

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621  
HONOLULU, HAWAII 96809

**DAWN N.S. CHANG**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**RYAN K.P. KANAKA'OLE**  
FIRST DEPUTY

**CIARA W.K. KAHANE**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
DAWN N. S. CHANG  
Chairperson**

**Before the House Committees on  
WATER & LAND  
and  
PUBLIC SAFETY**

**Tuesday, March 11, 2025  
09:00 a.m.**

**State Capitol, Conference Room 411 & Videoconference**

**In consideration of  
SENATE BILL 1296, SENATE DRAFT 2  
RELATING TO DISASTER RECOVERY**

Senate Bill 1296, Senate Draft 2 proposes to exempt reconstructions of any lawfully constructed structure that was damaged or destroyed in a disaster proclaimed by the Governor to constitute a state of emergency from the requirements of a special management area minor permit or a special management area use permit under certain conditions. **The Department of Land and Natural Resources (Department) supports this bill.**

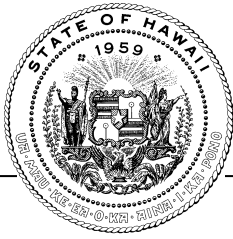
The Department recognizes that regulatory agencies are often overwhelmed following a disaster, and that easing the regulatory burden can help expedite recovery. We appreciate that this bill will assist communities in rebuilding while still retaining important environmental safeguards for more vulnerable coastal issues.

The Department would like to propose removing the references to specific types of disasters. This would allow the proposed exemptions to apply should a rarer event, or a human-induced act, trigger a state of emergency. The amendment would be:

At Section 2, page 7, lines 11-12, of this bill:

Reconstruction of any lawfully constructed structure that was damaged or destroyed in a disaster ~~caused by wildfire, hurricane, flooding, tsunami, or earthquake~~ proclaimed by the governor to constitute a state of emergency pursuant to chapter 127A;

Mahalo for the opportunity to provide testimony in support of this bill.



**STATE OF HAWAI'I  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SYLVIA LUKE**  
LT. GOVERNOR

**MARY ALICE EVANS**  
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <https://planning.hawaii.gov/>

Statement of  
**MARY ALICE EVANS, Director**

before the  
**HOUSE COMMITTEE ON WATER & LAND**  
And  
**HOUSE COMMITTEE ON PUBLIC SAFETY**

Tuesday, March 11, 2025, 9:00 AM  
State Capitol, Conference Room 411 & Videoconference

in consideration of  
**SB 1296 SD2**  
**RELATING TO DISASTER RECOVERY.**

Chairs Hashem and Belatti, Vice Chairs Lamosao and Iwamoto, and Members of the House Committees on Water & Land, and Public Safety:

SB 1296 SD2 amends Chapter 205A, Hawai'i Revised Statutes (HRS), to streamline Special Management Area (SMA) permitting for disaster recovery from wildfire, hurricane, flooding, tsunami, or earthquake proclaimed by the Governor to constitute to a state of emergency.

The Office of Planning and Sustainable Development (OPSD) is the lead agency of the Hawai'i Coastal Zone Management Program, codified in Chapter 205A, HRS.

OPSD respectively **supports** SB 1296 SD2 with a minor amendment by adding "or a disaster declared pursuant federal law" as follows:

SECTION 1. Section 205A-22, Hawai'i Revised Statutes, is amended by adding a new definition to be appropriately inserted as subsection (2)(W) and to read as follows:

"Development":

(2) Does not include the following:

(W) Reconstruction of any lawfully constructed structure that was damaged or destroyed in a disaster caused by wildfire, hurricane, flooding, tsunami, or earthquake proclaimed by the governor to constitute a state of emergency pursuant to chapter 127A, or a disaster declared pursuant to federal law; provided that:

SB 1296 SD2 RELATING TO DISASTER RECOVERY – COMMENT  
State Office of Planning and Sustainable Development  
March 11, 2025

- i) The structure is not situated on a shoreline parcel or a parcel that is impacted by waves, storm surges, high tide, or shoreline erosion;
- ii) Reconstruction commences within five years from the date that the proclamation is issued; and
- iii) The reconstructed structure shall be similar to its original footprint or overall dimensions that were existing or permitted and in compliance with the requirements of floodplain management standards.

Thank you for the opportunity to testify on this measure.



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEES ON WATER & LAND and PUBLIC SAFETY  
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 411  
Tuesday, March 11, 2025 AT 9:00 A.M.

To The Honorable Mark J. Hashem, Chair  
The Honorable Rachele F. Lamosao, Vice Chair  
Members of the Committee on Water & Land  
To The Honorable Della Au Belatti, Chair  
The Honorable Kim Coco Iwamoto, Vice Chair  
Members of the Committee on Public Safety

## SUPPORT SB1296 SD2 RELATING TO DISASTER RECOVERY

The Maui Chamber of Commerce **SUPPORTS SB1296 SD2** which exempts certain reconstructions of all or a portion of a structure in the Lahaina National Historic Landmark District that was destroyed by wildfire on 8/8/2023, from the requirements of a special management area minor permit or a special management area use permit.

The Chamber notes that the 2023 Maui wildfires devastated Lahaina's heritage, economy, and sense of place, severely impacting housing, businesses, jobs, and treasured resources. If the area is not rebuilt in a deliberate, coordinated, and expeditious manner, it may struggle in the long term, further harming the well-being of the land, its people, and the economy. The devastation caused by the wildfires has created an urgent need for reconstruction, yet these efforts face significant challenges due to the skyrocketing costs of construction, which have reached nearly \$1,000 per square foot within these disaster areas.

Moreover, Front Street played a pivotal role not only in the community but for the entire state. The contributions from this area helped fund essential infrastructure, including roads, schools, and other public services.

This bill represents a critical step toward rebuilding in accordance with the current regulatory challenges we face. However, we would request that the limit change from \$500,000 to \$750,000 be reinstated as it was in the original version of the bill.

For these reasons, we **SUPPORT SB1296 SD2 with our suggested amendment.**

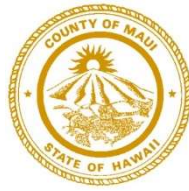
Sincerely,

Pamela Tumpap  
President

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

**RICHARD T. BISSEN, JR.**  
Mayor

**JOSIAH K. NISHITA**  
Managing Director



**OFFICE OF THE MAYOR**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov](http://www.mauicounty.gov)

TO: Representative Mark J. Hashem, Chair  
Representative Rachele F. Lamosao, Vice Chair  
Committee on Water & Land

Representative Della Au Belatti, Chair  
Representative Kim Coco Iwamoto, Vice Chair  
Committee on Public Safety

FROM: Richard T. Bissen, Jr., Mayor  
John Smith, Office of Recovery Administrator

DATE: March 10, 2025

SUBJECT: **SUPPORT OF SB1296 SD2, RELATING TO DISASTER RECOVERY**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The bill exempts reconstructions of any lawfully constructed structure that was damaged or destroyed in a disaster proclaimed by the Governor to constitute a state of emergency from the requirements of a special management area minor permit or a special management area use permit under certain conditions.

We **SUPPORT** this measure for the following reasons:

1. County of Maui supports the intention of the measure as it would provide relief to residents in their reconstruction efforts in Lahaina.
2. This bill will save significant time and resources redoing approvals.
3. This bill will provide the same relief to other residents that may suffer from similar future events.

Mahalo for your consideration.



*Maui Hotel & Lodging*  
ASSOCIATION

March 9<sup>th</sup>, 2025

COMMITTEE ON PUBLIC SAFETY

Rep. Della Au Belatti, Chair

Rep. Kim Coco Iwamoto, Vice Chair

COMMITTEE ON WATER & LAND

Rep. Mark J. Hashem, Chair

Rep. Rachele F. Lamosao, Vice Chair

TESTIMONY IN STRONG SUPPORT OF SB1296

Aloha e Chair Hashem, Vice Chair Lamosao, Chair Au Belatti, Vice Chair

Iwamoto, and members of the committees. Thank you for the opportunity to provide testimony in strong support of SB1296.

Maui Hotel and Lodging Association is in **strong support of SB1296** because it will allow family businesses to rebuild and serve their Lahaina community, it gives them hope that they will be able to return to the place they love so much, and it gets them moving in the right direction to some sense of normalcy through all of the chaos they have endured. It is an important step towards the economic recovery of beloved Lahaina town.

We humbly ask for your support for our community and pass this bill.

Thank you for the opportunity to provide testimony.

John Pele

Executive Director- Maui Hotel and Lodging Association

808-658-5114

[john.pele@mauihla.org](mailto:john.pele@mauihla.org)

DATE: March 11, 2025  
TIME: 9:00 AM  
PLACE: State Capitol 415 South Beretania Street

**COMMITTEE ON PUBLIC SAFETY**

Rep. Della Au Belatti, Chair  
Rep. Kim Coco Iwamoto, Vice Chair

**COMMITTEE ON WATER & LAND**

Rep. Mark J. Hashem, Chair  
Rep. Rachele F. Lamosao, Vice Chair

**TESTIMONY IN STRONG SUPPORT OF SB1296**

Aloha e Chair Hashem, Vice Chair Lamosao, Chair Au Belatti, Vice Chair Iwamoto, and members of the committees.

Thank you for the opportunity to provide testimony in strong support of SB1296

Lahaina Restoration Foundation (LRF) was founded in 1962 and has been saving Lahaina's historic buildings and sharing the town's heritage ever since. LRF is focused on restoring 8 historic buildings, 6 from the 1800s - made of stone and coral block, as well as 2 from the 1900s made of wood. All were heavily damaged or destroyed in the 2023 wildfire.

USACE has shored and braced our buildings, but the extreme sun, rain and wind in Lahaina is doing damage every day. These buildings need floors and roofs to stabilize them and protect them from the weather. Approval of SB1296 will expedite this process and hasten the day when full restoration can begin!

I humbly ask for your support for our community and urge you to pass SB1296.

Thank you for the opportunity to provide testimony.

Theo Morrison  
Executive Director  
**LAHAINA RESTORATION FOUNDATION**  
[theo@lahainarestoration.org](mailto:theo@lahainarestoration.org)

**SB-1296-SD-2**

Submitted on: 3/9/2025 6:19:17 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kent Untermann	The Art Source Inc.	Support	Written Testimony Only

Comments:

Aloha,

Our family is in support of SB1296 because most of the landowners are locals and the money stays in Hawaii. Front Street provided so many great jobs for small businesses, artists, crafts people, chefs, waiters and others who made "good money" to support their families.

It will be VERY HARD to rebuild just due to the costs. Please use your leadership and the reason you were elected to protect the local families and KEEP fewer people from leaving the islands. Anything we can do to rebuild and bring good incomes back to the local families should be supported.

Thank You,

Kent Untermann



**SB-1296-SD-2**

Submitted on: 3/10/2025 7:36:29 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Churchill	Pacific Rim Land, Inc.	Support	Written Testimony Only

## Comments:

Mahalo for the opportunity to provide testimony. My name is Ryan Churchill representing Pacific Rim Land. I am here today to offer our strong endorsement of SB1296.

Our company lost a building on Front Street on August 8. We are planning on rebuilding the same structure in the same location. Passage of SB1296 is crucial for enabling the expedited reconstruction of buildings on Front Street, assuming the building is no greater in size than the building that existed prior to August 8.

This legislation offers essential measures to streamline the rebuilding process, ensuring that we can swiftly restore the infrastructure necessary to support local businesses and jobs. By facilitating timely reconstruction, SB1296 will not only help us recover from the recent disaster but also contribute to the revitalization of Front Street, a cornerstone of our local economy.

We commend the Legislature for considering this critical bill and urge its swift passage. The support provided by SB1296 will not only assist Pacific Rim Land in rebuilding but will also serve as a beacon of hope for our community as we strive to recover and thrive once again.

Thank you for your time and consideration.

Mahalo,

Ryan Churchill

March 11, 2025, 9 a.m.  
Hawaii State Capitol  
Conference Room 411 and Videoconference

**To: House Committee on Water and Land**

**Rep. Mark Hashem, Chair**  
**Rep. Rachele Lamosao, Vice Chair**

**House Committee on Public Safety**

**Rep. Della Au Belatti, Chair**  
**Rep. Kim Coco Iwamoto, Vice Chair**

**From: Grassroot Institute of Hawaii**

**Ted Kefalas, Director of Strategic Campaigns**

RE: SB1296 SD2 — RELATING TO DISASTER RECOVERY

Aloha Chairs, Vice-Chairs and other members of the committees,

The Grassroot Institute of Hawaii **supports** [SB1296 SD2](#), which would exempt any lawfully constructed building destroyed or damaged during disasters proclaimed to be emergencies from needing a Special Management Area minor or use permit, provided that such structures are not on a shoreline parcel and would be built to a similar size as to what existed prior to the disaster.

The bill would also provide that the reconstruction of the building would need to begin within five years of the first emergency proclamation.

Gov. Josh Green provided multifamily dwellings an exemption from SMA rules in an October emergency proclamation, in addition to the exemption that already exists in statute for most single-family homes.<sup>1</sup>

---

<sup>1</sup> ["Eighteenth Proclamation Relating to Wildfire,"](#) Office of the Governor, State of Hawaii, Oct. 8, 2024, p. 10.

In early February, the governor also created an exemption for certain commercial structures in Lahaina,<sup>2</sup> but a permanent legislative fix would remove the need for navigating several iterations of an emergency order.

Without a streamlined SMA process, Lahaina's businesses will face an uphill battle to return to their community, since obtaining an SMA use permit from Maui County could take years.

Typically, obtaining an SMA permit involves an application to the Maui Planning Department and a hearing from the Maui County Planning Commission. Over the past decade, since Jan. 1, 2015, the Maui Planning Commission has issued only 41 SMA use permits.<sup>3</sup> At the rate of four per year, it would take the county decades to approve all the permits needed for Lahaina's businesses to rebuild.

If businesses cannot return to Lahaina in a timely manner, there will be fewer entrepreneurial and job opportunities for residents, and the town could lose many of its residents, and certainly its historic charm and character.

We ask the Committee to advance this measure to give Lahaina's people a better chance to rebuild and thrive.

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii

---

<sup>2</sup> Brian Perry, "[SMA permits suspended for wildfire-impacted Lahaina properties mauka of Front Street](#)," Maui Now, Feb. 6, 2025.

<sup>3</sup> [Maui's Automated Planning and Permitting System](#), accessed Jan. 31, 2025. Plan type: SM1 - Special Management Area Use Permit - Maui. Status: Approved. Applied date: From 1/1/2025.

House Committee on Water and Land  
Chair Hashem  
Vice Chair Lamosao

House Committee on Public Safety  
Chair Au Belatti  
Vice Chair Iwamoto

DATE: March 11<sup>th</sup>, 2025  
TIME: 9:00am  
PLACE: Conference Room 411  
State Capitol  
415 South Beretania Street

TESTIMONY IN STRONG SUPPORT OF SB1296  
Testimony of Jeffrey Ueoka

Chairs Hashem and Au Belatti, Vice Chairs Lamosao and Iwamoto, and members of the Committees,

Thank you for the opportunity to provide testimony in support of SB1296. I am a land use attorney on Maui assisting Front Street Recovery (a coalition of business owners dedicated to rebuilding and revitalizing Front Street). SB1296 will support the expedient and efficient rebuilding of Front Street and other disaster-stricken areas. While there will be many more challenges and hurdles to overcome while rebuilding, SB1296 provides some desperately needed relief from a very complicated regulatory process.

I humbly ask that you support Front Street Recovery's efforts to rebuild and pass this bill.

Thank you for the opportunity to provide testimony on this bill.

Jeffrey Ueoka  
2145 Wells Street, Suite 406, Wailuku, Hawaii 96793  
(808) 481-4210  
jeff@wslmaui.com

March 10, 2025  
House Committees on Water & Land and Public Safety  
State Capitol  
415 South Beretania Street

TESTIMONY IN STRONG SUPPORT OF **SB1296**

Aloha Chair Hashem, Vice Chair Lamosao, Chair Belatti, and Vice Chair Iwamoto

Mahalo for the opportunity to testify in **strong support** of SB1296. I submit this testimony on behalf of the Lahaina Town Action Committee and the Front Street Recovery Organization.

This bill is critical to helping our community rebuild from the Lahaina Wildfires. Property owners within the SMA face not only devastating loss but also an overwhelming, complex rebuild process that threatens their ability to restore their homes, businesses, and livelihoods; all essential to Lahaina's recovery.

SB1296 does not propose new developments but simply allows property owners to rebuild what previously existed within the same permitted footprint. By doing so, it will also help ensure that these businesses can once again contribute to our local economy, benefiting both the county and state. Without this relief, many property owners may be forced to sell and leave Maui, worsening the already alarming outmigration of our community.

Nearly a year and a half has passed, yet progress remains slow, with little beyond debris removal. With a sunset date of August 8, 2028, this bill provides a clear and necessary pathway for rebuilding before it is too late.

I respectfully ask both committees for your support of SB1296.

Mahalo for your time and consideration,

Haloa Dudoit

Karey Kapoi LLC

**SB-1296-SD-2**

Submitted on: 3/10/2025 8:58:48 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
snehal Patel	LahainaTown Action Committee	Support	Written Testimony Only

Comments:

**TESTIMONY IN STRONG SUPPORT OF SB1296**

Committee on Public Safety

Rep. Della Au Belatti, Chair

Rep. Kim Coco Iwamoto, Vice Chair

Committee on Water & Land

Rep. Mark J. Hashem, Chair

Rep. Rachele F. Lamosao, Vice Chair

Date: March 11, 2025

Time: 9:00 AM

Place: State Capitol, 415 South Beretania Street

Aloha e Chair Hashem, Vice Chair Lamosao, Chair Au Belatti, Vice Chair Iwamoto, and members of the committees,

My name is Sne Patel, and I am the President of the LahainaTown Action Committee (LAC) and a long-time Lahaina resident. I appreciate the opportunity to testify in strong support of SB1296, which is crucial in ensuring that Lahaina’s rebuilding efforts can move forward under realistic and fair guidelines

As the President of LAC, I have been on the ground, working with business owners, residents, and local leaders. What we hear time and time again is that people just want to rebuild what they had—not expand, not change, just return to what was there before. The five-year window is also critical because we are already behind in recovery, and waiting any longer will only make it harder for families and businesses to move forward.

Lahaina and Front Street have always been at the heart of our local economy and community. Their recovery affects not just us but the entire state.

I urge you to pass SB1296 and help ensure Lahaina can move forward.

Mahalo for your time and consideration.

Sincerely,  
Sne Patel  
President, LahainaTown Action Committee



DATE: March 10, 2025

Hawaii State Legislature  
State Capitol 415 South Beretania Street

Committee on Public Safety: Rep. Della Au Belatti, Chair  
Rep. Kim Coco Iwamoto, Vice Chair

Committee on Water & Land: Rep. Mark J. Hashem, Chair  
Rep. Rachele F. Lamosao, Vice Chair

RE: Strong Support of SB1296

Aloha Chair Au Belatti, Vice Chair Iwamoto, Chair Hashem, Vice Chair Lamosao, and committee members,

My name is Jim Walsh and I am the the General Manager of Atlantis Submarines ~ Maui, while we were not property owners at the time of the Lahaina fires, we did rent office, retail and maintenance space from Lahaina property owners. Pre fire Atlantis Maui had 33 full time employees, unfortunately I am the last paid employee left. The business community is vital to the successful rebuilding of Lahaina. We need the residential and business properties to be rebuilt as fast as possible. Atlantis Maui has been in operation for 33 years in Lahaina, and we are looking forward to the opportunity to bring back our staff.

I am in Strong Support of SB1296 because it will allow businesses to rebuild and bring back life and employment to our Lahaina community. It also gives us hope and a future for our families, friends, and will continue the process of healing to our community. We need your help as we continue to persevere through the struggles and work to get back to place of normalcy once again.

I humbly ask for your support for our community, and pass this bill.

Thank you for the opportunity to testify on behalf of SB1296.

Respectfully,

Jim Walsh  
General Manager  
Atlantis Submarine ~ Maui

Atlantis Submarines

658 Front Street, Suite 175, Lahaina, Hawaii 96761 • Tel: (808) 667-6604 • Fax: (808) 661-1210



## **TESTIMONY OF TRILOGY EXCURSIONS IN STRONG SUPPORT OF SB1296 SD2.**

My name is Denver Coon, and I am submitting testimony in strong support of SB1296 SD2 on behalf of myself and my family's business, Trilogy Excursions, which has operated in Lahaina for 52 years. Our family has deep roots in this community, and like many others, we are eager to see Lahaina rebuilt so that residents, businesses, and cultural institutions can return to this special place.

Since the devastating fires, the people of Lahaina have faced countless hurdles to rebuilding. While ensuring responsible reconstruction is important, the current regulatory process is adding unnecessary delays, prolonging uncertainty for thousands of displaced residents. SB1296 removes barriers in the Special Area Management (SMA) review process, streamlining efforts for those who simply want to rebuild what was lost.

The sooner homes and businesses are rebuilt, the sooner residents can return, and local workers can regain employment in Lahaina. Many businesses, including our own, have relied on Lahaina's historic harbor and town to serve both residents and visitors. Without swift action, business closures and job losses will continue to mount, further harming our community.

SB1296 SD2 is not about new development—it's about restoring what was already there before the fires. The properties affected by this bill are simply seeking to rebuild what was lost, not bypass environmental protections or introduce unchecked development. Exempting certain properties from Special Area Management restrictions will allow property owners to move forward without unnecessary bureaucratic delays while still complying with standard building and environmental regulations.

For Lahaina to heal, its residents and businesses must be allowed to return as quickly as possible. SB1296 SD2 provides a practical solution that accelerates recovery while maintaining appropriate safeguards. I urge the committee to pass this bill and help bring Lahaina back to life.

Sincerely,



Denver Coon

Trilogy Excursions – Family Business in Lahaina for 52 Years

**SB-1296-SD-2**

Submitted on: 3/10/2025 7:36:45 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Miranda	Hakuna Matata Hostel	Support	Written Testimony Only

Comments:

**Testimony in Support of SB 1296 with Amendments**

Aloha Chair and Members of the Committee,

My name is Daniel Miranda , and I am the owner of Hakuna Matata Hostel in Lahaina. My family and I, like so many others, lost both our business and home in the devastating Lahaina fire. Rebuilding has been very difficult due to current restrictions, and any legislation that helps remove barriers to reconstruction is critical for our recovery and the future of our community.

**I strongly support SB 1296**, as it aims to expedite the rebuilding process for those of us who lost everything. However, **I urge you to amend Section 2,"W"**, to remove the exemption for shoreline parcels. Excluding these properties creates an unfair disadvantage for many business and home owners who are trying to restore what was lost. **SB 830 recognizes the need for equal support** across all affected properties, and **SB 1296 should do the same to ensure no one is left behind.**

Lahaina's recovery depends on a fair and efficient rebuilding process. **Please pass SB 1296 with the necessary amendment to include shoreline parcels.**

Mahalo for your time and consideration.

Daniel Miranda

Hakuna Matata Hostel, Lahaina



Testimony of **Lahaina Strong**  
Before the House Committees on  
**Water and Land & Public Safety**

In Consideration of Senate Bill No. 1296 SD2  
RELATING TO DISASTER RECOVERY

To Chair Hashem, Chair Belatti, Vice Chair Lamosao, Vice Chair Iwamoto and the honorable members of the committees,

We are writing on behalf of Lahaina Strong, an organization deeply rooted in our community's resilience and advocacy. Originally formed in 2018 following the Hurricane Lane fire in Lahaina and revitalized after the devastating fires of August 8, 2023, Lahaina Strong has become the largest grassroots, Lahaina-based community organization, with over 35,000 supporters. Our mission is to amplify local voices and champion community-driven solutions, which are more critical than ever as we continue rebuilding and recovering.

Lāhainā Strong stands in support of **Senate Bill 1296 SD2**, which seeks to exempt reconstructions of any lawfully constructed structure that was damaged or destroyed in a disaster. The devastation of the 2023 Maui wildfires left families without housing, and recovery efforts must center on ensuring that Lahaina residents can rebuild and return without unnecessary delays.

By exempting the reconstruction of lawfully constructed structures from special management area (SMA) permitting requirements, this bill removes a potential barrier to rebuilding. For those who lost their homes, every delay—every additional layer of permitting—extends the time they are displaced. Lahaina families cannot afford to be locked out of their own recovery.

However, while we support streamlining the process to get our residents back into homes, this exemption must remain focused on residential recovery—not an open door for outside development interests. Lahaina's future should be guided by the needs of

the community first, ensuring that those who lived here before the fire can return before speculative or large-scale redevelopment changes the character of the town.

This bill must work in tandem with strong local oversight to ensure that exemptions are used responsibly and that rebuilding efforts prioritize housing for those directly impacted by the disaster. Lahaina Strong urges the committee to **support SB1296 SD2** while maintaining a clear commitment to local families, cultural integrity, and a resilient future.

Mahalo for your dedication to Lāhainā's recovery.

Sincerely,

Lāhainā Strong

**SB-1296-SD-2**

Submitted on: 3/8/2025 9:55:11 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Toth	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

My name is Jason, and I am from Lahaina. I strongly support SB1296 SD2, but more pressure must be put on the county to remove the bureaucratic red tape that is still preventing us from rebuilding 1.5 years later. While these bills are a step in the right direction, Maui County continues to reject permits with no real explanation.

We have been re-submitting permits, yet they keep getting stalled or rejected, even though we are rebuilding within what should be allowed but wanting to use Class A fire-grade materials. However, because the area is classified as historic, we are being denied the ability to build with safer materials - even though there is nothing historic left! This is just more unnecessary red tape, and it's beyond frustrating - it's unacceptable. We need real action now, not more delays. We are running out of insurance funds, and building prices are skyrocketing.

Please pass SB1296 SD2 and all other disaster-related bills and hold the county accountable for slowing recovery efforts, they just dont care, we should all already have been built by now!!! And this should have never happened in the first place - zero mitigation was done in Lahaina after the Hurricane Lane fire, and now, residents are being forced to bear even more hardship. Enough is enough!

Mahalo, Jason  
Lahaina, HI

**SB-1296-SD-2**

Submitted on: 3/8/2025 12:14:44 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Toni Colombo	Individual	Support	Written Testimony Only

Comments:

**TESTIMONY IN STRONG SUPPORT OF SB1296**

Aloha e Chair Hashem, Vice Chair Lamosao, Chair Au Belatti, Vice Chair Iwamoto, and members of the committees. Thank you for the opportunity to provide testimony in strong support of SB1296.

Lahaina Harbor is the location of the business Hawaii Ocean Rafting I work with and is waiting to go back and resume business. We also lived in shark pit, road our bikes to work and surfed in town, Lahaina town is our home, our community, our career and our hearts.

I am in strong support of this bill because it allows us to resume the life we love and had built, reconnect with the boating/surf community of Lahaina and get back to work doing what we love on the ocean. I humbly ask for your support for our community and pass this bill. Thank you for the opportunity to provide testimony.

Toni Colombo

toniclmbo@gmail.com

808-214-3352

**SB-1296-SD-2**

Submitted on: 3/8/2025 1:13:37 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Constantine Mittendorf	Individual	Support	Written Testimony Only

Comments:

**TESTIMONY IN STRONG SUPPORT OF SB1296**

Aloha e Chair Hashem, Vice Chair Lamosao, Chair Au Belatti, Vice Chair

Iwamoto, and members of the committees. Thank you for the opportunity to provide testimony in strong support of SB1296

I am a member of and supporter of the Lahaina Yacht Club located makai side of Front Street in Lahaina. My kids and many keiki over the years learned to sail there in Lahaina over the years. The Lahaina Yacht Club community has been a strong source of joy for the residents of Lahaina for decades. It even showed up in the 1960's TV show Hawaii-5-0 and is a source of cultural significance for the community. The club has maintained eight road-head moorings for traveling sailors as part of its community program. Many watermen and water wahine are part of this community we love. Without it since the Lahaina fire, our community is suffering a great loss.

Please let us rebuild. Please give us hope that we will be able to return to the place we love so much, it gets us moving in the right direction to some sense of normalcy through all of this chaos we have endured. I humbly ask for your support for our community and pass this bill. Thank you for the opportunity to provide testimony.

Constantine Mittendorf

**SB-1296-SD-2**

Submitted on: 3/8/2025 4:40:41 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Leah Harbottle	Individual	Support	Written Testimony Only

## Comments:

To: Rep. Della Au Belatti, Chair  
Rep. Kim Coco Iwamoto, Vice Chair  
Rep. Mark J. Hashem, Chair  
Rep. Rachele F. Lamosao, Vice Chair  
Committee on Public Safety & Committee on Water & Land  
From: Leah Harbottle, Lahaina Resident  
Subject: SB 1296- Relating to Disaster Recovery  
Date: 3/8/2025

My name is Leah Harbottle, and I am a resident of Lahaina writing to you in support of SB1296. I understand the complexity of the situation involved and wanted to begin with my appreciation for your efforts in reviewing the proposed bill.

As such, I thought it might be helpful to share my unique perspective as a resident living and working in the area, but also as an active member of our community. I have served as President for both the Rotary Club of Lahaina and Rotary Club of Lahaina Sunrise. I currently hold the Vocational Chair position in Lahaina Sunrise Rotary, sit on the Rotary D5000 Fire Relief Foundation Sub-Committee and am on the Board of Directors for the Maui Chamber of Commerce.

At this point, I could provide an onslaught of facts and figures on tax revenue, property values, fear of continued inflation, supplies shortages, etc. But instead, I would like to you consider what one might deem our most precious resource, the human element.

From my experiences, I have not just gained an understanding of a town and its functions but a wealth of memories, friendships and a deep appreciation for a community that supports one another. From Keiki Parade's to Movie Nights at The Old Prison to Town Clean-Up's, Historic Lahaina Town was the center of our community. You may ask: How in this age of technology, business development and continual advancement that a small town recognized around the world as a tourist destination can retain their community? Simple: It's the people.

The people that make up the residents, workforce, small businesses, and property owners of Lahaina. These same people are now asking for your help.

Many have lost their businesses, homes and loved ones. Through it all they have clung to the hope that they will be able to rebuild and regain some sense of normality and the community they once had. Despite the immense loss and devastation, these same people have not given up continue to support each other and what is left of the Lahaina community. However, it's important to recognize that they are getting tired and for many, their resources and opportunities



are dwindling. These are not faceless corporations of big business; they are just people that want to get back to their way of life. Yet, after 19 months, they still have no insight to what their futures may hold or how to proceed. The time for indecision has passed and the community needs your help if there is any hope of restoring what once was.

On behalf of the community and all those that call Lahaina home, I humbly ask for your consideration in support of SB1296.

Mahalo,

Leah Harbottle, Lahaina Resident for Life

**SB-1296-SD-2**

Submitted on: 3/8/2025 8:25:05 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Debbie Wyand	Individual	Support	Written Testimony Only

## Comments:

Please vote to support SB1296. It's been almost two years since the devastating fire attack. It's time to allow businesses and residents to be made whole. As they were. Please vote yes. California did this within two weeks. Why is it taking so long to help the people you were elected to represent? The lack of creative solutions and the adherence to outdated and redundant and slow permitting is abhorrent in this environment. You have the power, ability and duty to help Lahaina.

✓ **SB1296 helps Lahaina business owners and property owners rebuild efficiently** within the footprint of their original structures.

✓ **The bill ensures reconstruction remains within pre-fire limits** and allows a **five-year window** for recovery efforts.

✓ **Lahaina's businesses are essential to the island's economy**—this bill provides a path forward to bring back jobs and support the local workforce.

**SB-1296-SD-2**

Submitted on: 3/8/2025 9:16:22 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Doreen Canto	Individual	Support	Written Testimony Only

Comments:

I am in full support.

**SB-1296-SD-2**

Submitted on: 3/8/2025 9:27:50 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Martin Wyand	Individual	Support	Written Testimony Only

Comments:

I strongly support SB 1296.

It is time our elected representatives DO SOMETHING POSITIVE to rebuild Lahaina. it's been almost two years of endless, regulations, permits and bureaucracy! The fund is now. Do the right thing!

**SB-1296-SD-2**

Submitted on: 3/9/2025 8:03:25 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cathy Medina	Individual	Support	Written Testimony Only

Comments:

Aloha Senator McKelvey,

My name is Cathy Medina and my husband and I are residents of Lahaina. I strongly support SB 1296, which is essential for the recovery and rebuilding of our community after the devastating August 2023 fire. However, I respectfully request an amendment to **Section 2.W**, specifically to remove the exclusion of "shoreline properties," so that all property owners in Lahaina receive equitable treatment.

The fire did not distinguish between inland and shoreline properties—everyone in Lahaina suffered devastating losses. Yet, as written, SB 1296 places an undue burden on shoreline property owners, leaving them without the same relief provided to the rest of the town.

**Removing this exclusion will ensure that all property owners in Lahaina can rebuild under the same framework, aligning SB 1296 with SB 830, which provides consistent support for affected properties without singling out shoreline areas.**

Rebuilding Lahaina must be a unified effort. Excluding shoreline properties only creates further obstacles for those already facing immense challenges. By making this small but critical change, we can ensure fair and equitable recovery for all property owners.

I urge you to **support SB 1296 with an amendment to remove the shoreline property exclusion in Section 2.W**, bringing it in line with SB 830 and ensuring all of Lahaina is treated equally in this recovery process.

Thank you for your time and consideration.

**Respectfully,**

Cathy Medina

808-269-4438

**SB-1296-SD-2**

Submitted on: 3/9/2025 8:15:04 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joanne Foxxe	Individual	Support	Written Testimony Only

Comments:

I totally support this bill. We need to rebuild Mina in the same footprint that it was before we have many people just wanting to rebuild and wanting to get our community back. Please keep LAHAINA thriving.

We need to keep the boats on the beach in Kaanapali

We need our harbor back right away should be a priority too many have lost jobs and are moving to the mainland. Please keep our people home.

**SB-1296-SD-2**

Submitted on: 3/9/2025 8:20:09 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John Peterson	Individual	Support	Written Testimony Only

Comments:

My family has owned shoreline property in Lahaina for over 40 years. The devastation of the Lahaina fires is horrible but we now ALL need the opportunity to move forward. We are so ready to rebuild what we had prior to the fire. Thats all we have ever wanted to do. Rebuild what was there pre fire.

I am writing to request an amendment to **Section 2, “W”**, removing the language that **exempts shoreline parcels from rebuilding**. We all need to be treated the same especially to build prefire.

Ideally this will ensure SB 1296 aligns with **SB 830** and provides equal support for all affected properties.

Many thanks for your leadership and all that you do.

John Peterson

38-2 Pualoke Place, Lahaina

**SB-1296-SD-2**

Submitted on: 3/9/2025 8:35:35 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
theresa Delosada	Individual	Support	Written Testimony Only

Comments:

As a Lahaina resident for 30 years I fully support the rebuilding of Lahaina through SB1296. I would like to amend section 2 W removing the language that exempts shoreline parcels from rebuilding. I/We really want our town back!!!! Mahalo!!!



**SB-1296-SD-2**

Submitted on: 3/9/2025 8:37:43 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Melichar	Individual	Comments	Written Testimony Only

Comments:

I am requesting an amendment to Section 2, W, removing the language that exempts shoreline property from rebuilding. This will insure that SB1296 aligns with SB830 and provides equal support to all effected properties.

I own 239 and 281 Front Street, and lost both historic plantation houses in the fire. I only want to rebuild what was there on the same footprint. Please allow us to rebuild Lahaina, and include all properties. Thank you.

**SB-1296-SD-2**

Submitted on: 3/9/2025 9:43:05 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
James Kimo Falconer	Individual	Support	Written Testimony Only

## Comments:

Aloha Chairs Hashem and Belatti, Vice Chairs Lamosao and Iwamoto, and members of the House Water and Land and Public Safety Committees.

I am writing in strong support of SB 1296 SD1. It has been 19 months since the devastating fires destroyed our town. There is good progress in the reconstruction of our residential areas, but the bureaucratic roadblocks within the shoreline and commercial zone remains the obvious obstacle to finish the town's rebuilding. This measure will expedite reconstruction within the Lahaina National Historic Landmark District by giving a balanced approach to rebuild with reasonable exemptions to the current regulations.

Our Ohana, which has owned and operated the Pioneer Inn, part of the centerpiece of this district since 1901, humbly asks you to pass SB 1296 and help us bring Lahaina back.

Mahalo for the opportunity to testify.

**SB-1296-SD-2**

Submitted on: 3/9/2025 1:02:51 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen Ono	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Mark Hashem & Members of the Water & Land Committee and Chair Della Au Bellati and Members of the Public Safety Committee.

My name is Karen Ono, a resident of Kauai who has sustained and recovered from two hurricanes in my adult life. It is important that reconstruction and lives return as close to normal as possible now to bring back Lahaina and the community.

I strong support allowing reconstruction based on the original footprint and or overall dimensions that were existing or permitted in compliance with the requirements of floodplain management standards with current electrical and water code so these families can move back into their homes.

It must be allowed now to have the community heal and return Lahaina to a revitalized economic driver for Maui County. The longer we wait the harder it is for families to return to normalcy.

Mahalo for allowing me the opportunity to submit testimony.

**SB-1296-SD-2**

Submitted on: 3/9/2025 1:09:48 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Judy Sturgis	Individual	Support	Written Testimony Only

Comments:

**I support SB 1296** which aims to remove additional barriers to expedite the rebuilding of Lahaina. However, I request an amendment to **Section 2, “W”**, removing the language that **exempts shoreline parcels from rebuilding**. This change will ensure SB 1296 aligns with **SB 830** and provides equal support for all affected properties.

**Your truly**

**Judy Sturgis**

**SB-1296-SD-2**

Submitted on: 3/9/2025 1:58:21 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Bethany M Knapp	Individual	Support	Written Testimony Only

Comments:

Please Amend SB 1296 SD2 to include the language from SB 830 SD2 and ensure **shoreline properties within the setback** are explicitly included in rebuilding exemptions.

By adding **SB 830 SD2's language** will further streamline the process.

- SB 830 SD2 ensures that homes and businesses destroyed in disasters **do not require unnecessary special management area (SMA) permits.**
- This clarification **prevents bureaucratic delays** that could stall Lahaina's recovery.
- **Protect Homeowners and Businesses Along the Shoreline, Including Puamana**
  - Many properties, including those in **Puamana and other shoreline areas**, were legally built but lost in the **August 8, 2023, wildfire.**
  - Without the exemption in SB 830 SD2, rebuilding could be delayed by **costly and time-consuming permitting requirements.**
  - **Shoreline properties within the setback must be explicitly included** in the bill to ensure they are not excluded from rebuilding exemptions.
  - Incorporating SB 830 SD2 into SB 1296 SD2 provides a **fair and efficient** path for restoring all impacted properties, **including those within the shoreline setback.**
  - **Ensure Consistency in Coastal Zone Management**
    - SB 830 SD2 **clarifies that rebuilding legally existing structures lost to disaster is not considered "development."**
    - Aligning SB 1296 SD2 with SB 830 SD2 ensures **consistent and clear** coastal regulations for disaster recovery.
    - **The bill must explicitly apply to legally built properties within the shoreline setback** to guarantee they receive the same rebuilding rights as others.
    - **Support Lahaina's Economic and Cultural Recovery**
      - Delays in rebuilding mean delays in **economic recovery** for local businesses and the community.
      - Lahaina's **historical and cultural significance** makes timely restoration essential.
      - Amending SB 1296 SD2 with SB 830 SD2's language **provides certainty and support for residents and businesses, including those within the shoreline setback.**
      - **Request to the WAL/PBS Committees:**

We urge the committees to:



**Amend SB 1296 SD2 to incorporate SB 830 SD2's language** to ensure clear rebuilding exemptions.



**Explicitly include shoreline properties within the setback** in the bill wherever possible.



**Pass the amended bill** to the next committee to keep Lahaina's recovery on track.

**SB-1296-SD-2**

Submitted on: 3/9/2025 1:59:49 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Nex	Individual	Support	Written Testimony Only

## Comments:

My name is Cheryl Nex and I strongly support SB1296, which is crucial for the rebuilding and recovery of our community following the devastating August 2023 fire.

**However, I respectfully request an amendment to Section 2.W, specifically to remove the exclusion of "shoreline properties" so that all property owners in Lahaina, regardless of location, receive equitable treatment under this bill.**

As you know, the fire did not discriminate between inland and shoreline properties. Hundreds of families and businesses along the waterfront lost everything, just as those in other parts of Lahaina did. However, the current language of the bill unfairly excludes shoreline properties from the relief measures provided, creating an unnecessary divide between neighbors who all need the same support to rebuild.

Rebuilding Lahaina must be a unified effort, and no homeowner or business should be left behind due to arbitrary distinctions. The exclusion of shoreline properties only adds another obstacle to those already facing immense challenges. By removing this language, we can ensure that every affected property owner has an equal opportunity to recover and restore our historic town.

I urge you to support SB 1296 to:

1. Ensure Lahaina's Recovery Stays on Track
  - o SB 1296 SD2 takes important steps to facilitate rebuilding, but adding SB 830 SD2's language will further streamline the process.
  - o SB 830 SD2 ensures that homes and businesses destroyed in disasters do not require unnecessary special management area (SMA) permits.
  - o This clarification prevents bureaucratic delays that could stall Lahaina's recovery.
2. Protect Homeowners and Businesses Along the Shoreline, Including Puamana
  - o Many properties, including those in Puamana and other shoreline areas, were legally built but lost in the August 8, 2023, wildfire.
  - o Without the exemption in SB 830 SD2, rebuilding could be delayed by costly and time-consuming permitting requirements.
  - o Shoreline properties within the setback must be explicitly included in the bill to ensure they are not excluded from rebuilding exemptions.

- Incorporating SB 830 SD2 into SB 1296 SD2 provides a fair and efficient path for restoring all impacted properties, including those within the shoreline setback.
- 3. Ensure Consistency in Coastal Zone Management
  - SB 830 SD2 clarifies that rebuilding legally existing structures lost to disaster is not considered “development.”
  - Aligning SB 1296 SD2 with SB 830 SD2 ensures consistent and clear coastal regulations for disaster recovery.
  - The bill must explicitly apply to legally built properties within the shoreline setback to guarantee they receive the same rebuilding rights as others.
- 4. Support Lahaina’s Economic and Cultural Recovery
  - Delays in rebuilding mean delays in economic recovery for local businesses and the community.
  - Lahaina’s historical and cultural significance makes timely restoration essential.
  - Amending SB 1296 SD2 with SB 830 SD2’s language provides certainty and support for residents and businesses, including those within the shoreline setback.

My personal plea and immediate request to the WAL/PBS Committees is to urge the committees to:

- ✓ Amend SB 1296 SD2 to incorporate SB 830 SD2’s language (to remove the exclusion of shoreline properties in Section 2.W) to ensure clear rebuilding exemptions.
- ✓ Explicitly include shoreline properties within the setback in the bill wherever possible.
- ✓ Pass the amended bill to the next committee to keep Lahaina’s recovery on track.

Thank you for your time and consideration.

Respectfully,  
Cheryl Nex

25 Kamaka Circle, Lahaina



**SB-1296-SD-2**

Submitted on: 3/9/2025 2:14:57 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Leah Johnston	Individual	Support	Written Testimony Only

Comments:

Testimony Requesting Amendment to SB 1296 SD2

To: The Senate Committee on Water and Land (WAL)

The Senate Committee on Public Safety, Intergovernmental, and Military Affairs (PBS)

Subject: Request to Amend SB 1296 SD2 to Include Language from SB 830 SD2 and Ensure Shoreline Properties Within the Setback Are Explicitly Included in Rebuilding Exemptions

Dear Committee Members,

I respectfully submit this written testimony requesting an amendment to SB 1296 SD2 to incorporate the language from SB 830 SD2 and to ensure that shoreline properties within the setback are explicitly included in rebuilding exemptions. This amendment is critical to streamline the recovery process for those affected by the devastating wildfires in Lahaina, particularly those with properties along the shoreline.

Key Reasons for the Amendment:

1. Ensure Lahaina's Recovery Stays on Track

- SB 1296 SD2 takes crucial steps toward facilitating the rebuilding process, but the inclusion of SB 830 SD2's language would further streamline recovery efforts. Specifically, SB 830 SD2 ensures that homes and businesses destroyed in disasters are not required to go through unnecessary Special Management Area (SMA) permits.

- This clarification would prevent bureaucratic delays that could otherwise stall Lahaina’s recovery and ensure that rebuilding proceeds without hindrance.

## 2. Protect Homeowners and Businesses Along the Shoreline, Including Puamana

- Many properties, including those in Puamana and other shoreline areas, were legally built but were tragically lost in the August 8, 2023, wildfire.
- Without the rebuilding exemption provided in SB 830 SD2, these property owners would face costly and time-consuming permitting requirements that could delay their ability to rebuild.
- Shoreline properties within the setback must be explicitly included in the bill to prevent them from being excluded from rebuilding exemptions, ensuring that all impacted properties receive fair and timely consideration.
- Incorporating SB 830 SD2 into SB 1296 SD2 will provide a clear and efficient pathway for the restoration of all properties, including those within the shoreline setback.

## 3. Ensure Consistency in Coastal Zone Management

- SB 830 SD2 clarifies that rebuilding legally existing structures that were lost in a disaster is not considered “development.” This clarification ensures that rebuilding efforts are aligned with the State’s Coastal Zone Management policies.
- Aligning SB 1296 SD2 with SB 830 SD2 ensures consistent, clear, and fair coastal regulations during disaster recovery. The amendment should explicitly apply to legally built properties within the shoreline setback to guarantee they are treated equally and fairly during the rebuilding process.

## 4. Support Lahaina’s Economic and Cultural Recovery

- Delays in rebuilding not only impact homeowners but also hinder the economic recovery of local businesses and the community. Lahaina’s historical and cultural significance makes the timely restoration of properties essential to the wellbeing of residents and the local economy.
- Amending SB 1296 SD2 with SB 830 SD2’s language will provide greater certainty for residents and businesses, especially those affected along the shoreline, and offer the necessary support for their recovery.

Request to the WAL/PBS Committees:

We respectfully urge the committees to:

1. Amend SB 1296 SD2 to incorporate SB 830 SD2's language, ensuring clear and efficient rebuilding exemptions for properties impacted by disaster.
2. Explicitly include shoreline properties within the setback in the bill wherever possible to guarantee that all impacted properties receive rebuilding exemptions.
3. Pass the amended bill to the next committee to keep Lahaina's recovery on track and restore the community's homes, businesses, and cultural heritage.

Thank you for your consideration of this critical issue.

Sincerely,

Leah Johnston

Lahaina home owner who's home was lost in the Aug. 8th, 2023 fire.

**SB-1296-SD-2**

Submitted on: 3/9/2025 2:16:51 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeffrey Gregory	Individual	Support	Written Testimony Only

## Comments:

We are the owners of a home that was destroyed in the Maui Wildfires of Aug 2023. Our home, built in the late 1960's, is located along the shoreline, within the setback.

Like many in Lahaina, we have been disheartened by the slow progress made towards restoration of Lahaina and support measures to speed rebuilding.

We support SB 1296 with a request that Section 2.W. be amended to **not** exclude structures located within the shoreline setback, but to explicitly include such structures -- such that is consistent with SB 830. We want to be able to rebuild our legally built home as it existed prior to the fire without the otherwise many-year and costly process that non-shoreline owners will be able to avoid with this bill as currently written.

**SB-1296-SD-2**

Submitted on: 3/9/2025 2:27:03 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Carolan	Individual	Oppose	Written Testimony Only

## Comments:

Please amend SB 1296 SD2 to include similar language that is in SB 830 SD2 so that shoreline properties within the setback are included in rebuilding exemptions.

Although SB 1296 works to remove additional barriers to expedite the rebuilding of Lahaina, it excludes shoreline units from these conditions. Adding SB 830 SD2's language to SB 1296 SD2 will ensure that homes and businesses destroyed in disasters do not require unnecessary SMA permits. This clarification will help prevent bureaucratic delays that could stall Lahaina's recovery.

By not incorporating wording from SB 830 SD2 into SB 1296 SD2, rebuilding legally built properties could be delayed by costly and time consuming permitting requirements. We need a fair and efficient path for restoring ALL impacted properties, including those within the shoreline setback.

Consistency in Coastal Zone Management is needed. SB 830 SD2 clarifies that rebuilding legally existing structures lost to disaster is not considered "development." Legally built properties within the shoreline setback should receive the same rebuilding rights as others.

Please support Lahaina's economic and cultural recovery. Amending SB 1296 SD2 with SB 830 SD2's language will give certainty and support to all of Lahaina's residents and businesses.

Sincerely,

Carol Carolan

**SB-1296-SD-2**

Submitted on: 3/9/2025 2:43:57 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marie Sweetland	Individual	Support	Written Testimony Only

Comments:

Aloha Honorable Committee Chairperson, Vice-Chairperson and Committee members. I am a Maui resident and one of the homeowners of a destroyed property in Lahaina.

I urge you to support **SB 1296 SD2**, but I urgently request that you amend this bill by adding **SB 830 SD2's** language which will ultimately **give SB 1296 the strength** it needs to allow Lahaina's homeowners to avoid the bureaucratic delays most of us near or on the shoreline continue to encounter.

It's over 18 months since the fire, and Lahaina's SMA area continues to remain leveled with very few dwellings under construction. *The homes and businesses along the shoreline that existed prior to the fire were legal and should be allowed to be rebuilt!* Please honor the private property rights of all citizens of Lahaina's shoreline, both the residents and the businesses.

We need strong State government action and intervention to rebuild Lahaina's shoreline area homes and businesses. Please help our County government by creating a pathway forward that allows reconstruction of all properties impacted by wildfire.

Your action to explicitly include shoreline properties within the setback will ensure that these properties are not excluded from rebuilding exemptions. This action will go a long way in helping our people avoid costly delays that ultimately impact the economic recovery for Maui.

Please, I urge you to:

1. **Amend SB 1296 SD2 to incorporate SB 830 SD2's language** to ensure clear rebuilding exemptions.
2. Explicitly include shoreline properties within the setback in the bill wherever possible.
3. **Pass the amended bill to the next committee** to keep Lahaina's recovery on track.

Time is of the essence.

Mahalo nui loa for your kind consideration.

**SB-1296-SD-2**

Submitted on: 3/9/2025 4:12:42 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Staubitser	Individual	Support	Written Testimony Only

## Comments:

It has been over 19 months since the wildfires devastated the town of Lahaina. The people, the businesses and the town need to recover and rebuild as soon as possible. I am in support of SB 1296 SD2, but believe this bill should be amended to include the language from SB 830 SD2 and ensure shoreline properties within the setback are included in the rebuilding exemption.

By including the language of SB 830 SD2 the permitting process will be able to move forward and will allow home owners, businesses and the community of Lahaina to recover economically, historically and culturally with fewer delays.

I respectfully request that the WAL/PBS Committees amend SB 1296 SD2 to incorporate SB 831 SD2's language to ensure rebuilding exemptions, to include shoreline properties within the setback wherever possible and to pass the amended bill to help Lahaina recover and rebuild with little delays. The people, businesses and the town have suffered enough, any unnecessary delays would add to the suffering.

Thank you

Thomas Staubitser

71-3 Puapake Pl

Lahaina, HI 96761

**SB-1296-SD-2**

Submitted on: 3/9/2025 4:29:29 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Mulvihill	Individual	Support	Written Testimony Only

## Comments:

As homeowners in the fire zone, we beg you to support SB 1296 along with the essential language from SB 830 SD2. As you know, SB 1296 along with SB 830 SD2 will ensure that homes and businesses destroyed in the fire can now rebuild without special management permits. These SMPs have unfairly stymied Lahaina from commencing reconstruction; have taken a huge emotional toll on the community; and have taken a huge (and ongoing) economic toll on the Town of Lahaina, the County of Maui and the State of Hawaii. Homeowners who have burned properties on the shoreline have been unfairly prevented from even considering rebuilding because of these harsh SMPs. SB 830 SD2 in good faith and fairness allows our homes to be rebuilt. Thank you from the bottom of our hearts for supporting this bill, and for allowing our wonderful community to finally move on from this inconceivable nightmare. Mahalo!!!



Senate Committee- Water and Land  
Chair Lorraine R. Inouye  
Vice Chair Senator Brandon J.C. Elefante

DATE: March 9, 2025  
PLACE: Conference Room 229  
State Capitol  
415 South Beretania Street

### **TESTIMONY IN STRONG SUPPORT OF SB1296**

Aloha Chair Inouye, Vice Chair Elefante, and members of the committee. Thank you for the opportunity to provide testimony in strong support of the proposed amendment to SB1296 SD2 to incorporate SB 830 SD2's language.

My name is Laura Sue Peterson, and I am a resident of Lahaina, Maui. My personal residence was burned to the ground in the Lahaina fire. Firstly, I want to extend my heartfelt mahalo to the administration and the planning department for their diligent work in bringing forward Bill SB1296 and the proposed amendment. This bill is a vital step in helping the business owners and its residents rebuild the Front Street we know and love. The charm of Front Street lies in its historic old buildings that reflect the soul of our community. They contributed to the unique feel that made Lahaina so special. We do not want to see modern developments take over what was once an important part of our island's history.

It is very important to amend SB 1296 SD2 to incorporate SB 830 SD2's language to ensure that homes and businesses destroyed in the disaster do not require unnecessary special management area (SMA) permits. It is also important that the bill also include shoreline properties within the setback wherever possible. This is fair and will help the rebuilding efforts be most efficient.

This bill and proposed amendment is a major step towards being able to rebuild. The business owners and those that own personal residences are only wanting to rebuild what we had prior to the fire, a completely reasonable request. Front street played a key role in both the community but also for our entire state. The contributions made to the state is what goes towards building roads, schools, etc. This is necessary to keep Lahaina's recovery on track.

I strongly support the Planning Commission's recommendation to the points above. This would give our community the opportunity to bring back Lahaina which will benefit us all and honor the city's past.

Mahalo again for your efforts.

Sincerely,

Laura Sue Peterson  
Lahaina Resident

**SB-1296-SD-2**

Submitted on: 3/9/2025 4:40:31 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Koller	Individual	Support	Written Testimony Only

## Comments:

Although SB1296 SD2 is an important step towards facilitating rebuilding in Lahaina, I request that the bill be amended to incorporate SB830 SD2 language which specifies that shoreline properties within the setback be explicitly included to ensure they are not excluded from rebuilding exemptions. Incorporating this language into SB 1296 will streamline the process, ensure consistency and prevent costly and time-consuming delays to rebuilding for all properties affected by the fire..

Most properties that were affected by the fire, including those on the shoreline, were built legally. SB830 SD2 specifies that rebuilding all legally existing structures lost to disaster is not considered development. Furthermore, it ensures all homes and businesses destroyed by disasters, including those within the shoreline setback, do not require unnecessary SMA permits.

It's important that the language from SB1296 and SB 830 is aligned to prevent roadblocks in the recovery and rebuilding of Lahaina. It will also ensure that all homes and businesses in Lahaina have an equal opportunity to rebuild in a timely manner so that fire survivors can return to their homes and livelihoods..

I am writing to express my strong support for amending **SB 1296 SD2** to incorporate the language from **SB 830 SD2**, which is critical to ensuring an efficient and fair rebuilding process for Lahaina.

SB 1296 SD2 takes important steps to facilitate rebuilding, but adding SB830 SD2's language will further streamline the process. SB 830 SD2 clarifies that rebuilding legally built structures lost in fires is not considered "development" and should not be subject to redundant Special Management Area (SMA) permitting. This bill must explicitly apply to legally built properties within the shoreline setback to guarantee these owners receive the same rebuilding rights as others.

Incorporating this language into SB 1296 SD2 will prevent bureaucratic delays that will further stall Lahaina's recovery. A timely recovery is crucial not only for homeowners and businesses but also for Lahaina's cultural and economic restoration. By amending SB 1296 SD2 to include SB 830 SD2's provisions, we can create a fair, efficient, and streamlined rebuilding path for all affected.

Aligning SB 1296 SD2 with SB830 SD2 ensures consistent and clear coastal regulations for disaster recovery. This bill must explicitly apply to legally built properties within the shoreline setback to guarantee they receive the same building rights as others affected by the disaster.

Please pass the amended bill to the next committee to keep Lahaina's recovery on track.

In summary, I respectfully urge the committees to:

**-Amend SB 1296 SD2 to incorporate SB 830 SD2's language** to ensure clear rebuilding exemptions.

**-Explicitly include shoreline properties within the setback** in the bill.

**Pass the amended bill to the next committee** to keep Lahaina's recovery on track.

Thank you for your time and consideration.

**SB-1296-SD-2**

Submitted on: 3/9/2025 4:53:28 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Barr	Individual	Support	Written Testimony Only

Comments:

**ATTN: WAL/PBS Committees**

**Date: March 11, 2025, at 9:00 AM**

**Location: Conference Room 414**

**From: Lynn Barr, Front Street Homeowner and Fire Victim**

Dear Committee Members:

As a Lahaina fire victim, I long to simply rebuild my home and return to my life in Lahaina. The recent amendments proposed by the DLNR and adopted on SB830, allowing all Lahaina fire victims to rebuild what they had in the same footprint, has given me hope that this will finally be possible for shoreline parcels. I give many thanks to the legislature and the state for facilitating our recovery. For the sake of clarity and expedience, I recommend a few amendments to SB1296 to bring it in line with the clear desires of DLNR.

SB 1296 SD2 takes important steps to facilitate rebuilding, but adding and clarifying SB 830 SD2's language will further streamline the process and expand its benefit to all Lahaina fire victims, even for shoreline properties:

1. Ensure that shoreline homes and businesses destroyed in disasters do not require unnecessary special management area (SMA) permits.
2. Clarify that shoreline properties previously built within the setback (legal nonconforming structures) are not excluded from rebuilding exemptions and receive the same rebuilding rights as others.
3. Clarify that rebuilding legally existing structures lost to disaster is not considered "development."

**Request to the WAL/PBS Committees:**

I urge the committees to amend SB 1296 SD2 to incorporate SB 830 SD2's language to ensure clear rebuilding exemptions, explicitly include legal nonconforming shoreline properties within the setback, and pass the amended bill to the next committee to keep Lahaina's recovery on track.

I am shovel ready. Please help me start rebuilding my home as soon as possible.

Mahalo,

Lynn Barr, MPH

**SB-1296-SD-2**

Submitted on: 3/9/2025 5:22:09 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Todd Whitehead	Individual	Support	Written Testimony Only

Comments:

**We urge you to support SB 1296SD2 and request the inclusion of SB 830 SD2 language to expedite the rebuilding process for homes and businesses destroyed in the 2023 Lahaina fire. We ask you work with homeowners and businesses to mitigate bureaucratic delays, which could potentially hinder Lahaina's recovery.**

Please protect the rights of residential and business property owners in the Shoreline areas devastated by this fire. It would be unjust for individuals to lose valuable, pre-existing residences or businesses due to actions of those they believed were looking out for their well-being.

To ensure a fair outcome, we respectfully request that all property owners be granted equal rights to rebuild.

To explicitly state, that Shoreline properties within the setback would be included in the bill to ensure they might benefit from the rebuilding exemptions, we propose incorporating SB 830 SD2 into SB 1296 SD2.

Another area of concern that we believe would be addressed by the alignment of these bills is to ensure clear and consistent coastal regulations governing disaster recovery. This would contribute to a smoother and quicker rebuilding process.

We appreciate your time and consideration. While many historic buildings and monuments were lost, we look forward to the spirit of Maui rising from the ashes, allowing many to once again enjoy this beautiful place, restoring economic viability to the town, and so many local residents.

**SB-1296-SD-2**

Submitted on: 3/9/2025 5:31:22 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie Marrack	Individual	Support	Written Testimony Only

Comments:

Aloha, Thank you for your service.

Would you please support the passage of Bill SB1296. It would provide a clear pathway

for the Furtado Ohana to rebuild the loss of our families business's .

with gratitude,

Stephanie Marrack



## **SB-1296-SD-2**

Submitted on: 3/9/2025 6:41:02 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Hehemann	Individual	Comments	Written Testimony Only

Comments:

### **Talking Points for SB 1296 SD2 Hearing**

**Date:** March 11, 2025, at 9:00 AM

**Location:** Conference Room 414

**Request:** Amend SB 1296 SD2 to include the language from SB 830 SD2 and ensure **shoreline properties within the setback** are explicitly included in rebuilding exemptions.

#### **Key Reasons for the Amendment:**

##### **1. Ensure Lahaina's Recovery Stays on Track**

- SB 1296 SD2 takes important steps to facilitate rebuilding, but adding **SB 830 SD2's language** will further streamline the process.
- SB 830 SD2 ensures that homes and businesses destroyed in disasters **do not require unnecessary special management area (SMA) permits**.
- This clarification **prevents bureaucratic delays** that could stall Lahaina's recovery.

##### **2. Protect Homeowners and Businesses Along the Shoreline, Including Puamana**

- Many properties, including those in **Puamana and other shoreline areas**, were legally built but lost in the **August 8, 2023, wildfire**.
- Without the exemption in SB 830 SD2, rebuilding could be delayed by **costly and time-consuming permitting requirements**.
- **Shoreline properties within the setback must be explicitly included** in the bill to ensure they are not excluded from rebuilding exemptions.
- Incorporating SB 830 SD2 into SB 1296 SD2 provides a **fair and efficient** path for restoring all impacted properties, **including those within the shoreline setback**.

##### **3. Ensure Consistency in Coastal Zone Management**

- SB 830 SD2 **clarifies that rebuilding legally existing structures lost to disaster is not considered "development."**
- Aligning SB 1296 SD2 with SB 830 SD2 ensures **consistent and clear** coastal regulations for disaster recovery.
- **The bill must explicitly apply to legally built properties within the shoreline setback** to guarantee they receive the same rebuilding rights as others.

##### **4. Support Lahaina's Economic and Cultural Recovery**

- Delays in rebuilding mean delays in **economic recovery** for local businesses and the community.
- Lahaina's **historical and cultural significance** makes timely restoration essential.
- Amending SB 1296 SD2 with SB 830 SD2's language **provides certainty and support for residents and businesses, including those within the shoreline setback**.

**Request to the WAL/PBS Committees:**

We urge the committees to:

- ✓ **Amend SB 1296 SD2 to incorporate SB 830 SD2's language** to ensure clear rebuilding exemptions.
- ✓ **Explicitly include shoreline properties within the setback** in the bill wherever possible.
- ✓ **Pass the amended bill** to the next committee to keep Lahaina's recovery on track.

**SB-1296-SD-2**

Submitted on: 3/9/2025 6:41:35 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Christina Peterson	Individual	Comments	Written Testimony Only

## Comments:

I am a long time owner of ocean front homes destroyed in the Aug 2023 fires.  
we want to rebuild. Please amend the measures to allow ocean front owners to be exempt from  
SMA permits and be allowed along with the rest of Lahaina to rebuild as is our right as tax  
paying citizens of Maui.

Please do everything you can to allow ocean front properties to be built back to pre fire status.

Christina Peterson

Owner 38/3&4 Pualoke pl Lahaina Maui

**SB-1296-SD-2**

Submitted on: 3/9/2025 6:48:46 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Sturgis	Individual	Comments	Written Testimony Only

Comments:

Dear Committee:

First, thank you for your time in helping the Lahaina fire disaster recovery. My family lost our home on Front Street. This has been a generational tragedy, lives have been forever altered.

My family and I would love to see the town return to what it was before the fire and it is within your power to help make that happen. To do this for all families and businesses within Lahaina, I would kindly urge you to consider amending SB 1296 SD2 to reflect the language in bill SB 830 SD2, extending the rebuilding exemptions for all properties, including those within the shoreline setback. For Lahaina to build back in a timely manner, please amend the bill to include rebuilding exemptions to those properties in the shoreline setback.

I kindly ask that you amend SB1296 SD2 and pass the amended bill to the next committee. Please let Lahaina rebuild.

Thank you for your attention.

Sincerely,

Jason Sturgis

**SB-1296-SD-2**

Submitted on: 3/9/2025 7:15:24 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Anna Severson	Individual	Support	Written Testimony Only

Comments:

Let Lahaina rebuild! We would like to amend SB 1296 SD2 to include the language from SB 830 SD2 and ensure shoreline properties within the setback are explicitly included in rebuilding exemptions.

SSB 1296 SD2 Hearing:

Request: Amend SB 1296 SD2 to include the language from SB830 SD2 and ensure **shoreline properties within the setback** are explicitly included in the rebuilding exemptions.

Aloha WAL/PBS Committees members:

My partner, Daniel Regan and I have lived on 303 and 307 Front Street Ocean Front for about 20 years. We met as neighbors and have been together since then. Like most of our neighbors, we lost our houses from the Lahaina wild fire. We have been traumatized not only by the fire, but also by the loss of all our possessions, family heirlooms, and our neighborhood. We would like to rebuild our houses as soon as possible so we can return to our properties soon. We love our beach and our neighbors.

Because of the new Planning and Shoreline mandates, so far, we have already spent more than \$20,000 in applying for shoreline certifications, consultants, etc. In addition, we will have to apply for a major SMA, environmental, archeology, and many more requirements. Our houses were legally built with all required permits, 20 feet from the ocean, and have never encountered any problems from the ocean. We have seawalls that are over 8 feet which protect us from the ocean.

The new Planning and Shoreline requirement will require us to move back to 45 feet from the seawall and build a building only 40 feet deep. This will reduce our footprint drastically. In order for us to have enough room for my growing family, we have to combine our two properties to one. We are willing to do so in order to expedite our rebuild. However, it is unfair for us to have to apply for a SMA major, new shoreline certifications, and other permits.

We would like the committees to amend SB 1296 SD2 to include the language from SB 830 SD2 and ensure shoreline properties within the setback are explicitly included in rebuilding exemptions. This will help Lahaina's Recovery stay on track and protect homeowners and businesses along the shoreline. Without the exemption in SB 830 SD2 rebuilding is delayed by costly and time-consuming permitting requirements.

Delays in rebuilding mean delays in economic recovery for local business and the community. Lahaina's historical and cultural significance makes timely restoration essential

We urge the committees to:

- ✓ **Amend SB 1296 SD2 to incorporate SB 830 SD2's language** to ensure clear rebuilding exemptions.
- ✓ **Explicitly include shoreline properties within the setback** in the bill wherever possible.
- ✓ **Pass the amended bill** to the next committee to keep Lahaina's recovery on track.

Respectfully submitted,  
Christine K. Ho, Ph.D. and Daniel Regan  
303 and 307 Front Street, Lahaina

**SB-1296-SD-2**

Submitted on: 3/9/2025 7:59:26 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Soren Carlsen	Individual	Support	Written Testimony Only

Comments:

## Aloha Chair and Committee Members,

I am writing to express my support for SB 1296 SD2 with a proposed amendment that would incorporate language from SB 830 SD2 to ensure that shoreline properties within the setback are explicitly included in rebuilding exemptions.

### PROPOSED AMENDMENT

I respectfully request that SB 1296 SD2 be amended to:

1. Include the language from SB 830 SD2 regarding exemptions from Special Management Area (SMA) permits
2. Explicitly state that legally built properties within the shoreline setback are included in rebuilding exemptions

### RATIONALE FOR AMENDMENT

#### 1. Ensure Lahaina's Recovery Stays on Track

While SB 1296 SD2 takes important steps to facilitate rebuilding, incorporating SB 830 SD2's language will further streamline the process. SB 830 SD2 ensures that homes and businesses destroyed in disasters do not require unnecessary special management area (SMA) permits. This clarification prevents bureaucratic delays that could significantly stall Lahaina's recovery effort.

#### 2. Protect Homeowners and Businesses Along the Shoreline, Including Puamana

Many properties, including those in Puamana and other shoreline areas, were legally built but destroyed in the August 8, 2023, wildfire. Without the exemption language in SB 830 SD2, rebuilding could be delayed by costly and time-consuming permitting requirements. Shoreline properties within the setback must be explicitly included in the bill to ensure they are not excluded from rebuilding exemptions.

Incorporating SB 830 SD2 into SB 1296 SD2 provides a more fair and efficient path for restoring all impacted properties, including those within the shoreline setback.

### **3. Ensure Consistency in Coastal Zone Management**

SB 830 SD2 clearly states that rebuilding legally existing structures lost to disaster is not considered "development" under coastal zone management laws. Aligning SB 1296 SD2 with SB 830 SD2 ensures consistent and clear coastal regulations for disaster recovery. The amended bill must explicitly apply to legally built properties within the shoreline setback to guarantee they receive the same rebuilding rights as others.

### **4. Support Lahaina's Economic and Cultural Recovery**

Delays in rebuilding mean delays in economic recovery for local businesses and the community. Lahaina's historical and cultural significance makes timely restoration essential. Amending SB 1296 SD2 with SB 830 SD2's language provides certainty and support for residents and businesses, including those within the shoreline setback.

I urge the committees to:

- Amend SB 1296 SD2 to incorporate SB 830 SD2's language to ensure clear rebuilding exemptions
- Explicitly include shoreline properties within the setback in the bill wherever possible
- Pass the amended bill to the next committee to keep Lahaina's recovery on track

Thank you for the opportunity to provide testimony on this important matter.

Respectfully,

Soren Carlsen,MD



**SB-1296-SD-2**

Submitted on: 3/10/2025 5:59:13 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
David W Medina	Individual	Support	Written Testimony Only

Comments:

**Request to Amend SB 1296 SD2 to Include SB 830 SD2's Language****Ensure Shoreline Properties Within the Setback Are Explicitly Included in Rebuilding Exemptions****1. Keep Lahaina's Recovery on Track**

- SB 1296 SD2 takes important steps to facilitate rebuilding, but incorporating SB 830 SD2's language will further streamline the process.
- SB 830 SD2 ensures homes and businesses lost in disasters are not subject to unnecessary special management area (SMA) permits.
- This clarification prevents bureaucratic delays that could slow Lahaina's recovery.

**2. Protect Homeowners and Businesses Along the Shoreline, Including Puamana**

- Many legally built shoreline properties, including those in Puamana, were lost in the August 8, 2023 wildfire.
- Without the exemption in SB 830 SD2, these properties could face costly and time-consuming permitting delays.
- SB 1296 SD2 must explicitly include shoreline properties within the setback to ensure fair and efficient rebuilding.

**3. Ensure Consistency in Coastal Zone Management**

- SB 830 SD2 clarifies that rebuilding legally existing structures lost to disaster is not considered "development."
- Aligning SB 1296 SD2 with SB 830 SD2 will create consistent and clear coastal regulations for disaster recovery.
- The bill must explicitly apply to legally built shoreline properties within the setback to guarantee equal rebuilding rights.

**4. Support Lahaina's Economic and Cultural Recovery**

- Delays in rebuilding mean delays in economic recovery for local businesses and the community.

- Given Lahaina’s historical and cultural significance, timely restoration is essential.
- Amending SB 1296 SD2 with SB 830 SD2’s language provides certainty and support for all affected residents and businesses, including those within the shoreline setback.

---

This version keeps your key points clear, direct, and per

## **SB-1296-SD-2**

Submitted on: 3/10/2025 6:56:09 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Zachary LaPrade	Individual	Support	Written Testimony Only

Comments:

### **TESTIMONY IN STRONG SUPPORT OF S.B. 1296, SD2**

#### **HOUSE COMMITTEE ON WATER & LAND**

#### **HOUSE COMMITTEE ON PUBLIC SAFETY**

**Tuesday, March 11, 2025 – 9:00 AM**

**Conference Room 411 & VIA VIDEOCONFERENCE**

**Chairs Hashem and Belatti, Vice Chairs Lamosao and Iwamoto, and Honorable Members of the Committees:**

My name is **Zachary LaPrade**, and I submit this testimony in **strong support** of **S.B. 1296, SD2**, which would allow the reconstruction of lawfully constructed structures destroyed in a **Governor-declared state of emergency** to proceed without requiring a **Special Management Area (SMA) permit**, under certain conditions.

As a **fire victim** of the **2023 Maui wildfires**, I have witnessed firsthand the immense suffering and disruption that disaster survivors face—not just from the physical destruction of our homes and businesses but from the overwhelming bureaucratic obstacles to rebuilding. Lahaina and other disaster-stricken communities cannot afford years of regulatory delays. We need to **rebuild now**.

### **Why S.B. 1296 is Essential for Recovery**

- **Eliminates Unnecessary Red Tape:** The **SMA permit process was never designed for post-disaster recovery**, yet survivors are being forced to navigate a regulatory system that slows down rebuilding without offering meaningful environmental protections beyond those already in place.
- **Maintains Environmental Safeguards:** This bill ensures that exempted structures are **not located in shoreline hazard zones** and must comply with **floodplain management standards**—striking a fair balance between regulatory oversight and urgent recovery needs.
- **Supports the Local Economy & Housing:** Delays in reconstruction mean **fewer jobs, fewer homes, and prolonged economic suffering** for communities that have already lost so much. This bill removes unnecessary obstacles so families and businesses can return **sooner rather than later**.

- **Provides a Fair Timeline:** The five-year reconstruction window ensures that disaster recovery efforts remain **coordinated and timely** while preventing long-term exploitation of the exemption.

Without S.B. 1296, Lahaina and other affected communities risk **falling further into economic and social decline** as survivors struggle to rebuild under excessive regulatory constraints. We cannot allow this to happen. The State of Hawaii must stand **with fire victims and disaster survivors** by enacting laws that **facilitate—not hinder—recovery efforts**.

**I urge the Committees to pass S.B. 1296 without delay** to support the people of Lahaina and all disaster-stricken communities across our state.

Mahalo for your time and consideration.

**Zachary LaPrade**

**SB-1296-SD-2**

Submitted on: 3/10/2025 7:36:06 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jill A Kleinheinz	Individual	Comments	Written Testimony Only

## Comments:

I am requesting that you amend SB 1296 SD 2 to include the language from SB 830 SD 2 and ensure Shoreline properties within the setback are explicitly included in rebuilding exemptions.

This will ensure Lahaina's recovery stays on track. The rebuild process will be streamlined and bureaucratic delays will be prevented so that homes and businesses destroyed in the disaster do not require unnecessary special management area permits.

Additionally , without this exemption in SB 830 SD 2, rebuilding could be delayed by costly and time-consuming permit requirements. This bill must explicitly apply to legally built properties within the shoreline, set back to guarantee they receive the same rebuilding rights of others.

I strongly urge you to please support the amendment of SB 1296 SD 2 with SB 830 SD 2's language in order to provide certainty and support for residences and businesses, including those within the shoreline setback. This will ensure Lahaina's recovery stays on track and those of us who lost our homes and community can begin to rebuild.

We want our homes and community back and we cannot do that without your support. Again, please support this request.

Mahalo,

Jill Kleinheinz

291 Front Street

Lahaina

**SB-1296-SD-2**

Submitted on: 3/10/2025 8:23:29 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
G. Warren Freeland	Individual	Support	Written Testimony Only

Comments:

Aloha Water & Land and Public Safety & Intergovernmental and Military Affairs Committees,

Mahalo for the opportunity to provide testimony in strong support of SB1296.

My family is the fee simple owner of the Pioneer Inn property adjacent to Lahaina Harbor. It was an integral part of Lahaina's history and community for 122 years until its destruction in the August 8, 2023 wildfire. The hotel, restaurant, and retail stores located at the Pioneer Inn provided hundreds of jobs. We hope that our property can be rebuilt to its former scale, appearance, and use.

The Special Management Area (SMA) permit requirement is a barrier to reconstructing historic Lahaina – it is a practical impossibility to process hundreds of SMA permits in a reasonable time frame. Governor Green's 20th Emergency Proclamation granting SMA exemptions to qualifying properties will be very helpful to the community, however the EP's are temporary. There are still hurdles to design and permit applications on the County level that will hopefully be addressed by the passing of County Bill 110. If Bill 110 passes, it will still take another year at least to get a Historic District permit, design, and submit for building permit. We need to allow for the extended time it will take for everyone to prepare and submit their building permit applications. Please make this permanent.

Please support the rebuilding of historic Lahaina by passing SB1296.

Mahalo for your time and consideration.

G. Warren Freeland

[gwarrenfreeland@gmail.com](mailto:gwarrenfreeland@gmail.com)

March 8, 2025

RE: Senate Bill 1296 and Rebuilding our home at 205-1 Front Street, Lahaina, HI.

Dear Legislators,

My name is David Volk and my wife is Sandy Volk, we did live at 205-1 Front Street, Lahaina which is a part of the Puamana Community Association until the August 8, 2023 wildfire destroyed our home.

Please include language in Senate Bill 1296 to explicitly include all structure's makai of the erosion hazard line including the shoreline set back to be exempt from the S.M.A. processes or permits so that it aligns with Senate Bill 830 SD2.

Respectfully yours,

David Volk and Sandy Volk

**SB-1296-SD-2**

Submitted on: 3/10/2025 8:43:53 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tambara Garrick	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB1296 and hope it will be amended to cover all properties in Lahaina that were lost in the August 2023 fire. Mahalo, Tambara Garrick



**SB-1296-SD-2**

Submitted on: 3/10/2025 8:51:35 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dora Atwater Millikin	Individual	Support	Written Testimony Only

Comments:

Dear Committee members.

I am writing in strong support of this bill because it gives a clear and fair plan to rebuild Lahaina. Thank you for working to provide a plan for all Lahaina property owners to rebuild under existing regulations instead of creating a complex set of new challenges and rules. None of us want to see it rebuilt by Mainland developers but if you do not pass clear bills like this, we cannot afford to wait through the permitting process and will have to sell.

I appreciate that the bill allows only the same size structure to be rebuilt. I feel that will help keep the charm of the Lahaina we all grew up with.

Besides being a Lahaina Shark Pit resident, I am also working with Lahaina Restoration Foundation to rebuild the historic structures in Lahaina. The passage of this bill will give us a clear plan to proceed. Mahalo!

I humbly ask for your support for our community and pass this bill. Thank you for the opportunity to provide testimony.

Dora Atwater Millikin

271 Front Street

Lahaina

**SB-1296-SD-2**

Submitted on: 3/10/2025 8:57:55 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dudley Millikin	Individual	Support	Written Testimony Only

Comments:

Dear Committee members.

I am writing in strong support of this bill because it gives a clear and fair plan to rebuild Lahaina. Thank you for working to provide a plan for all Lahaina property owners to rebuild under existing regulations instead of creating a complex set of new challenges and rules. None of us want to see it rebuilt by Mainland developers but if you do not pass clear bills like this, we cannot afford to wait through the permitting process and will have to sell.

I appreciate that the bill allows only the same size structure to be rebuilt. I feel that will help keep the charm of the Lahaina we all grew up with.

My wife and I are the owners of the Miracle House on Front Street. We want our neighbors to come home. We are the only house in a half mile in either direction. There is nothing around us but gravel. We need a clear bill like this so our Shark Pit community can return. The passage of this bill will give them a clear plan to proceed. Mahalo!

I humbly ask for your support for our community and pass this bill. Thank you for the opportunity to provide testimony.

Dudley Millikin

271 Front Street

Lahaina

**SB-1296-SD-2**

Submitted on: 3/10/2025 11:54:00 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Pritchett	Individual	Support	Written Testimony Only

Comments:

Please include shoreline properties, as in SB 830!

Please amend SB 1296 SD2 to include the language from SB 830 SD2 and ensure shoreline properties within the setback are included in rebuilding exemptions.

It's already been too long, and without relief via legislation we'll all waste many years in permits and paperwork just to put things back as they were.

Lahaina's waterfront location was unique and special and in any scenario has decades of responsible use ahead of it. Please allow us to restore our homes, to visit the unique waterfront restaurants and businesses, and to have Lahaina back substantially as it was.

**SB-1296-SD-2**

Submitted on: 3/10/2025 9:11:47 PM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Antoinette Davis	Individual	Support	Written Testimony Only

Comments:

When California Fires happened Jan 7 (not fully contained until the end of January). The government didnt' close LA and tranport out all visitors. They didn't keep home owners from returning to their destroyed homes - within a few days if safe, they were able to see for themselves and salvage what they could...Point is - I've not heard anything about not letting someone replace what burnt with the same or smaller footprint. On Maui going on 2 years this August.... please for one moment put yourself in the shoes of the person whose home or business was legally standing in an SMA. Please pass this Bill. I've no personal interest - I empathize with those impacted. Exempting them is fair, pono and kind.

**SB-1296-SD-2**

Submitted on: 3/11/2025 6:33:33 AM

Testimony for WAL on 3/11/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Support	Written Testimony Only

Comments:

I support this initiative.