

2021 Annual Progress Report



**CHALLENGE AND
OPPORTUNITY**

Aloha!

2021 has been another year filled with challenges, but Maui Tomorrow has been on the front lines of the response effort, making the most of this opportunity – driven by a widespread desire to craft more resilient, sustainable solutions. This year, more than ever, we have been working closely with the Maui County Council, which has brought forth an array of legislation to reduce reliance on the visitor industry, support sustainable agriculture, support truly affordable housing, protect cultural sites, adapt to climate change and sea level rise . . . and the list goes on. Looking back, the successes have been amazing:

- *the County administration’s ongoing appeals of the U.S. Supreme Court injection wells decision have finally ended;*
- *non-mineral sunscreens have been banned;*
- *the Council passed a visitor accommodations moratorium;*
- *the Hotel Wailuku project has been abandoned;*
- *tax relief for ‘āina kūpuna (generational families) was enacted;*
- *the West Maui Community Plan is nearing final adoption;*
- *the State Department of Transportation is moving ahead with mauka realignment of the Honoapi‘ilani Highway near Olowalu; and*
- *several hundred acres of land at Waiale were preserved to protect a known burial area forever.*

Maui Tomorrow led or was involved in many of these issues, and we celebrate the fact that we have so many partners in the Maui community who are dedicated to protecting the ‘āina and improving Maui’s quality of life. Together we are making a difference!

Unfortunately, developer attempts to push through unwise projects have continued. Maui Tomorrow has fought back against those who seek to profit by undermining the community plans that Maui’s people have worked so hard on. We continue to help the public make their voices heard as these plans are updated. Even after they are finalized, we will keep defending these plans and encouraging citizen involvement in their implementation. This follow-up will be critically important, as the community plans will affect Maui’s future for years to come.

For over 30 years, Maui Tomorrow has been taking action to protect open space, insisting that development be ecologically sound, and helping to preserve Maui’s rural lifestyle. We continue to insist on enforcement of Hawaii’s environmental and land use laws, and take legal action when necessary. With your support we will continue to help keep Maui *nō ka ‘oi*.

Rethinking Tourism

This year there have been significant efforts to lessen Maui’s vulnerability to future economic downturns like the one we experienced in 2020. The need to focus on “quality over quantity” in tourism – which Maui Tomorrow has always emphasized – has suddenly gained traction as a way to maximize tourism’s benefits, while minimizing impacts. Although the resumption of travel has brought

greater visitor numbers than ever, the Maui County Council has wisely continued to pursue needed reforms that will lower those numbers to a more sustainable level. Examples include limiting the number of vacation rental permits, tracking legal vacation rentals to facilitate prosecution of illegal ones, and placing a moratorium on new visitor accommodations. As these efforts continue, we hope that the visitor industry will begin to serve Maui’s residents, instead of the other way around.



Overwhelmed beach at Wailea. With 3 million visitors in 2019, Maui has already experienced overtourism, but without active management it can get a lot worse. For example, Barcelona, Spain, had 3 million tourists in 2000, and over 32 million visitors by 2016. Photo Credit: Larry Stevens

A Big Win! Hotel Wailuku and the Maui Redevelopment Agency



The proposed Hotel Wailuku would have added more visitor accommodations and negatively affected the historic character of Wailuku Town.

The latest attempt to increase the number of visitors on Maui has now been stopped. Last year we learned about the possibility that the Maui Redevelopment Agency (MRA) would approve the proposed 6-story Hotel Wailuku in the heart of historic Wailuku town - one of Maui's last refuges from overtourism. As usual, the Draft Environmental Assessment for the hotel claimed that there would be no significant impacts.

Maui Tomorrow rallied community members to testify at various public meetings, and encouraged people to critique the inadequate environmental assessment; over 1,000 comments were submitted! We also drafted a petition urging the County to require a full Environmental Impact Statement; this was signed by over 3,500 concerned people.

In addition, Maui Tomorrow and the Wailuku Good Government Coalition filed a lawsuit challenging the authority of the MRA to make land use decisions in Wailuku. In apparent recognition of the validity of our claims, the County proposed an ordinance that would place land use decision making authority with the Council, where it belongs; this ordinance has now become law. Although the effort to develop the Hotel Wailuku now appears to have been abandoned, we will remain vigilant.

What Wailuku really needs is truly affordable housing.

Traditional two- and three-story apartments above street level storefronts would help to revitalize the area, and would be more consistent with the historic character of the town. Construction of needed housing in this neighborhood would also help to reduce urban sprawl and prevent the loss of more of Maui's open space and rural character. Maui Tomorrow will continue advocating for this positive solution.

Maui Needs Housing For Full-Time Residents

It's well known that an acute shortage of truly affordable housing affects the quality of life for Maui's people. Maui Tomorrow supports County investment in the creation of affordable homes for residents who cannot compete in the market. We have supported housing projects that respected Maui's community plans, while opposing other proposals that sought to ignore those plans, or which put affordable housing in fire or flood hazard zones. Maui Tomorrow favors common sense housing solutions like prioritizing infrastructure capacity for affordable housing, and expanding funding for first-time homebuyers who need help with down payments and/or closing costs.



Luxury projects like this proposed 57-unit development in Wailea destroy cultural sites, and burden limited infrastructure that should be saved for truly affordable housing. Each of these luxury units would have a separate guest house and a swimming pool, taking water away from Nā Wai 'Ehā, where aquifers are already overburdened

Particularly concerning is the continued pursuit of luxury second-home projects that consume infrastructure needed for affordable housing, while destroying cultural sites and contributing to the decline of Maui's natural resources. These projects, most of which are then occupied by part-time residents and their guests, add to Maui's already excessive capacity to house visitors. Following on our successful action that reduced the number of units allowable at Mākena Resort, we filed and won a lawsuit against a 57-unit luxury home project in Wailea, and are opposing yet another 53-unit luxury project in Mākena.

Maui Tomorrow has supported increased fines for operators of illegal short-term rentals, which shrink the available supply of affordable housing. We are also working with the County Council to implement property tax reforms that will incentivize long term rentals, while raising revenue from high-end second homes and investment homes that are not occupied by residents; these monies can be used to fund affordable housing.

Maui Tomorrow is part of an effective alliance that pushed through a Comprehensive Affordable Housing Plan for Maui County. Part of the plan would phase out transient

vacation rental use in Apartment zones (areas that were originally intended for long-term residency). This action would reduce the number of tourists on Maui by eliminating places for them to stay. Many of these existing visitor units could also be bought or rented by local residents, thus increasing the supply of housing.

This year the County also approved a new 3 percent surcharge in the Transient Accommodations Tax (paid by visitors), which will likely generate about \$65 million per year in new County revenue. Maui Tomorrow strongly supported this, and will push to make sure that some of the additional monies are used for truly affordable housing – in safe locations that are consistent with the community plans.

We are sincerely grateful to those who have made contributions to help offset the legal expenses that we incurred to achieve these historic wins! We welcome additional donations to help us uphold the law and keep developers accountable.

Sustainable Agriculture

Efforts to diversify our economy by supporting real farmers have ramped up, with work continuing on the establishment of the Maui County Department of Agriculture, which was created by a charter amendment last year. This new department, the creation of which Maui Tomorrow supported, will focus on helping farmers to succeed without creating additional regulatory burdens. A broad base of community agriculturists is working to better define the scope of work for the new department, which will begin operations in July of 2022.

During last year's travel shutdown, farmers started to focus on producing more local food, which was then distributed through farmers' markets, community supported agriculture programs, the new Maui Hub, and donations to people in need. The Maui County Council also provided micro-grants for small farmers. These activities have continued this year, and the infrastructure needed to support local food security continues to improve.

Maui Tomorrow has continued to champion regenerative agriculture, with the goal of returning the island's soils to a healthy condition. This type of agriculture consists of a number of sustainable practices, such as minimizing tillage, installing windbreaks, and cover-cropping. The goal is to restore and maintain natural systems and produce food in a manner that is healthier for people and the long-term health of the planet. In the process, regenerative agriculture rebuilds soil organic matter and biodiversity – storing carbon in the land and helping to reverse climate change. These practices also build soil that absorbs and holds water, thus reducing sediment-laden runoff that damages coastal ecosystems.

Unfortunately, this is not what we are seeing in Central Maui quite yet. Repeated tilling of the ground by farming company Mahi Pono generates huge dust clouds that settle on people's homes, in the ocean, and on offshore reefs. The company continues to expand the acreage it is planting in Maui's central valley, but for the most part has continued to use conventional farming practices. Although the many fruit trees they are planting will help to sequester carbon and fight climate change, these thousands of acres of monocrops are more susceptible to pests, thus increasing the need for pesticides. This year, Maui Tomorrow has been meeting with Mahi Pono to encourage them to adopt regenerative agricultural practices. Potential benefits include an increased likelihood of agricultural operations that are profitable over the long term, and reduced impacts from fossil-fuel derived chemical fertilizers and pesticides. Regenerative agriculture would also reduce the need to divert water from Maui's streams, which would leave more for native stream life and offshore fisheries, and would enable kalo growing and other cultural practices to continue.

Mahi Pono's response has been positive thus far, but their rapid pursuit of conventional farming has continued. By documenting current practices and prioritizing changes that can be implemented quickly, we are hoping that impacts from their operations can be reduced in the coming year and over the long term.

Maui Tomorrow continues to pursue all of these efforts, in the hope that they will create many jobs in farming and supportive industries, reduce Maui's vulnerability to future economic downturns, increase local food self-sufficiency, and help to preserve our environment, open space, and rural lifestyle.

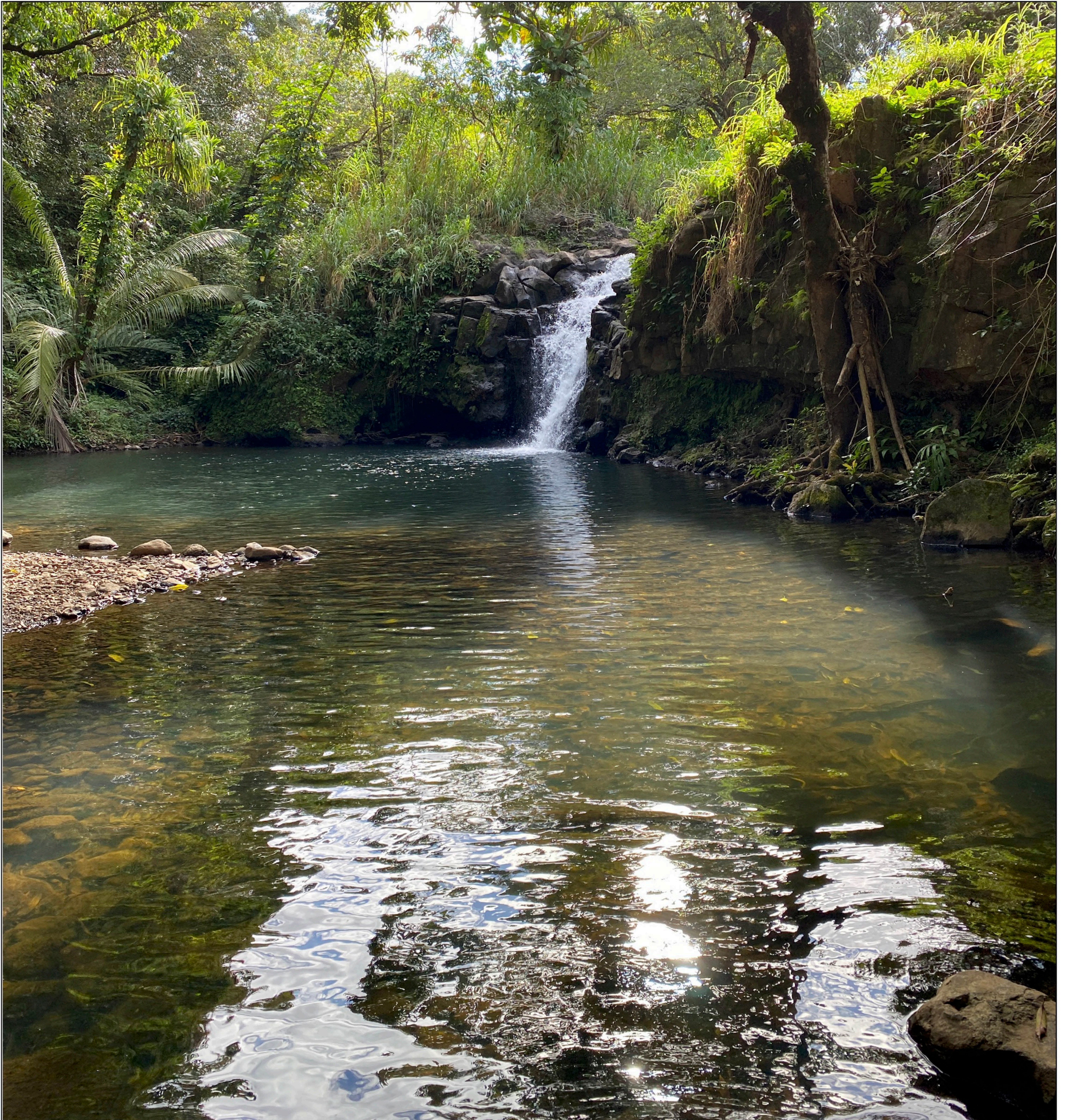


Repeated tilling by Mahi Pono creates fine dust, which is carried for miles by high winds. It then settles on people's homes, and in the ocean, where it can damage coastal ecosystems.

Photo credit: Gerry Ross

Water

For decades, Maui Tomorrow has stood side by side with broad community coalitions who have weighed in to protect water quality and achieve water justice for small farmers, rural communities and Hawaiian kuleana water users. This year has been no exception.



Waterfall and pool along an East Maui stream
Photo credit: Silvia Yordanova

East Maui Streams

East Maui's public lands have supplied extremely cheap water to central Maui plantations for over 140 years. This year, despite numerous shortcomings, a Final Environmental Impact Statement (Final EIS) for a 30-year lease of East Maui stream water to East Maui Irrigation was accepted as adequate by the Board of Land and Natural Resources (BLNR). The document will be relied upon to inform decisions about future water leases for new land holder Mahi Pono. Maui Tomorrow will continue to advocate for adequate conditions on any lease that is granted, in order to ensure that degradation and waste of water are reduced or eliminated.



East Maui waters that are not diverted to Central Maui are not “wasted.” Streams provide habitat for native species, cultural practices, and scenic and recreational benefits. Mauka to makai flow also improves the productivity of ocean fisheries.

Regenerative agriculture can reduce water use by up to 50 percent; this could allow more water to be left in the streams to support cultural, recreational and scenic uses, native stream life, and offshore fisheries. However, the action proposed in the Final EIS for the East Maui water lease is to use the maximum amount of water that was allowed by the Commission on Water Resource Management (CWRM) in 2016, even though that CWRM decision recognized that water requirements could change significantly through the use of regenerative agricultural methods.

We were disappointed to see this statement in the EIS:

“ . . . if the crops require less water over time due to the implementation of these regenerative agricultural practices, then Mahi Pono intends to plant additional crops in areas that are currently planned to be unirrigated pasture due to the lack of enough water to irrigate all 30,000 acres of land. Hence, under the Proposed Action, at full build-out, all of the maximum allowable water available for diversions would continue to be diverted.”

However, Maui Tomorrow continues to encourage Mahi Pono to adopt true regenerative agricultural practices across all of their operations, and has asked that half of any water saved be left in the streams. This would be a win-win solution that would also reduce the use of chemicals, reduce the generation of dust, increase the likelihood of Mahi Pono's long term sustainability and profitability, and improve relations with the community.

Maui Tomorrow will continue to advocate for fair distribution of public trust water resources, through negotiations with Mahi Pono, and by asking the BLNR to make sharing of saved water a condition of any lease that is granted.

Watershed Restoration

Maui's water future depends upon its watershed health. Maui Tomorrow continues to track the abandonment and removal of old water diversion structures from East Maui. A recent site visit to Waiokamilo and Wailuanui Streams with Water Commission staff found that these two streams – which were supposed to have been “fully



A patch of Miconia calvenscens next to the EMI ditch trail. This is an extremely invasive plant species that can increase erosion and landslides, which in turn affect water quality. Future permits to use the East Maui watershed need to be conditioned on addressing the growing problem of invasives.

restored” – still had old pipes and concrete catchment basins collecting stream water and causing it to flow onto the ditch maintenance road, where it was irrigating invasive species like *Miconia*. Maui Tomorrow is working to ensure that streams and watersheds are actually restored to their natural condition when flows are returned to the streams.

Nā Wai ‘Ehā Contested Case - Decision Finally Issued

This year the Water Commission issued a long awaited decision in the Nā Wai ‘Ehā contested case. Maui Tomorrow was a party to this case, along with our allies, the Hui O Nā Wai ‘Ehā, the Office of Hawaiian Affairs, and many individual water users. When properly implemented, this decision will significantly reduce the amount of water diverted from Wailuku, Waiehu, Waihe‘e and Waikapū streams, thus helping to ensure the long-term recovery of “The Four Great Waters” and the underlying ‘Īao aquifer. However, Wailuku Water Company, which was also a party to the case, has not been abiding by the terms of the decision, with the result that many water users are not getting the water they were allocated. Maui Tomorrow and our allies are continuing to encourage the Water Commission to enforce its decision.

Maui Island Water Use & Development Plan

The Maui Island Water Use & Development Plan (WUDP) is a long-range plan for the use, development,

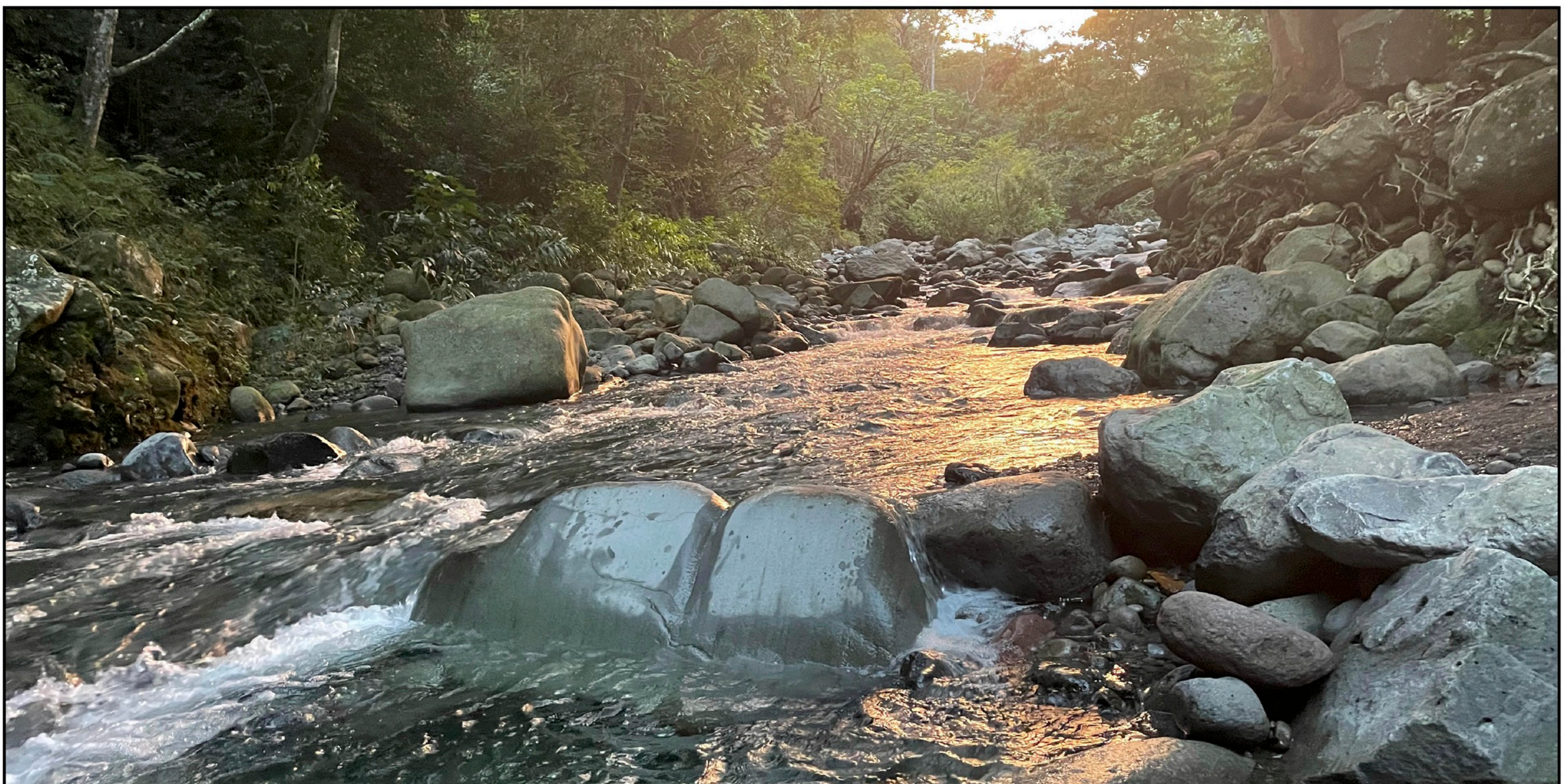
conservation, protection and management of Maui’s water resources. Last year, Maui Tomorrow pointed out that the 1,200+ page draft update of the plan was poorly organized and difficult to understand, which limited its usefulness to the public.

Although there have been some improvements since then, the plan still falls short. For example, although the County is considering the purchase of Wailuku Water Company, that possibility is not even mentioned in the current draft. Similarly, the Board of Water Supply recommended that immediate steps be taken to ensure public control of the East Maui Irrigation system, but the draft WUDP does not mention this important advice.

Other shortcomings:

- The draft WUDP assumes that resorts will use a whopping 17,000 gallons per acre per day. This needs to be significantly reduced.
- Stream information has changed since 2008, as have safe withdrawal limits (“sustainable yields”) for all East Maui aquifers. These need to be updated.
- A clearer solution is still needed for the Upcountry water meter priority list.
- The WUDP calls for the drilling of new wells in Ha‘ikū – for export to South Maui to support more development there. This raises the issue of equity, in view of the current situation, in which many people who live in Ha‘ikū don’t even have access to the water resources near their own homes.

Maui Tomorrow does support increased water conservation and the use of reclaimed water. We also favor achieving



Stream in ‘Iao valley at sunset
Photo credit: Natalie Harcrow

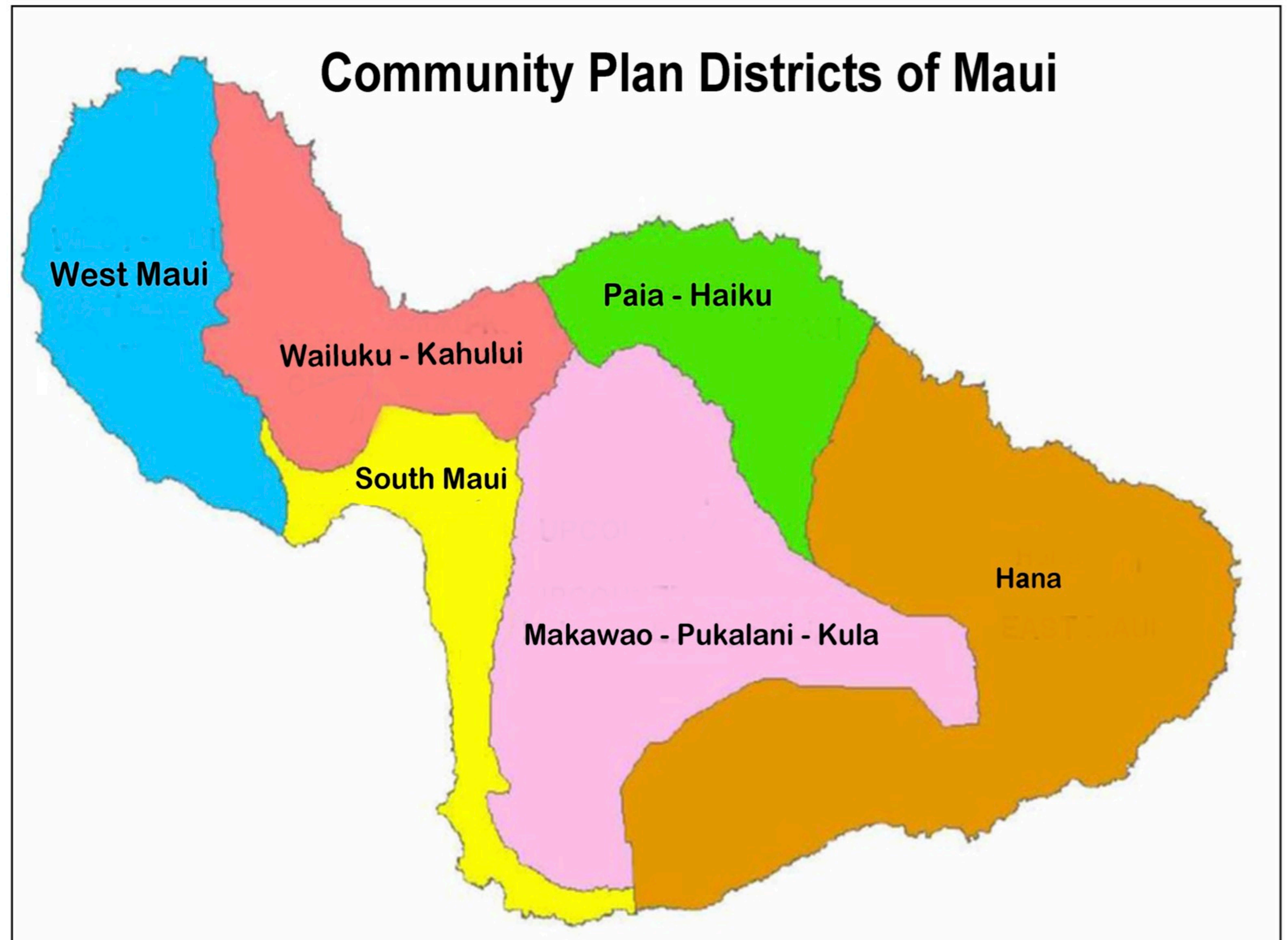
increased water security through County acquisition of privately controlled water systems. It is poor public policy for Maui County to expose its public water supply to the risks associated with potential changes in corporate ownership and/or priorities.

We need your help to protect public trust waters for all to enjoy. Your donations help us to ensure that Maui's water will be used wisely to restore our streams and aquifers, and to ensure water for all.

Community Plan Update Process

West Maui

The West Maui Community Plan has now been passed by the County Council. Many good policies have been incorporated, including those that recognize the reality of sea level rise and the need for protection of natural resources. Maui Tomorrow has been monitoring the update closely, testifying frequently, and helping citizens to participate. Unwise proposals for large development projects in Launiupoko and Olowalu were rejected. However, Maui Tomorrow is concerned that some vague wording of the updated plan may limit its enforceability. An unenforceable plan will have been a waste of the collective thousands of hours that the community has put into crafting its vision for the future. We are continuing to work to make sure that this and all community plans have the force and effect of law.



West Maui's community plan update is nearly complete, and South Maui's update process continues.



Flooding continues to be a serious issue in South Maui, where much of the existing development filled in wetlands and reduced flood storage. The update of the South Maui Community Plan presents an opportunity to address this issue and keep it from getting worse.

Photo credit: David Dorn

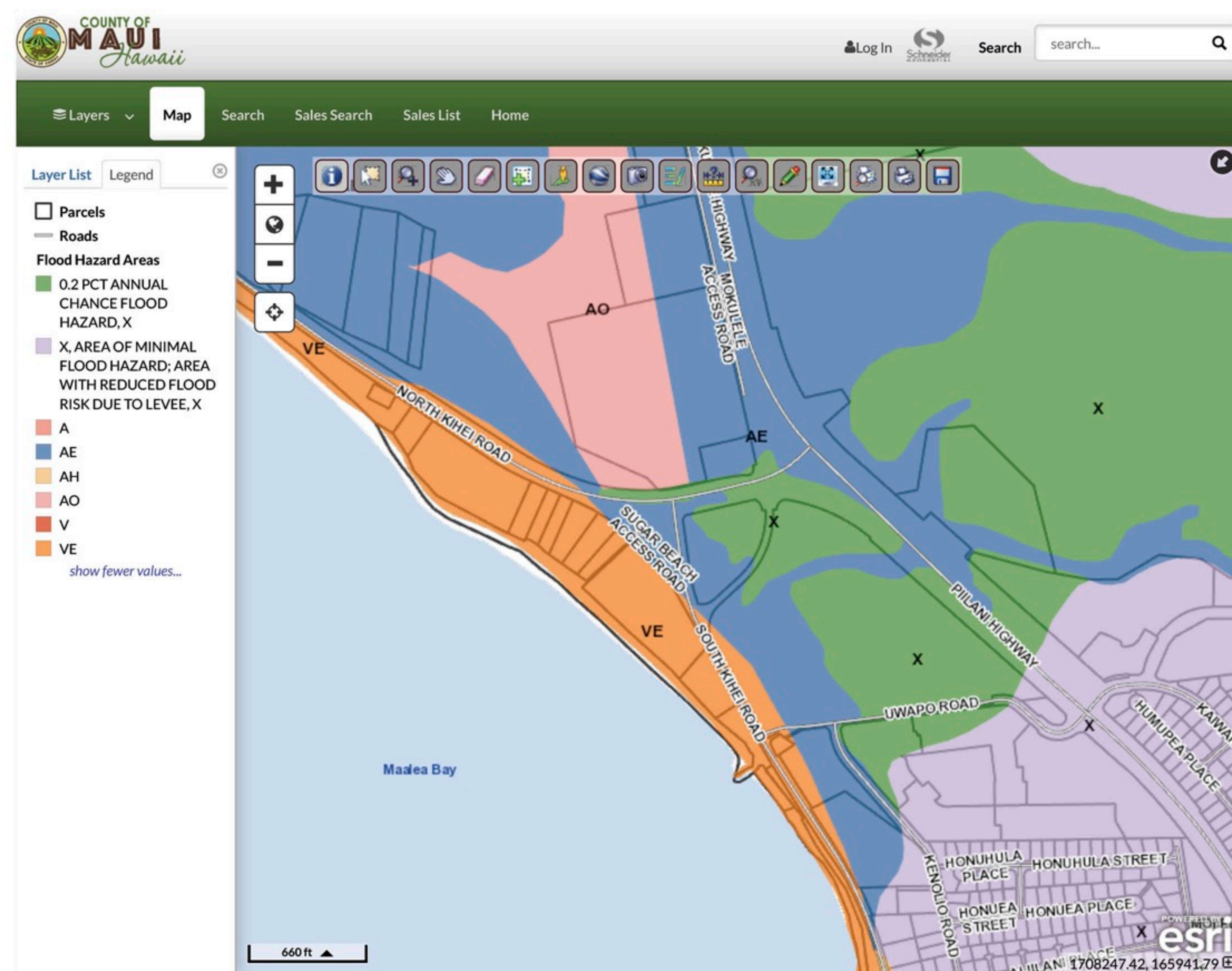
South Maui

Meanwhile, the update process for what will now be called the South Maui Community Plan is proceeding, although the pace has been slowed somewhat by the ongoing pandemic. We will send out alerts when it is time to apply for membership on the Community Plan Advisory Committee. For those who can make the time commitment, this will be an excellent opportunity to make a real difference in the future of South Maui.

Maui Tomorrow is consistently on the front lines, advocating for the 'āina and defending the will of Maui's people. With your support, we will continue to help your voice to be heard in the planning process.

Tools For The 'Āina Protector: A Webinar To Empower The Community

This year we produced another free educational webinar, "Tools for the 'Āina Protector," during which viewers learned how to use the County's online tools to check on questionable development and land use activities. Staff from the County's Real Property Tax Assessment Division and the Planning Department joined us as we led participants

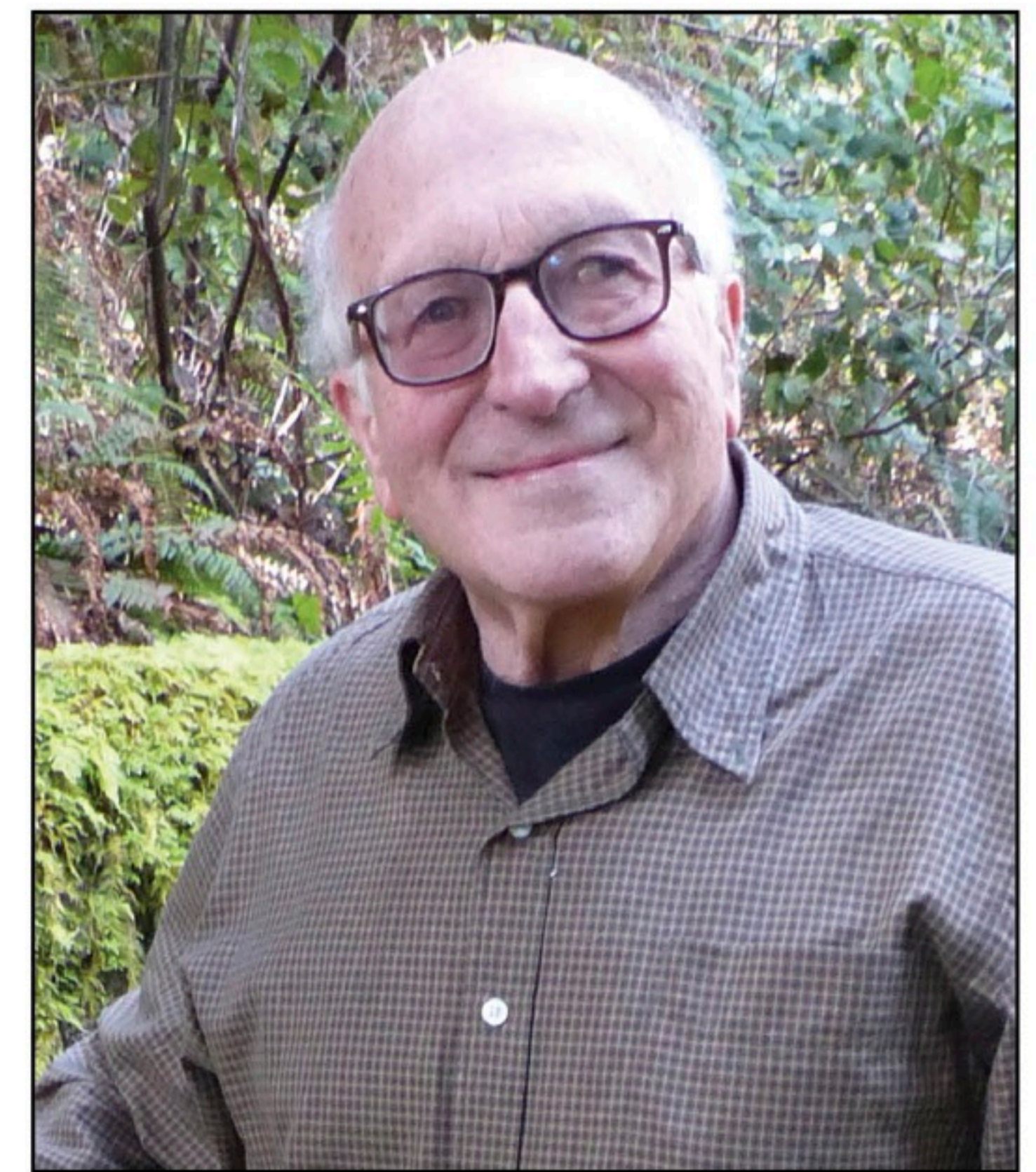
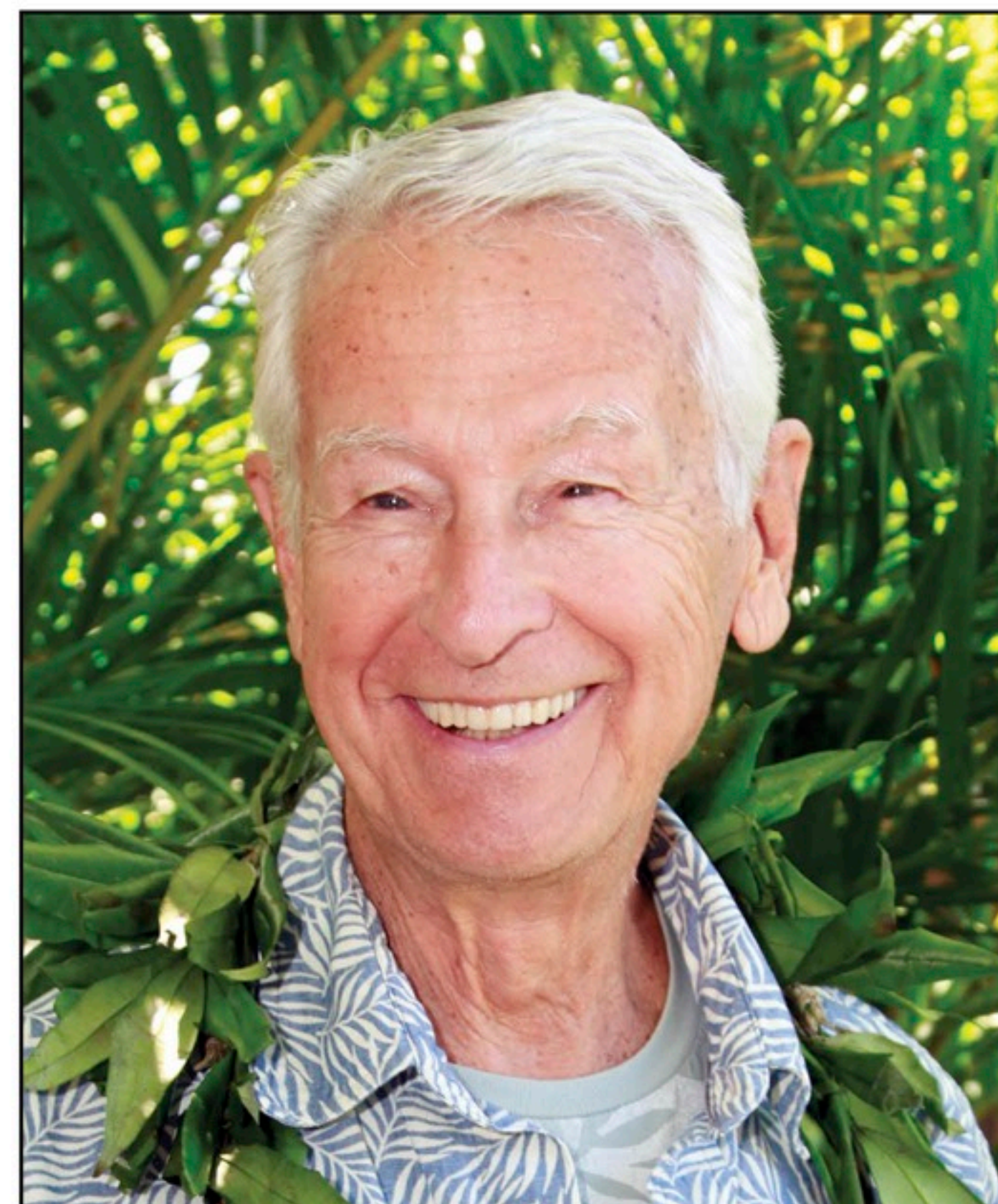


Maui County's Real Property web site is one of several County sites discussed in our Tools for the 'Āina Protector webinar; they contain a wealth of information. Shown here are flood zones and parcel boundaries in North Kihei. The sites we discussed can also show parcel ownership, zoning districts, special management area boundaries, aerial photos, permit records, condo use verification, and more.

through a step-by-step guide to using the Real Property Tax Assessment web site, the GIS Map Viewer, and the Online Land and Permit Information web site. Participants also learned how to file a Maui County "Request for Service" (RFS) if they think illegal activity may be taking place. This webinar was well-attended, with many people tuning in live, and many more returning to watch the recording later. One of Maui Tomorrow's goals is to empower more Maui residents to protect the 'āina that we all love. Visit maui-tomorrow.org/workshops – webinars to learn more.

Learning From The Past To Protect The Future

This year, Maui Tomorrow began an oral history project, conducting interviews with some of the people who have been integral to our successes over the years. This series of videos will record critical insights into the factors that have led to significant accomplishments over the last three decades, and will soon be available on our web site.



Left to right, top: Mark Sheehan, Lucienne de Naie,
Left to right, bottom: Irene Bowie, Dick Mayer

You Can Help Us to Protect Maui's Future

Every once in a while, we are presented with challenges that demand our best efforts to overcome them. Maui is at a crossroads now, with overtourism contributing to higher housing prices, and local residents are being forced to leave because of demand from others who would like to live here. Our environment and our culture are at risk. However, unlike the slow, incremental change that has occurred over the last three decades, the changes of the last two years have been so stark and so sudden that people are waking up and taking action. Maui still has a chance, and our community is pulling together to take advantage of the opportunity presented by the desire for change. The needed course correction has already begun, and we need everyone on board to keep up the momentum.

We invite you to join us as we work to protect the 'āina and improve the quality of life on Maui. To learn more about Maui Tomorrow, to get involved, or to donate to our efforts, please visit us at www.maui-tomorrow.org. Every contribution is sincerely appreciated.

Over 30 years of making a difference!

Maui Tomorrow Foundation is a 501(c)(3) charitable organization, and your contributions are tax-deductible as allowed by law. To learn more about tax-wise options for current or planned giving, please contact us.

Mahalo nui loa,

Albert Perez



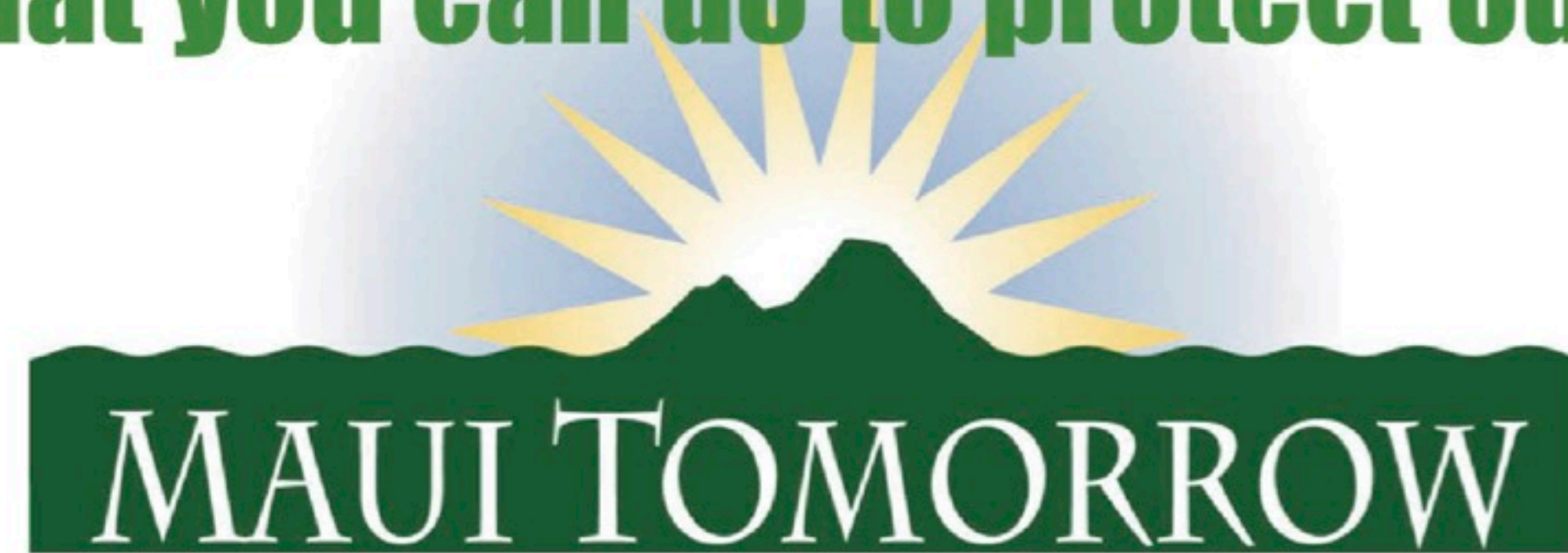
Albert Perez, Executive Director

Where would we be without Maui Tomorrow?

Quality of Life
Stream Restoration
Mega Mall **Olowalu** Truly Affordable Housing
Makena
Preserving Open Space
Sustainable Agriculture Overtourism
Community Plans

Partnering with Maui's communities to protect
the 'āina since 1989.

Go to: maui-tomorrow.org to learn more
about what you can do to protect our 'āina.



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MAHALO!