

From: mmmahalo2000@aol.com
To: [DBEDT LUC](#)
Subject: [EXTERNAL] KCA testimony to: LUC Thursday morning
Date: Monday, February 6, 2023 7:28:23 PM
Attachments: [LUC testimony 02-07-23.pdf](#)



Aloha

Attached please find our testimony for 2/8/23 915AM meeting regarding the State DOE

Mahalo

Mike Moran President Kihei Community Association (KCA)



February 7, 2023

LUC: dbedt.luc.web@hawaii.gov

RE: DOE and Kalanihakoi High School

Dear Commissioners:

As President of the Kihei Community Association, I am writing on behalf of the Association's Board of Directors and its Members. The focus of this correspondence is the grade-separated pedestrian crossing highways/roads improvement condition ("Condition") imposed by the State Land Use Commission (LUC) in 2013 when it granted a boundary amendment that permitted the State Department of Education (DOE) to construct the Kihei high school located mauka of the intersection at Piilani Highway and Kulanihakoi Street. The Condition required the DOE to construct a grade-separated pedestrian overpass or pedestrian underpass before the DOE could obtain a Certificate of Occupancy and open the school. However, we now know that, despite the LUC's unequivocal Condition, the DOE is intending to open the school without having constructed a grade-separated pedestrian overpass or underpass.

Allowing students and the community safe pedestrian access to Kulanihakoi High School is our priority. The condition for a grade separated crossing is not negotiable.

The DOE is attempting to obtain "temporary certificates of occupancy" from the Maui County Planning Department. The DOE's application for obtaining the temporary certificates of occupancy is based upon its new proposed "pedestrian safety plan". The plan includes crossing guards at the Kulanihakoi Street traffic roundabout and school-operated shuttles. The proposed pedestrian safety plan will be in place until the DOE constructs the required overpass or underpass. The DOE has informed the LUC and the Planning Department that construction of the overpass or underpass will take between three and five years.

The LUC denied the DOE's application seeking an amendment to the Condition based upon its proposed pedestrian safety plan. On December 1, 2022, the DOE also sought temporary certificates of occupancy from the Maui County Planning Department. Michele McLean, the former Planning Department Director, denied the application. Most recently, in January 2023, the current administration under Maui Mayor Bissen has also denied the application.

It is beyond dispute that the DOE has failed to comply with the LUC's Condition.

It is patently apparent that the high school is not "complete", and certainly not ready to be "safely" opened to Kihei students. The DOE's proposed "pedestrian safety plan", which may be in place for three to five years, is incapable of providing the degree of safety envisioned by the LUC when it imposed the Condition in 2013. We implore the LUC to be steadfast and uphold the original condition.

Mahalo for your time and attention to this matter.

Respectfully submitted,

Michael Moran, President
Kihei Community Association