to look at the consequences of overbuilding. Our infrastructure cannot handle what has already been approved to build. It may be an inconvenient truth for our developer, but we must not follow this, we must not allow this development to occur. This land should become part of a land trust and conserved. The State could abate property taxes and offer a tax credit which would give the owners an incentive to keeping the land in its natural state. Have we not learned from our mainland mistakes? Do we need to continue to repeat them here on the island?

I adamantly oppose any rezoning which would allow higher density, and propose this land should remain untouched. The so-called scrub in the rezone application implies that a jungle needs human intervention to be improved. Look at what's happening to deforestation in Africa. Our ecosystem is very delicate and fragile. We need to keep large areas of land in its natural state. Let's use this project as an example of what can be done to preserve the environment and do our part to keep this island a sanctuary and not a sand box for people who don't live here. We, the residents, pay in the end. It's unfair and time for us to take a stand and say no to Wailea 670.

Giving this project a Hawaiian name is so hypocritical. Let's forget Honua`ula and start malama-ing the `aina. We've stopped the Superferry, and we can stop the ecoterrorism of Wailea 670 from ruining the island of Maui. Thank you.

CHAIR MOLINA: Thank you for your testimony. Committee Members, questions for the testifier? Seeing none, thank you. Zaira Blasini followed by Unmani Cynthia Groves. Zaira? Not here. Unmani Cynthia Groves followed by Kenneth Hoopai.

MS. GROVES: Council Members, I'm Unmani Cynthia Groves, and I actually wrote testimony and that's not what I'm going to be speaking about right now, because this is an evolving process as we all know. And I truly don't know what's supposed to happen here. And I just appreciate the opportunity to have heard each one in this room, because each one is such a piece of our awakening that this project is bringing out how much we love this land, how much we honor it. And you're really hearing a great cross-section of Maui.

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

September 10, 2007 (Kihei)

---

I also hope that before you make a decision on this project, that you go walk that land and ask the land what it is for. What does this land want? It's not until we actually go and walk the land and it speaks to us, that we can really draw everything we just...we've been having all this input and then we take that, we let it go, his spirit, and we connect with the land and we see what's coming out. It's going to be completely new, but we'll come out with the clarity. So I just ask that if each one of you, you take the time. Either collectively have a meeting there or go individually to this land. Our kanaka maoli have said, we are the `aina. You know, let us go and connect deeply with this project, this land, what is underneath the project. What's always been here. What Maui is, has always been. There was something that called us, whether we were born here or not, they have called us to this place. You know, there's something that people visit from all over the, the world come here for. They don't even know why they're smiling before they get off the airplane. And that is something that is just here and this is what we long for each one to connect with when they come here. And it's what we love as the honored, and privileged residents of, of being here in this land. So I thank you for the opportunity to testify.

I just have one more comment and that is I have felt such a disconnect from the developers. And I'm glad I got to sit next to Charlie Jencks, because he's not the enemy. And I hope that we don't, you know, sling arrows at him because he's a person just like we are --

MS. NAKATA: Three minutes.

MS. GROVES: -- and we, you know, he's given us a tremendous opportunity to just really come out with how we feel. So I thank him for that. I also discovered that there are new owners to Wailea 670 or Honua`ula as of two weeks ago. I didn't know that, and I just asked Charlie who it was, and it was was \_\_\_\_\_. And I find that kind of hard to relate to. I wish that the developers, not just Charlie, but the developers who are behind the project could really get a sampling and hear the soul of what has been presented tonight. We, we need developers to come here who can feel that; otherwise, we get mainland houses built here, and without the spirit and soul of what is here. And I really encourage that kind of connection.

MS. NAKATA: Four minutes.

MS. GROVES: So thank you.

CHAIR MOLINA: Thank you for your testimony. Committee Members, questions for the testifier?  
Seeing none, mahalo. Next...

MS. GROVES: Thank you --

CHAIR MOLINA: Oh, I'm sorry.

MS. GROVES: -- for the, for your proposal "show me the water" it is so...(Inaudible)...to us. Thank you.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Okay. Thank you for your comments. We have Kenneth Hoopai followed by David Hoopai. Kenneth Hoopai? David Hoopai? David Hoopai? Eldon Liu? Eldon Liu? Amanda Mizner? Amanda Mizner? Solomon "Bully" Hoopai? Solomon "Bully" Hoopai? Perry Artates followed by Mary Hultquist.

MR. ARTATES: Mr. Chair Molina and Committee Members, my name is Perry Artates, and I represent the Hawaii Operating Engineers Industry Stabilization Fund. You know, there were a lot of testimonies heard here passionate to the native Hawaiian culture. And for the, the warriors out there, I respect you and what you're standing up for. I represent union contractors, heavy equipment operators, apprentices, and retirees, and I had the privilege to be taught by native Hawaiian heavy equipment operators who retired or passed away, such as Koana(?), Kaleauki(?), Kahiamoe(?), Akahi, Plunkett, Smith, Wallace, Kiliho`omalulu(?), and A'a(?), and so on.

My testimony to you is to support the project for the sake of our young military veterans that have returned from Iraq to Maui. A program that we support is called Helmets to Hard Hats, which embraces these young men that has returned home. And they are our first priority in our industry no matter they're a carpenter, plumber, heavy equipment operator, laborer. I had so much just drumming up in my head. And it's our duty as representatives of our union to, to represent them in the best as we can. I'm not here to, to yell at you, or to scold you, or even to make fun of you. I'm just here to do what is right and take care of our young vets with sustainable work. So with that, again, the young Hawaiian warriors, you going all have an opportunity one day, and you get a great job because you have the freedom of speech. Respect us, too, that we have the opportunity to say what we need to say on behalf of the young native Hawaiians that came back from the military that are in our union or no matter what building trades union. Mahalo.

CHAIR MOLINA: Thank you, Mr. Artates. Committee Members, questions for the testifier? Seeing none, mahalo. Mary Hultquist followed by John Hultquist.

MS. HULTQUIST: Good evening, Council, and thank you very much for coming to our neighborhood. My name's Mary Hultquist, and I have lived in north Kihei for 41 years, and I've seen a lot of changes. Change is often good. Development will come, but it should be changed for the better. I don't often speak in public, in fact never, so let me tell you what drew me here tonight, and then I'd like to tell you what I'd like you to do.

What drew me here was the notice in the newspaper. It said that there would be the building of 250 affordable apartment project type units on 13 acres of light industrial property in north Kihei. I found this very objectionable since everything I had read about the Wailea 670 said...(*change tape, side 4B*)...affordable housing would be provided on the property. And then we find out it's an industrial area in north Kihei. I didn't know whether I should be ashamed and embarrassed or really insulted that my friends' neighbors weren't good enough, my working neighbors weren't good enough to live where they were working. They had to live ten miles away from where they were working. It's kind of like, well, we don't want you in our neighborhood. And I found this just absurd. You're dividing the community by doing this. I

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

believe that all people are equal and everyone should be treated with respect and dignity. And when I heard the developer was doing this, I thought, okay, now they've showed their real colors.

I would like to also, since most people have said everything there is to say about water, I'm going to also ask you before you decide anything, please decide to look into the water, do an EIS not only on the 670, but also on the 250 units I could not find on that map over there. They're all kinds of development over there, but I couldn't find the 250 units anywhere. Why would you change industrial when we have so little in Kihei to residential. I saw all kinds of residential land on the map, very little industrial. It just didn't make any sense to me. So I'm going to ask you to do some EIS studies on water, on traffic as other people have noted, and on changing this industrial area to residential.

MS. NAKATA: Three minutes.

MS. HULTQUIST: And while you're at it, I know there's a Federal reserve down there. Please, it's a Federal government reserve, ask the Federal government if it's okay if we desecrate our ocean and our, and our ocean life. Thank you very much.

CHAIR MOLINA: Thank you for your testimony. Committee Members, questions? Seeing none, thank you. Next to testify, John Hultquist followed by George Chyz. My apologies I mispronounced your name, George.

MR. HULTQUIST: I'll try not to rattle the microphone too much. Good evening and thank you very much. I know we're getting pretty close to 911 here; about 58 minutes to go. I do have something prepared here, and I'm basically going to read, but before that I want to address something. There were several people sitting at this table with blue shirts obviously from the construction industry. I learned when I was in my 20s when I worked in construction that if you want to stay in the same place, get another line of work. Construction moves around. It might be in Florida next month or next year. We don't have to create jobs for the construction industry to keep them here.

The other thing that, I'm looking at some numbers on that map over there, and there's 19,118 units over there. Holy crap where did all that come from, and how many houses are already in Kihei? Can anybody answer that for me? I can't believe it. I was here when you wanted to see somebody in Kihei, you'd put a note on the ice machine down at Azeka Store and in a couple of days they'd call you. All right. I was here long before the first traffic signal. 1,400 households plus 250 apartments, that's about \$2 million a month in food. Where's the grocery store you're going to buy it at and how's it going to get here?

That first Superferry hearing on Maui, that was about two and a half years ago, a Young Brothers representative stated we cannot handle any more freight. We are at 100 percent. How are the building materials going to get to Maui and eventually to Wailea? We need more commercial harbor capacity before anybody does anything in the way of building anything else on this island. How many more people will be imported to build these projects, creating more housing

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

shortage? I'm not sure how many people it takes to build a house, but they usually bring some people with them, and they need a place to stay, and maybe that's what the 250 apartments on Ohukai Road are supposed to be for.

Mr. Jencks wants to downzone the Light Industrial to Apartment. Why not just downzone the Residential back to Agriculture like in the '70s, and we can forget about this whole thing. No? . . . (*chuckle*). . . They didn't hear me. I know it's late. On a more serious note, though, we've got garbage. The mountain called a landfill is the biggest man-made structure on Maui. Where are you going to put the garbage from another 1,400 houses? I'd like to suggest before anybody starts building anything like Wailea 670 or another subdivision of that size and stature, that a power plant be built on this island that burns garbage and puts out electricity, or did you guys forget about sustainability? We don't even have an egg farm anymore. We're supposed to be working on self-sustaining. I don't see it happening.

Water and sewer. Require the developer to process the wastewater to the point that it is potable. I know this can be done. I've seen it done in Fresno 40 years ago. This will reduce the need to overtax the existing water resources and will put fewer nutrients into the ocean, thus helping to preserve our coral reefs and beaches. And lastly, power. I've heard it earlier tonight from a couple people. Electricity, photovoltaic power generation on every house.

MS. NAKATA: Three minutes.

MR. HULTQUIST: For less than \$25,000 you can put in a 12 kilowatt system. You put it into the 30-year mortgage, it costs you five bucks a day. And that's about ten cents a kilowatt hour more than MECO charges today. I don't know what you'll pay ten years from now if you can actually get the oil to make the, make the electricity. I'd like to see a new EIS. And I'd like to be able to read it when it's, when it's ready. Meet the above criteria, listen to the criteria of the others in Kihei, and do not be swayed by the constant cry for affordable housing when it's obvious Wailea 670 is a planned resort community that I most likely cannot afford to live in. And I thank you very much for your time.

CHAIR MOLINA: Thank you, Mr. Hultquist. Committee Members, questions for the testifier? Seeing none, thank you. George Chyz? George Chyz? Not here. Stephen Secor followed by Paul Rivera. Stephen Secor? Not here. Paul Rivera? Paul Rivera? Fred Spanjaard? Fred Spanjaard? Mimmie Hoffman? Mimmie Hoffman? Hermine Harman? Hermine Harman? Hermine Harman? Judith Carroll Maurice, okay, to be followed by Jack Reinhardt.

MS. MAURICE: Aloha. There's not very many people left and that's fine with me 'cause I just wanted to talk to you folks, 'cause you folks are the decision makers. You are sitting in the seat. You are the ones that are making the decisions. This is the tip of the iceberg. I looked at that map, what a scary map. Whoa. I'm a business owner. I'm a multiple business owner here in Wailea. Enough is enough. It's just the quality of life like many people have talked about, and I think we need to look to the Hawaiian people and say, why did we come here? Why did we come here?

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

‘Cause this is a special place. Maui is a special place. This project is not special. There’s nothing special about this. This is the same thing over and over again.

You have the power to have them come to the table with something special. Where is the solar power? Where is the organic gardens? Where is the protection of the species? And where is the openness for the Hawaiian people? That would be something special that we could all get behind. This is a planned resort community. Drive to Wailea. How do you feel there? Does anybody feel anything? There’s an empty house. A house is not a home. The person’s not there because they’re not connected with this land. They’re not connected with this land ‘cause they’re not part of this community. So do we want to build that for them, or do we want to take care of these folks that are here? And why didn’t you, and why didn’t you have a focus group? Why didn’t you call them in with the developer and get their input? I’m sure they have some creative ideas and that should be on the table for anything to come, focus groups from the community. Get some input from some people who live here. Everybody here is special. This is a special place. This is not a special project. This is easy, just ditch this thing. Get something creative.

CHAIR MOLINA: Committee Members, questions for the testifier? Seeing none...

MS. MAURICE: I just have one more thing to say. The State of Hawaii refused to give us a hospital because we didn’t have some permit. We didn’t have a certificate of need for a hospital? Where is the certificate of need for another golf course? Will you tell me that?

CHAIR MOLINA: Okay. Thank you for your comments. Jack Reindhardt? Jack Reindhardt followed by Patricia Corbat.

MR. REINHARDT: Well, I’m already spent listening to everyone’s emotional testimony, but maybe if I get going here it will work out. In response to some of the things I’ve heard, I heard one thing that nothing’s free. Well, my response is everything’s free. I had my first clinical death at a year old, and I was brought back to life. So I know that life is a gift. I was definitely reminded of that. A person who thinks that they work hard for, to earn a living, they’re given the ability to do that. Every breath we take is a gift. They put a price on water now. Well, the quality of life is very valuable to me that’s, that’s why I was willing to leave, leave my family, my mother, father, brothers and sisters. Everywhere I’ve ever lived I’ve decided to move on from because it was already spent, wasted, had-been. I was looking for something new, something that maybe I could sink my teeth into.

This month I’ll be legally married 32 years. My wife and I have raised two boys; one’s 23 and one’s 19. And this reminds me of being their father because, oh, they’re four and a half years separate, but it never seemed that way and, and imagining being the elder one, his little brother was always with him. They always seemed so close. He felt like he had to do something. Well, that’s a statement to his little brother. It must have been inspiring. And the older brother, he went off to college, and he’s just doing everything. And the younger brother is more like my

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

local brothers here that they think everything's fine. Everything, we're in paradise. What, what's the problems? Why, why do we have to run around and be too busy to enjoy our life?

In response to another statement made, it's to my understanding that the, the original Hawaiians that came here, they came here not because they got a news article from something, but because they heard something that was coming from within them. And they actually came here through their experience. They had migrated from that way, this way. And everything they had seen along the way showed them that if they didn't have a big enough piece of land, if it wasn't high enough, their culture wouldn't sustain. So the original Hawaiians came here leaving Tahiti, I guess supposedly, whatever, it doesn't, that's irrelevance. The basic facts of matter, they came here looking for bigger, higher land for some reason. Now, I think a lot of this stuff that was once known has been forgotten, hopefully to be remembered, because maybe the original reason for coming here has yet to be realized. And if you pay attention to what's going on in the world, global warming. I've been paying attention to it for 25 years, and I also know how it happens. It is maybe a little bit by pollution, but it happens from the sun, and the sun blasts the earth, and it goes into the poles, and the earth heats up from the inside out. So we have some concerns. . .25 years this going on, if you can imagine the possibilities of what could happen. There are some big ones. Now I think there's some people that know about this, and they're doing what's best. They're doing the right thing for everyone by keeping maybe others in the dark. Maybe it would cause too much problem for other people and, and they're going to save the species and do the right thing.

Well, I say, I don't worry about these young people, because they can take care of themselves. We had an experience during 9/11 of being shut off a little bit. The first thing I saw when I came here was this place has every ability to be sustainable. It's the most blessed place in the world. You throw something in the ground, it wants to grow. I mean I could sit outside and be healthy 24/7. As a matter of fact, I've lived outside most of my life. My parents raised me in a mansion, but I guess it was due to my near death experience I always felt too sensitive in closed places. It's been hard for me being in here tonight. And nature, just like Tarzan, is a savior to everyone. You know, we all know this.

I'm just saying that as a father, loving both of my sons and appreciating their differences and their likenesses, I, I've had to stretch...

MS. NAKATA: Four minutes.

MR. REINHARDT: Four? I didn't get a three minute warning. Like I said, I love being here. I love everyone. What that means? I know everyone here feels, feels very strongly about this. I think this bill is shot just by what I heard that group talked about who owns the true deeds to the land. This is yet to be settled.

CHAIR MOLINA: Okay. Thank you for your testimony, Mr. Reindhardt.

MR. REINHARDT: Thank you.

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

September 10, 2007 (Kihei)

---

CHAIR MOLINA: My apologies for the light system. Folks, we're going to take a brief recess to see what's happening with our lights. Meeting is in recess. . . .(gavel). . .

**RECESS: 11:15 p.m.**

**RECONVENE: 11:24 p.m.**

CHAIR MOLINA: . . .(gavel). . . Okay. The Land Use Committee meeting for September 10th, 2007 is now back in session. And thank you very much for your patience, ladies and gentlemen. We had an unexpected light failure. However, we did manage to get a hold of a Parks person to put the lights back on. So we really appreciate them for doing that. And mahalo to all of you who helped put away the chairs, too. That was very much appreciated. Thank you. Okay. Next to testify, Patricia Corbat followed by Gene Zarro. Patricia Corbat? Not here? Gene Zarro? Gene Zarro? No. Chris Mentzel? Chris Mentzel? Kahealani Naeole? Kahealani Naeole followed by William Tully.

MS. NAEOLE: Good evening, my name is Kahealani Naeole. I live in Kula, but what happens on Maui, what happens in Hawaii affects me. It affects my five children. It affects the 11, the 10 siblings that I have. It affects the thousands of cousins I have. So, that is why I'm here. Actually, I didn't plan on coming. As you can see there's a lot of opposition that showed up tonight. I didn't think I needed to be here. Then I got this in the newspaper, and it says, housing crisis in Maui. Kama`aina residents forced to leave. Maui needs affordable housing now.

You have a choice, testify in support of this project. I don't think so. I am not a supporter of this project, and I take offense that you would use the housing crisis on Maui to market and promote your project. I take offense as a Hawaiian that you use kama`aina to market your project. We asked the County ten years ago, I was looking for affordable housing, ten years ago. It wasn't there. It's not here now. This project is not going to bring it. Affordable housing back then, they were talking 250, 300. Now we're talking 350, come on, get real. Okay. I was blessed, I have a home. I've had a home for three years now, but the reason I have a home is because I have it on Hawaiian Home Lands. My children will not be able to afford \$350,000 homes.

Michelle Anderson, Council Member, asked earlier a gentleman who testified, and she asked what percentage he thought of Maui County residents could afford these affordable homes. He didn't have the answer. I don't have the answer either, but I counted all my sisters, I counted my aunties, I counted my children who are the future here, if we don't take them, take that away from them, and I counted my cousins. I came up without about 50 people that I know that cannot afford this \$350,000 homes. Okay. That's 50. That's just me. Multiply me, and you find out the thousands of people you talking about helping, you're not helping. 700 homes, 700 homes is not affordable housing for all. Okay. 700 homes for what? What do we lose for 700 affordable homes? Well, in your definition anyways.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

What do we lose? We lose more water, water we don't have. We continue to destroy our reefs. We continue to disrespect our cultural sites.

MS. NAKATA: Three minutes.

MS. NAEOLE: We lose our native plants. We continue to abuse the land. You know what, Hawaii is not for sale. Maui is not for sale. This Hawaiian here is not for sale. To me, your project and its promises of affordable housing means nothing. Seriously, you know what numbers I like see? I no like see about all the income, about how much economic viability it's going to bring to this island. You know what I like see? I like see the balance sheet of these companies. That's what I like see. I like see their profit margin. Okay, and I can tell you right now that these affordable homes that they are building is a penny in their pocket for the profit margin of these million dollar homes. Okay. I know our people need jobs --

MS. NAKATA: Four minutes.

MS. NAEOLE: -- and I feel what they feel. Okay. 'Cause I still in that, in that same thing. I'm in that same area, okay. I have the same problem. I own my home, but I still struggle. You see this half paper ad, this half page ad, they never even have to think about doing that. They run this all day, all the papers, day and night. This can pay my mortgage. Okay.

CHAIR MOLINA: ...*(Inaudible)*...

MS. NAEOLE: I'll tell you what, instead of running your ads, give 'em to me and I can pay my mortgage.

CHAIR MOLINA: Okay. Thank you for your testimony. Committee Members, questions for the testifier? Mahalo for your testimony.

MS. NAEOLE: You're welcome.

CHAIR MOLINA: William Tully followed by Jodi Sussman.

MR. TULLY: Hello. Good evening. Are you guys tired? We're all getting tired. They say you can't stop progress, but do you understand what's happening here? I'm an artist, and I'm pretty sensitive to the environments around me. Do you understand what's happening here? You can't stop progress, but I tell you what it will stop, aloha. Do you understand that? Do you feel what's happening on our island right now? Do you feel the frustration? Do you feel the hopelessness? How much longer are you going to marginalize these indigenous people to a point where their blood line becomes irrelevant? Would you stand for that? Would you want to watch your child grow up in a sense of hopelessness?

As egregious as this may sound, the Hawaiian people should read the Bill of Rights, because the most profound thing I've ever heard about what we're facing in this proposal and all other

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

proposals like this is basically this, it's individual spirit versus corporate interest. And you need to find your humanity to decide what side of that fight you're on, because if you fall into line with the system--and believe me I grew up in Southern California in Orange County, the fastest growing county in the, in the nation. I know about developers. I know that the amount of investment already on this thing, this thing is getting through one way or another, it's just a matter of what the bottom line is going to be. This thing's going forward because of the amount of money involved. It's just like the Superferry. That thing is going forward.

So at what point is enough, enough? At what point do you say to yourself what is your function in government? What is your representation? 99.9 percent of us can be opposed to this bill, and it will still go forward, because we know that, the power of that 1 percent, yeah. So, please, honestly try to do the right thing at some point in time in that because it is starting to get scary now. It is starting to boil over.

MS. NAKATA: Three minutes.

MR. TULLY: In the Bill of Rights it rails, it just rails and rails on the King; right? But it talks about that not only do we have a right to fight tyranny, we have a duty. And if anybody can't see this as a continuance of corporate tyranny, then I don't know what more to say in that you've overblown it. It's overdeveloped. The infrastructure can't handle it. My baby boy born on this island in 2000, in 2001 doesn't have a very bright future on this island. So, please, examine your humanity and at some point have the guts to stand up and imply that humanity. And...

MS. NAKATA: Four minutes.

MR. TULLY: That's it. Thank you.

CHAIR MOLINA: Thank you for your testimony, Mr. Tully.

COUNCILMEMBER VICTORINO: Mr. Chair.

CHAIR MOLINA: Questions for the testifier?

COUNCILMEMBER VICTORINO: What was his name? I'm sorry.

CHAIR MOLINA: Seeing none, for the record it was William Tully testifying.

COUNCILMEMBER VICTORINO: William Tully. Thank you.

CHAIR MOLINA: Thank you. And, and again, folks, just a reminder, please state your name for the record before you testify. Jodi Sussman? Jodi Sussman? Okay. Tasha Kama followed by Ken Stover.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MS. KAMA: Aloha, Council Members and the rest of everyone else who's here. Good evening. My name is Tasha Kama, and I've already told you previously what my concerns were about the project, that asking me and all of my family that lives in Wailuku to cut back our water usage by ten percent and at the same time consider development of people who are not even here. Does that mean that if I'm going to cut back ten percent, that all the savings that all of us from Wailuku to Makena, that we're saving all that water for someone else? I hope not.

But I'm here really tonight because my daughter was given an assignment. That if she came tonight, that for her social studies class she would get extra credit. And if she testified, that she would get two points extra. And so I told her, I said, sweetie, we're going to go, because she asked me if I was going, and I said yes. And so..., but she didn't have the courage to come up and read her testimony. So this is her testimony. Mahina, come here. Just come stand next to mom. Come on. You know, it has always been a tradition in native Hawaiian communities that if you want to teach your child anything, you don't necessarily send them to a school, but you bring them with you and they watch what you do, and why you do what you do, and through that they learn and they grow. So this is Mahina Hoku. This is my number 11 of 11. Yeah.

And this is her, this is her question. She says, where are they getting the water from? My generation does not even know if there's enough water for us. And then she says, ask not what the developers can do for you, not. . .ask not what you can do for the developers, but what the developers can do for you. And this is her testimony. And I told her, sweetie, I'm proud of you, because she didn't have the courage to read it, but she had the courage to write it. So thank you.

CHAIR MOLINA: Mahalo for your testimony. Questions, Members? Seeing none, thank you. Ken Stover? Ken Stover? Not here. Dottie Hughes? Dottie Hughes? You know, I get hard time read the first name. I think, I think. . .it looks like Kalei Hoopai. Hoopai? Not here? Keoki Hinol? Keoki Hinol? Steven Newhouse? Steven Newhouse? Ken Owen?

COUNCILMEMBER VICTORINO: Right there.

CHAIR MOLINA: Okay. Oh, sorry, Steven. Steven Newhouse followed by Ken Owen.

MR. NEWHOUSE: Hello, my name is Steven Newhouse. I'm here to testify on behalf of myself. I'm a builder. I build things. The last 29 years of my life has been devoted to building things. I've built things all over the State of Hawaii, and you know what, one way or another everything I've done affects everybody in this room somehow, people all over the State. And I'm proud of building things. One of these days when I, they open the pearly gates, I think they're going to have a project waiting for me. I really do.

I heard a lot of people talk about affordable housing. You guys don't need to hear that. But I'll tell you what, if anybody in this room wants to hear about affordable housing, you give me a call. I live affordable housing, and I work in the construction industry. Okay. And that's what I had to do to take care of my family. I get my youngest daughter through college, and she's graduating with a master's in December. Okay. ...(*change tape, side 5A*)...and waiting for things

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

to happen just from going out there and doing it, building something. Okay. I'm in favor of this project. I got a whole bunch of people that work, that I work with. They don't work for me. Actually I work for them, and they need the work. I'll tell you right now, that where we're at right now, we're running out of work, laying people off. All that money they earn, they spend it right here. Well, they do spend a little in Vegas every now and then, you know, but most of it is spent here, right here on Maui. You know, Hawaii is my home all my life. I spent a few years on the mainland working, but I came home. Maui's my home now. It has been for a long time. And I love it here. I, to me change is inevitable. All the civilizations that have come before us, the societies, they build on top, one on top the other, one on top the other. Talk to any archaeologist. If you dig deep enough, you're going to find something from the past, and a lot of things that you didn't know about, and that gives you the opportunity to learn about it.

Okay. But I know my guys need the work. And like I said, building is what I do. And I'm not going to let anybody take that away from me, to be honest. Okay. So, you know, when you make a decision, you know, a lot of people have said a lot of passionate things, I'll tell you something right now. For me being a builder, that has afforded my daughter to get her college education and that's what is allowing her to stay home tonight under my roof --

MS. NAKATA: Three minutes.

MR. NEWHOUSE: -- having a hot shower, a hot meal, and play with her cats and do whatever else she's doing while dad's down here talking about building things. You know, I'd have a hard time explaining that to her. One thing is, dad, why are you for the Superferry? Well, my days of rebelling are over. My days was Kalama Valley, Waiholewaikane, \_\_\_\_\_. You know, some of those struggles are still going on, but now I'm past that. I got better things to think about. Better plans to make. But if anybody in here wants to talk about affordable housing, you call me up, 876-0067. Any time call.

MR. BARR (from the audience): How much?

MR. NEWHOUSE: How much? \$60,000, built it myself.

MR. BARR (from the audience): Okay.

MR. NEWHOUSE: Okay. That I know. Okay.

CHAIR MOLINA: Excuse me, Mr. Newhouse, please address the body.

MR. NEWHOUSE: Yeah, okay. But anyway, I know who I am, I know where I come from. And --

MS. NAKATA: Four minutes.

MR. NEWHOUSE: -- it might not look like it. My family, my mother's family was here before Captain Cook arrived, and they're going to be here forever. Thank you.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

CHAIR MOLINA: Thank you for your testimony. Question, testifiers *[sic]*? Excuse me, Committee Members? It's late. Seeing none, thank you for your testimony, Mr. Newhouse. Ken Owen? Ken Owen? Not here. John Kristel? John Kristel? Tamara Paltin followed by Volker Weiss.

MS. PALTIN: Aloha, everybody. Thank you for coming. Thank you for having a night meeting so everybody can come say what they gotta say. My name's Tamara Paltin. I live on the west side, and I just came 'cause I love Hawaii. And I'm opposed to the Land Use Committee granting entitlements for the Wailea 670 project to be built, because the development is wrong on so many levels; community, County, international, commonsense. In the middle of a water shortage they want to put a golf course in the desert. They want to encroach on native Hawaiian cultural and archaeological sites which should be left intact, because it's our culture, our history, and our responsibility to share with the future generations. Not just Hawaiians, but anybody that's interested in our culture.

Our infrastructure is straining as are our resources. And the formula that's being used to calculate what is affordable and what percentage will be luxury is not realistic unless your primary goal is to, to get rich. And for investors to get rich off stolen property, last time I checked that's a crime. Just on a side note, in 1993, President Clinton issued the Apology Bill and the reason he did was 'cause Saddam Hussein told America that if he like them get out of Kuwait, then America should get out of Hawaii, 'cause same thing. Even this guy he was a dictator, he was a tyrant, but even him, he knew what is right and what is wrong.

I feel we need to conserve the remaining water for priority developments, more schools not golf course. Maybe like one trauma center in East Maui, South Maui, West Maui. And the rest of the water should go to the thousands of Hawaiian homes that take priority over all other developments and should be built within the next four to five years. And like Na Kupuna they, they want the affordable houses for the guys with 49 percent and less, but if the 50 percent guys move into the Hawaiian homes, that's going to open up those homes for maybe the 49 percent guys. I don't know, but could be. I don't see why we cannot just hold off on this project, why we gotta rush 'em. You know, in another 20 years we could wait and see what happens, like with the U.N. and internationally. Maybe they can put things right.

MS. NAKATA: Three minutes.

MS. PALTIN: It's already been put on hold for so long the studies are all outdated, and since then they haven't proven they're prepared. They no more water. So maybe while they put it on hold they can work on that and let us try solve our own problems. The one kid he, he never like the guys from the mainland come, because they don't know how for malama, yeah. I wouldn't go to California or Maine and tell them this is what we gotta do, because this and that. I don't go over there and maha`oi to them, you know, how, how they should do it over there. So why they come over here and tell us guys, you know, how for do 'em. The construction guys I respect them, too, because I live in one house, and I, I never build 'em. You know, so I gotta respect them. I live in a house, and I didn't build it. But maybe instead of use their political will for say that, they

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

could tell the outside guys that coming here and taking their jobs, maybe, go back to where you come and let us only take care of our own people, and then there would be construction, because get Ukumehame, Olowalu, Launiupoko. All that stuff is being built, and they no more jobs. That's something wrong.

MS. NAKATA: Four minutes.

MS. PALTIN: That's all I got.

CHAIR MOLINA: Thank you, Tamara. Questions for the testifier? Seeing none, mahalo. Volker Weiss followed by Thomas Higgins.

MR. WEISS: Good evening, everybody. My name is Volker Weiss, and I have spoken to all of you many times before, and I still feel that this is something special. Of course, the time of the day, but English is by far not my first language. I was born in Germany, and I do respect everybody here in the room. I feel by now that I know the people. I have testified some hard positions after, when Sam spoke, and it was very emotional when that happened at the County, and so did Koko. I don't know if he's still here. So this has never been easy. I think I feel I'm very lucky I'm living here. I married an American citizen, and I'm absolutely thrilled that I can call Maui my home by today. I live in Kihei, and I want to also say that I am a realtor. And I want to bring up a couple of points that I have mentioned before. I can't talk about these issues that everybody else talks about. I just have too little knowledge about this, but these few things that I have are definitely facts.

In Europe, where I'm coming from is, as we all know, a lot of history. There is a lot of things that's being built and just before we had the builder here talking to us. It's definitely true the deeper you dig, you always find something. You can forget building anything. In Europe people move that close together. They foresee the problems. They do it different. I don't know how they manage it, but you gotta build. That's just a fact. And I will explain this a little bit further, too.

Secondly, as a realtor I do a lot of open houses. That's just how I meet clients. I also sit in my office on the floor where I meet clients. It is very interesting for me how much actually this particular job is being opposed here by general, I want to say the community. I wish that it would be a little bit different, but I do have a lot of people that are actually working normal jobs, meaning in the hotel or somewhere else, in any kind of thing, but they are actually realtors to a degree in a certain disguise. This is the commission job. It's not that easy. It's not the normal job where I have any income, and I can. . .*(inaudible)*. . .for this every day. These other people mostly, they tell me they make most of their money by flipping real estate. These are not realtors. These are people in the community that do exactly what I'm doing, but they do have a professional job on the side and there's definitely a lot of people around. I'd like you to consider that, because I think it's very important that these people are also understanding that this is not just, it's more than just a business.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

Nextly [*sic*], the world population right now is about 6.6 billion people. I doubt, and maybe I'm an example of this, and I don't want to be a bad one, I feel fortunate again to live here that I've been somewhat, I'm here almost 20 years now. The people have helped me a lot, and a lot of Hawaiians that I consider friends by today have helped me a lot in that time I'm here.

MS. NAKATA: Three minutes.

MR. WEISS: Population, if it's growing this fast as it is now, they say that within the next 15 to 20 years it will double. I doubt that there is a way that Hawaii can close the gates and have these people, other than us, not living here. Also, if people say the kids of the kids, and these kids, and their kids should see Makena and all of these beaches that we have or anywhere in Hawaii like it is today, I just don't think it's possible. The population growth, someone has 11 children, another one has five. I have no children. So I'm just, want this to be understood. I do believe that speaks against itself. I believe that nobody will see it like it is today or like it was 20 years ago. There's just no chance.

Lastly, and then I'm finished, I do believe, and I have seen this before in other parts of the world. I have not only lived in Europe and here, I have also lived in Asia, in Africa and in other places that was due to business before.

MS. NAKATA: Four minutes.

MR. WEISS: If a developer gets turned down, there will be someone else following. We have learned already there was a couple of hands the plan went through before. The next person will not offer you 700 homes to be built as affordable housing. They'll offer you a bridge to Oahu, and I don't think that's something anybody wants. Thanks.

CHAIR MOLINA: Okay. Thank you for your testimony, Mr. Weiss. Committee Members, questions for the testifier? Member Anderson?

COUNCILMEMBER ANDERSON: Mr. Weiss, you said you lived in Africa. Did you sell real estate in Africa?

MR. WEISS: No, I did not have a chance to do this. I was transferred on a work VISA, and I did not have a chance to do anything else that was not inclined with that job description that I had there.

COUNCILMEMBER ANDERSON: And so when you came to Maui, were you a realtor at, at the time you moved to Maui?

MR. WEISS: No, I have degrees in hotel and restaurant business. So that was something new to me. I transferred with that first. And I had my wife that I met here. In order for me to be able to stay on the island I had to do something that would actually give me the opportunity to stay on Maui and to work. And that's what I came up with. I had a lot of friends through that, that are doing

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

that the same way. And like I mentioned before, they're not necessarily in the business. They're doing this as a so-called side job.

COUNCILMEMBER ANDERSON: Flipping real estate.

MR. WEISS: Flipping real estate.

COUNCILMEMBER ANDERSON: Thank you.

CHAIR MOLINA: Thank you, Member Anderson. Thank you, Mr. Weiss.

MR. WEISS: Thank you.

CHAIR MOLINA: Thomas Higgins? Thomas Higgins? Not here. Kenneth Higgins? Kenneth Higgins? Elizabeth Poole? Elizabeth Poole? Renee Riley? Renee Riley?

MR. PAGE (from the audience): Can I speak for Elizabeth Poole? She was actually holding my paper for me. So can I take her place?

CHAIR MOLINA: Have you signed up for testimony, yourself?

MR. PAGE (from the audience): She actually signed up under her name with, with my paper.

CHAIR MOLINA: Members, any objections?

COUNCIL MEMBERS: No objections.

CHAIR MOLINA: All right. Go ahead. And please state your name for the record.

MR. PAGE: Okay. My name is Chuck Page. I was actually hoping that the clock would expire, and I wouldn't get to stand up here. I'm not real big on public speaking. I'm a gardener here in Kihei. I've been here, I came in 1979. I came from California. I guess I'm part of the problem. I'm thinking that the, the M word is what we need. I think we need a moratorium. I think it's time to stop overbuilding on Maui. I saw something in the paper about the, the Superferry. I guess the first load of, of vehicles on the Superferry brought three trucks that then went to the beach and filled up with what they called luau rocks, and then they got caught, because of course the, they didn't load them back up and take them away. So I guess those three trucks got stuck here, and I know that this isn't about the Superferry. I'm sorry. It's just, to me it's an example of what's happened to Maui since I came here in 1979.

And all I can I say is that when I go to Makena now, I used to, I used to really enjoy being in Makena. When I go to Makena now I, I, I hurt. It, it's an emotional thing for me, and I'm, I come here with respect for all of you and respect for all the workers. I'm a working man myself. I don't build things, but I've worked hard to be able to stay here, and I do love this place. And I

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

would ask you folks to think about the possibility of a moratorium based on water availability, based on traffic, based on overcrowded schools. Pick a subject. The fact that they want to take our rocks away, you know, they want to take our sand away. Thank you. Thank you for hearing me.

CHAIR MOLINA: Thank you, Mr. Page. Questions for the testifier? Seeing none, thank you. Chisa-Lee Dizon? Chisa-Lee Dizon? Paanaakala Baybayan? Paanaakala Baybayan? Lala Caballero? Lala Caballero? Gilbert McCrary? Okay. Gilbert McCrary followed by Juno Comilang.

MR. McCRARY: Good evening. Thanks for staying up so late. I'm surprised I'm still here. Let me just say I'm a, by profession I'm massage therapist, and I meet a lot of tourists. I work at the resorts. And I've talked to probably several hundred who have been both here and on Oahu on split vacations. With the exception of one lady from Manhattan who said she liked Waikiki better, everybody else preferred Maui. And it's not hard to see why. You go to Oahu, the reefs are dead, there's too many people, it's going to be smoggy. Maui is still a really beautiful place, and it's really special. And for that, for that reason and for several others I'm against this project. Besides the fact that, as many people have said before, tourism is the engine of this economy. It's what allows most of us to stay here. And if we, you know, if we kill the, if we kill the goose that lays the golden egg, what are we going to do? That's number one.

Number two, even if, even if we just stopped this project now and just keep going, I'm not sure if we have enough water even just for what's already here, let alone for just adding more. And I know this is not, there is, it just seems to be a lack of commonsense in this country. This is happening on the mainland, too. People building in the desert, people building houses where it floods. I mean it, there's a lot of things here that don't make sense, but it doesn't make sense to build, to build where there's no water. There's only, there's only a certain amount of resources here, and if you keep bringing people over here, then what you're essentially doing is asking some of the people who are already, are already here to leave. It's like, it's like ethnic cleansing, and it's not fair. I think we owe it to the people who have been born here, and grown up here, and have, have history here, give them something, give them a place to live, too. And the way we're headed, it's going to be like one of those third world countries where it's either mansions or people just taking care of their babies and, you know, you know, just basically millionaires and servants. We don't need anymore Hummers. We don't need anymore golf courses, and we don't need anymore uptight mainland people telling everybody who's already here how to live.

And I'm all for, I know people have to, you know, people need to, everybody needs to do what they, what they do for work, and I, I certainly respect people who are, who are in the building profession, people who, who, you know, carpenters, electricians, et cetera.

MS. NAKATA: Three minutes.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. McCRARY: But, you know, you can't, you can't build in a, you can't sustain an economy on an island on construction. Eventually you build, you build, you build it out, and then what, what are these people supposed to do then? Thank you.

CHAIR MOLINA: Thank you, Mr. McCrary. Questions for the testifier? Seeing none, thank you. Juno Comilang? Juno Comilang? Ian Fisher? Ian Fisher? Wayne Higa? Wayne Higa? Jason Groode? Jason Groode? Arthur Greenleaf? Arthur Greenleaf? Kathy Bungarz? Kathy Bungarz? Eric Dee? Eric Dee? John Belles? John Belles? Lynn Wellner? Lynn Wellner? Stephen West followed by Rob Parsons. I'm sorry. I'm sorry, we, hang on Mr. West. Did we call your name? I'm sorry, come on up. Please, please go ahead and state your name for the record.

MS. WELLNER: My name is Lynn Wellner. I live in Kuau Bayview in Paia, and I moved here in 2000. My daughter's been here over 20 years, and we had always hoped that I would be able to join her come retirement age. Well, it's well past retirement age, but I got here. But I came and was lucky enough to find a house I could afford, because I was able to have a house before that I could sell. And those...

CHAIR MOLINA: Excuse me, Ms. Wellner, could you bring the microphone closer to your mouth so we can hear you?

MS. WELLNER: Yes.

CHAIR MOLINA: Staff, Staff, there you go. A little bit down. You can pull it down. There you go. Thank you.

MS. WELLNER: I so dislike it when I can't hear what other people are saying, and then I'm so afraid I'm going to shout. I will shout because I feel really strongly about this subject.

MR. KING (from the audience): Go, girl.

MS. WELLNER: I am one of the hypocrites, but I'm definitely not alone. We had quite a lot of young men here tonight that were wearing those beautiful navy blue t-shirts that said on the back, yes to affordable housing, yes to jobs, yes to parks for our children, yes to sustainable communities, yes to a better Maui and a future for Maui. And I had to turn them around to look at the front, because I was a little bit confused about what the point was. And it was yes to Wailea 670 which I find quite ridiculous, because as far as I can see, everything on the back of the shirt negated everything on the front of the shirt.

My hypocrisy is yes I am one of those people that got here, and then immediately recognized, okay, now the rest of you stay home. Lock the gates, everybody go back. And we're still doing that, but I have been protesting anything but slow and deliberate growth since I got here six years ago, and I really hope you will consider very, very seriously that it is time, there are enough

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

people. Moratorium is such a big word, but I don't mind saying it now. It's time. It's time. And as somebody said, there is nothing special about this project.

The other thing I wanted to be sure and say is a lot of things that happened to people when you've lived long enough, you recognize when you look back it's just dumb luck or unfortunate. If you're lucky, it goes well enough so you can sell the house you had back there and buy another one, and Kuau Bayview was built as an affordable housing, and they did an absolutely beautiful job. It's just incredible even though the sides are all falling off, but we got that fixed. It was in the 250s, I think. They were average \$250,000 in 2000, and I've had to pay \$300,010, \$310,000. My house went up \$100,000 a year for five straight years. And while I improved it all the time and kept working at it, I just dearly love it.

MS. NAKATA: Three minutes.

MS. WELLNER: It, that had nothing to do with the amount of money that I put into it. It just went up and that is nothing but greed; absolute, pure, unadulterated greed. Nobody needs to make that kind of money on a house just because it's in a certain place surrounded by water. And we've got to get the prices down and make it fair to everybody. So thank you very much.

CHAIR MOLINA: Thank you, Ms. Wellner. Questions for the testifier? Seeing none, thank you. Steven West followed by Rob Parsons.

MR. WEST: Aloha, Council Members. Thanks for staying up late. My name is Stephen West. I'm here on behalf of the 40,000 workers of the ILWU of which we have about 12,000 here on Maui. I've had the privilege of walking this district, going house to house many of times during political action. I've heard a lot of the cries of many of our workers. And one of the biggest cries at this point is affordable housing. We're losing too many of our local born and raised families to the mainland because they can't afford to pay the rent, because the homeowners are charging them exorbitant amounts of rent. We've had affordable apartment rentals that have been turned in for profit. That's why I want to support this. That's why our workers want to support this project, because they're committed to building affordable housing.

Right now we're about 4,000 homes shy of, of even meeting the demand, and that was as of last year. It's, it's frightening. My wife was born and raised here, and we, if, if things, if we have a moratorium, if there's a moratorium that were to take place, you're going to see a mass exodus. It's going to be like a vacuum. We'll have all the local people that don't have the privilege of owning their own home move away, and then you'll have someone come from outside, and they'll fill the vacuum. Is that what we want? Absolutely not. We want our children to be able to have a home for themselves, or even be able to rent a home. At, at this stage in time if that happens, we're going to see a lot of our local people go away. So I want to thank you for coming out and being, and staying here so late. Appreciate it. Thank you very much.

CHAIR MOLINA: Thank you, Mr. West. Mr. West, hang on. Member Anderson has a question for you.

**LAND USE COMMITTEE MINUTES  
Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

COUNCILMEMBER ANDERSON: Thank you for being here, Mr. West.

MR. WEST: My pleasure.

COUNCILMEMBER ANDERSON: You represent the ILWU?

MR. WEST: Yes.

COUNCILMEMBER ANDERSON: 1,200 [sic] workers and...on Maui and that, that would be primarily hotel workers; right?

MR. WEST: Hotel. You have general trades, you have...

COUNCILMEMBER ANDERSON: General trades such as?

MR. WEST: General trades, you have, we have, we have, guys work in construction. We have guys that work Hawaiian Cement, Ameron, various other trades besides hotels.

COUNCILMEMBER ANDERSON: And so of the 1,200 workers, how many do you think are hotel workers?

MR. WEST: On Maui right now there are...we have about 3,000 on the west side, and the rest are spread out between this side over here probably. Well, we just lost Renaissance. So don't quote me, but it's going to be probably around, on this side here probably about 16, 1,700 maybe. I'm not sure.

COUNCILMEMBER ANDERSON: You just, you just said you only had 1,200.

MR. WEST: I'm sorry.

COUNCILMEMBER VICTORINO: 12,000.

COUNCILMEMBER ANDERSON: Oh, 12,000.

MR. WEST: 12,000.

COUNCILMEMBER ANDERSON: On Maui?

MR. WEST: On Maui.

COUNCILMEMBER ANDERSON: And so 1,200 hotel workers on the west, on the south side?

MR. WEST: Give or take.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

COUNCILMEMBER ANDERSON: Give or take.

MR. WEST: It's late, don't quote me.

COUNCILMEMBER ANDERSON: So what could they afford?

MR. WEST: What can they afford?

COUNCILMEMBER ANDERSON: What can the hotel workers afford?

MR. WEST: Well, I can tell you right now for the amount that they're paying rent right now, they could own a home.

COUNCILMEMBER ANDERSON: Well, what do they, what can they afford?

MR. WEST: Okay.

COUNCILMEMBER ANDERSON: You must know what their salary is.

MR. WEST: Yeah, if you rent in Kihei, right. Right now our workers are, you just open up the paper, and you look and see what the rents are in Kihei. They're paying between 20, if you have a three bedroom house, anywhere between 1,800 and \$2,500 a month. Now...

COUNCILMEMBER ANDERSON: I can read the paper.

MR. WEST: Yeah.

COUNCILMEMBER ANDERSON: I want to know, because you're their representative, what their income is, and what they can afford in a monthly mortgage or a monthly rental fee?

MR. WEST: I'll get that to you.

COUNCILMEMBER ANDERSON: Oh, you don't know?

MR. WEST: I . . .not right off the top of my head.

COUNCILMEMBER ANDERSON: Okay. Thank you.

MR. WEST: I mean I, we haven't done a consensus. We're actually in the midst of compiling all the data for this project, because we have people who want to get into homes.

COUNCILMEMBER ANDERSON: Well, let me put it this way. What does an average hotel worker make, an hourly rate? You must know that.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. WEST: The average is about \$18 an hour.

COUNCILMEMBER ANDERSON: Okay. Thank you.

CHAIR MOLINA: Okay. Thank you. Seeing no other questions, thank you, Mr. West.

MR. WEST: Sure.

CHAIR MOLINA: Rob Parsons? Rob Parsons? Not here. Todd Cramer? Todd Cramer? Jesse Guerin? Jesse Guerin? Ray Skelton? Ray Skelton? Alyssa Sved? Alyssa Sved? Steve Forman? Steve Forman? Okay. Followed by Susanne Lahl.

MR. FORMAN: Good evening...*(change tape, side 5B)*...and there has been so much good testimony tonight, and I was writing down things. I'm pretty much saying the same thing. And I think probably the most important to really say and start off with is that I'm a carpenter, and I've been here for 20 years. I've gone through the ups and the downs. And I would never want to take work that would sell out the island and the beauty of it and, and compromise the quality of life here. I've seen through those slow times, through the '90s, the carpenters that really wanted to work, they stayed busy. The, the ones that were from the mainland or whatever, they went back. But either way if you really want to work, you'll stay busy.

Sooner or later the construction work will slow up or the land can only hold so much. At some point in time you gotta say what's more important, the land or the work. We've built everything out for the, for the purpose of work, and we lose the quality of life. What's it all worth? What have we really gained? What have we lost in this? So I don't want to see anyone have jobs taken away from them, but at the same time realistically there's a way that it can be, there can be work enough for everyone to have a sustainable growth, you know, where they can work daily at an even keel pace without this bulk amount, and support themselves and their family on this island. What I see here and what I see going on now on Maui is just way too much growth, and it's just not healthy. It's, it's compromised the lifestyle and everyone is feeling it. And as I see from most, most of the people that have talked here tonight, their wishes are not with it, and they're tired of it. It's really enough already, and I don't say that to get down on you guys, but to really emphasize the point. Enough already. We really need to do something about the, the growth here and the amount of construction that's going on, that we don't lose the balance of a good quality lifestyle in this beautiful island that we live on.

It's obvious that the people behind this project it's not about affordable housing, it's about the money they can make and put in their pockets. I really don't feel they care about the island people enough. You know, that it's really about them. That it's going to do anything of real benefit for them. So I ask that you really look at this, this project and all the rest with, with the responsibility towards the island, of our infrastructure --

MS. NAKATA: Three minutes.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. FORMAN: -- our, our happiness, because what I see from most people, they aren't happy anymore with this. They want balance. And so they should take responsibility from that end for it. And there is a way that we can, Maui can grow that can serve us all in a healthy way. It was, came up, you know, six years ago roughly when they talked about smart growth. We can instill smart growth. And what I see on that map, it's not smart growth. And what I see going on is not smart growth. And when it outgrows the infrastructure, and the traffic, the water, the sewage, the, the trash, all that, it's just not smart. Let's not ruin Maui. Let's not step ahead. Let's take the time now if it is a moratorium or whatever. And you can do that. I've seen them do it in Santa Barbara, California --

MS. NAKATA: Four minutes.

MR. FORMAN: -- when they didn't want it to turn into Los Angeles. So you can do it. It is something you can say, yes, let's do. So thank you.

CHAIR MOLINA: Thank you, Mr. Forman. Questions for the testifier? Seeing none, thank you for your testimony. Suzanne Lahl? Suzanne Lahl? Sean Curran? Sean Curran followed by Nicholas Kaplan.

MR. CURRAN: My name is Sean Curran, and I want to represent all the, the youths over there, because I think they feel the same way that I do. I was born in Kihei and what is was before was, it was just complete paradise. I remember growing up as a kid and, you know, have bleached blond hair, and I was at the beach every day, and my parents never had a care in the world. You know, it was just like everything was great. Everything was all good. But nowadays you look at everything, you look at paradise, and what has it turned into. And like it's in your guys' hands, you know what I mean. Like if you wanted to keep getting more and more developed, you know, that's your guys' decision, but you hear the voice from, from all the Hawaiians and all the locals, and that's not what they want. The people that want that is the people that just move out here, they got all the money, they go buy, buy up everything, and develop it, and it's crazy. It's, it's evil is what it is. These guys just keep making all this money. I work at one hotel, and I've been there for about five years, and I make 30,000, 30 or 40,000 a year. And I've been trying to apply for affordable housing, but it's just, it's impossible because you get these people that just move out here, and they got just a shot as I do, and I, I was born here, you know what I mean. And so how is that right? And then you look at this affordable housing, how is 250 affordable? I only make 30 or 40,000 a year, you know.

So I think the development, the developer is evil because all he's trying to do is just make more and more money for him and where is he going to be in the long run, he's going to be gone with his millions and millions. And all the guys that he stay brainwashing, all the guys that, you know, do the plumbing, electricity and all that, yeah, they might get something out of it, because they're working on the development. What about me? What about all these other people that like apply for the affordable homes, you know, that people that are from, from Hawaii? So, like, I tried applying for affordable housing, and I was, I was like one of the first guys for apply for

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

'em, supposed to be first come, first serve. You know who got 'em? It was whoever that developer when pick. Whoever he wanted for have 'em. You know what I mean? Like how's that right? So I mean you guys want to approve this, like everybody says there's no more water. You guys, you guys gotta listen to the `aina. The `aina's talking to you guys. It's telling there's no more water. There's no more roads. Roads cannot handle all the traffic. You know, that's what everybody is saying.

MS. NAKATA: Three minutes.

MR. CURRAN: So I want to tell you, like, you know, before all of us, like the guy said, it was the plants, the animals, the birds, the fish. It was all beautiful. Now look at it. There's just, it's all concrete jungle. And the more and more it gets developed, the more it's going to turn into the mainland, the more you're going to drive all the, all the Hawaiians out of here, you know what I mean. You going drive us all out of here because we can't afford to live here. We cannot afford to live here if you guys, if these developers keep doing this. If you guys cannot find a way for, for give us a chance to, you know, own our own homes with, with the kind of income that, that we have, you know. So, it's a really a sad, sad story, 'cause once you drive out all the Hawaiians, you drive out all the aloha, and people going be sticking fingers all over the place. Traffic's going to be crazy.

MS. NAKATA: Four minutes.

MR. CURRAN: Guys are going to want to strangle people. So it's in your guys' hands and, you know what I mean, us local people gotta keep our mana. We no like sell our soul. We no like sell our hearts to nobody but the `aina. The `aina is where we're going to be forever, so.

CHAIR MOLINA: Okay. Thank, thank you for your testimony.

MR. CURRAN: ...*(Inaudible)*...

CHAIR MOLINA: Questions for the testifier? Seeing none, mahalo for you testimony. Hang on. Hang on, yeah. Member Anderson?

MR. CURRAN: Just one more thing, I just, like I said if you going make 'em affordable, make 'em affordable for us and give us the shot, not the people that just moved out here, not the people that have only lived here for five, ten years. The people that are from Hawaii. Give us a shot. Thank you.

COUNCILMEMBER ANDERSON: Sean, you said that you applied for affordable housing?

MR. CURRAN: Yeah.

COUNCILMEMBER ANDERSON: Where did you apply?

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. CURRAN: I went apply the, the one down Kihei, the Betsill Brothers one.

COUNCILMEMBER ANDERSON: Do, do you remember the name of the project?

MR. CURRAN: It's the one right on South Kihei Road, right down over here. The Betsill Brothers are doing it and some real, real estate company stay managing 'em or whatever.

COUNCILMEMBER ANDERSON: How long ago was this?

MR. CURRAN: This was, like, six, nah, probably about a year ago I applied for it. And, like, it's supposed to be first come, first serve, and I was, I was 12th on the list. I know the guy had it 12th, like I was number 12, and all of a sudden I was number 58, and he had, like, 41 affordable homes or something like that. So I was, like, brah, you know, I took work off, you know, so I didn't get paid that day to get all of the documentations in. I just ended up being screwed on that.

COUNCILMEMBER ANDERSON: What did they tell you?

MR. CURRAN: They told me I was 58 on the list, but, like, I had one guy that was working the project, and he told me, okay, have all your information ready, and like the thing came out in the newspaper. He said send 'em in, send 'em in. So, and you can only, they said you can only mail it, yeah, but, so I mailed it in that day. They said they got 12 applications like couple days later in the mail, and I was one of the 12, and then the other guy was telling me, but everybody was, like, going in there and handing in all their stuff and like, you know, pulling the shortcuts. Everybody knows like. . .just, I don't know, it's just not right because if you don't know somebody, then you, you stand no chance. I feel like if you don't know somebody in that, you stand no chance, and I feel sad for all these, all these guys that work, you know what I mean, the, the unions and stuff like that. They all looking for jobs. They all trying to get one family, too. But so am I. But because they're going to be working the, the place they get first crack, you know. But, you know, I want to raise one family, too. And if I not, at least I like, you know, shed one home for all my, all my friends.

COUNCILMEMBER ANDERSON: And so you think there's favoritism in the way the affordable housing applications are processed?

MR. CURRAN: Oh, yeah, big time. Big time.

COUNCILMEMBER ANDERSON: Thank you, Sean. If you could, like, leave your phone number, I'd like to call you.

MR. CURRAN: Shoot.

COUNCILMEMBER ANDERSON: Thanks.

**LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**September 10, 2007 (Kihei)**

---

MR. CURRAN: Mahalo.

CHAIR MOLINA: Thank you for your testimony. Next to testify, Nicholas Kaplan. Nicholas Kaplan? Michael Friestat? Michael Friestat? Wayne Bachman? Wayne Bachman? Soren Jensen? Soren Jensen? Rommar Pentecostes? Rommar Pentecostes? Kuilani Elaban? Kuilani Elaban? Ivan Lay? Ivan Lay? Kam Yai Young? Kam Yai Young? Erika DiSalvo? Erika DiSalvo? Scott DiSalvo? Scott DiSalvo? Mary Amon? Mary Amon? Shannon Guillermo? Shannon Guillermo.

MR. GUILLERMO: Aloha, my name is Shannon Guillermo. I'm born and raised. Born in Paia, raised Upcountry, and I'm a survivor. That's what I do. I survive. I left Maui in 1989 when I graduated from high school. I was blessed to have a football scholarship, so I went to California. Full culture shock, because I never know how for deal with people. After that, a year into school, I had to move back, because my momma was diagnosed with cancer. So I had to give up my dream to play football and get an education to come back to take care of my ohana. Two years after that, I decided I love my Maui so much and I love my people so much that I can die for my country. So I joined the marines. I served my country for eight years. I went through Desert Storm. I put my life on the line because I love my Maui, and I love my people. I look at you guys as aunties and uncles, because somehow, someway we are related.

And in the same way it's been an emotional ride for me, because just like I had to trust my brethrens to watch my back to make sure I could come home to Maui, that there was something to come home to, I had to trust perfect strangers. . .strangers that I didn't know from all over the country. The same way I gotta trust you guys right now to make the right decision. I gotta put my life in your hands. It's been an emotional ride like I said, because I've been gone since '89. If you do the math, that's almost 18 years. When I left, only had one road going Upcountry. When I left, never have parking lots at Makena. When I left, had real people with real passions. People making an honest living. People that would live within their means, not outside of their means, not chasing the almighty dollar but chasing the love, the love that we call aloha.

A few days ago, just out of random happenstance, I got to meet Aunty Lucy who asked me to do the voiceover for the commercial. I didn't know what I was getting into, but it opened a lot of doors, because there's a lot of pain. I lost a lot of friends when I went to the marines. I joined Force Recon because I wanted to save my country. So when I stand before you and I tell you I'm willing to die for my country, and I'm willing to die for Maui, I was there on the front lines fighting. January 16, 1991 when we went to Desert Storm, I was fighting for my life, 'cause I'm a survivor. That's what I do. I survive.

Ten years ago, I had a daughter. I'm a single dad. Up until last year I lost her, too, but that's what I do. I survive 'cause I'm a survivor. I'm still standing. I came home in November of 2006, which was last year, only to find out that my mom is dying of a terminal illness. She's not gone yet, but she will be soon, but I'm still a survivor.

MS. NAKATA: Three minutes.

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

September 10, 2007 (Kihei)

---

MR. GUILLERMO: Then I turn around and I find out that they trying for build stuff and do all this kine stuff to Maui. People can throw numbers and people can use big words. I not against development. Change is change. You gotta get better or things get worse. I'm against overdevelopment. You know, the first thing they teach us in recon is to take away the resources, take away their water, take away their communication, and the enemy will die. And to me that's what's happening now. I don't know who the enemy is, that's the problem. I come home. We all struggling soldiers. I've lost time and time again. I've lost friends on the battle line. I lost my daughter last year. I'm about to lose my mom. I not about to lose my `aina. I'm not about to lose my Maui. Bottom line is this. The life of the land is perpetuated in righteousness. The life of the land. What is the life that you guys are going to take away if the land is sold --

MS. NAKATA: Four minutes.

MR. GUILLERMO: -- in righteousness? Who decides what is right and who decides what is wrong is all up to you guys, my uncles and aunties. I've been gone for so long. I don't even recognize this island anymore. I left when I was 18. I'm 36 now. I've lost too much. Don't let me lose some more. Amen.

CHAIR MOLINA: Thank you for your testimony. Any questions for the testifier? Seeing none, mahalo for your testimony. Okay. Shannon was the last person to have signed up. Committee Secretary, do we have any additional sign-ups for testimony?

MS. FRIAS: No, Mr. Chair.

CHAIR MOLINA: Okay. Seeing none, we'll close public testimony for Land Use Item 38. Any objections, Members?

COUNCIL MEMBERS: No objections.

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

CHAIR MOLINA: Okay. Members, we...the Chair will call for a short recess. We'll look at a recess date. In the meantime, the Chair is considering Wednesday, for your information, at 1:30, Wednesday, September 12 so we can continue deliberations. We'll take a short recess so Members can check their calendars. Meeting in recess. ...*(gavel)*...

**RECESS: September 11, 2007, 12:30 a.m.**

**RECONVENE: September 11, 2007, 12:33 a.m.**

CHAIR MOLINA: ...*(gavel)*... The Land Use Committee Meeting for September 10 is now back in session, although it is 12:30 in the morning. Just for the public's information, the Land Use

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

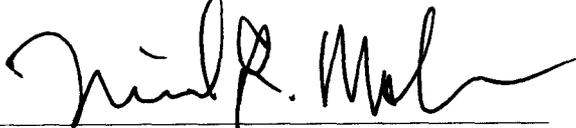
September 10, 2007 (Kihei)

---

Committee will reconvene on this matter on Wednesday, September 12th, 1:30 p.m. in the Council Chambers where we will continue the deliberations and discussion of the project. I just want to say thank you to the Kihei Community for coming out tonight to share with us your mana'o on this subject. So with that being said--and thank you again for your help with the community center and helping us put away the chairs and whatever else that goes with it. So mahalo to all of you. Have a nice and safe early morning. Aloha. Meeting in recess. . . .(gavel). . .

**RECESS:** September 11, 2007, 12:33 a.m.

APPROVED:



---

MICHAEL J. MOLINA, Chair  
Land Use Committee

lu:min:070910

Transcribed by: Jessica B. Cahill

LAND USE COMMITTEE MINUTES  
Council of the County of Maui

September 10, 2007 (Kihei)

---

CERTIFICATE

I, Jessica Cahill, 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 this 24<sup>th</sup> day of September, 2007, in Wailuku, Hawaii

  
\_\_\_\_\_  
Jessica Cahill