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David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

November 12, 2024

Mr. Shane Agawa, Director
Department of Environmental Management
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Agawa:

SUBJECT: **BILL 136 (2024), AMENDING TITLE 20, MAUI
COUNTY CODE, ESTABLISHING A CLIMATE ACTION
AND RESILIENCY PLAN FOR THE COUNTY OF MAUI**
(ESCS-8)

I intend to recommend passage of Bill 136, CD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 20, MAUI COUNTY CODE, ESTABLISHING A CLIMATE ACTION AND RESILIENCY PLAN FOR THE COUNTY OF MAUI," which references the Maui County Climate Action & Resiliency Plan, at a November 18, 2024, Efficiency Solutions and Circular Systems Committee meeting.

You or a designated representative from the Department's Environmental Protection and Sustainability Division are being requested to attend the meeting to provide comments.

In preparation for the meeting, may I please request that you review Bill 136, CD1, which incorporates proposed amendments made in collaboration with the Office of Innovation, and the CARP, and provide any comments or recommended revisions. A link to the CARP is here: [CC 18-23.pdf - Google Drive](#). A copy of Bill 136, CD1, is also attached.

May I further request you transmit your response to escs.committee@mauicounty.us by **November 15, 2024**. To ensure efficient processing, please include the Committee item number in the subject line.

Mr. Shane Agawa
November 12, 2024
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Should you have any questions, please contact me or the Committee staff (Ellen McKinley at ext. 7661, or Jennifer Yamashita at ext. 7143).

Sincerely,

A handwritten signature in black ink, reading "Keani Rawlins-Fernandez". The signature is fluid and cursive, with the first name "Keani" and last name "Fernandez" clearly legible, and "Rawlins" in the middle.

KEANI RAWLINS-FERNANDEZ, Chair
Efficiency Solutions and Circular
Systems Committee

escs:ltr:008aem01:ebm

Attachment

cc: Mayor Richard T. Bissen, Jr.
Deputy Director of Environmental Management

ORDINANCE NO. _____

BILL NO. 136, CD1 (2024)

A BILL FOR AN ORDINANCE AMENDING TITLE 20, MAUI COUNTY CODE,
ESTABLISHING A CLIMATE ACTION AND RESILIENCY PLAN
FOR THE COUNTY OF MAUI

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Title 20, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

“Chapter 20.44

CLIMATE ACTION AND RESILIENCY PLAN

Sections:

- 20.44.010 Purpose.
- 20.44.020 Definitions.
- 20.44.030 Climate action and resiliency plan.
- 20.44.040 Plan components.
- 20.44.050 Plan implementation, updates, and reporting.

20.44.010 Purpose. This chapter’s purpose is to establish a climate action and resiliency plan to guide policy for and actions to be taken by the County to mitigate and adapt to climate-change effects, transition to 100 percent renewable energy, and achieve net-negative emissions.

20.44.020 Definitions. In this chapter, unless the context otherwise requires:

“Director” means the director of ~~environmental~~ management.

“Plan” means the climate action and resiliency plan approved under section 20.44.030, including any amendments approved under section 20.44.050.

20.44.030 Climate action and resiliency plan. A.—The “Maui County Climate Action & Resiliency Plan,” which is incorporated by reference and is on file with the office of the county

clerk, is approved as the plan, subject to updates approved under section 20.44.050.

~~B. All agencies must comply with the plan.~~

~~C. Administrative actions by agencies must conform to the plan, except for ministerial permits or approvals, including building permits, grading permits, plumbing permits, and electrical permits.~~

~~D. The County budget and capital improvement program must implement the plan.~~

20.44.040 Plan components. A. The plan must provide a clear and practical set of strategies and actions that have been developed with input from the community, agencies, and other public and private partners to reduce the County's climate-change contributions and build local resilience to climate impacts. The plan must be based on traditional Native Hawaiian knowledge, culture, and practices; the best available science; internationally accepted best practices; and outline strategies and set goals to:

1. Protect, restore, and sustainably manage the natural environment for current and future generations.
2. Inventory and reduce local greenhouse-gas emissions to achieve net-negative emissions.
3. Optimize resiliency within local communities.
4. Cultivate local cultural practices rooted in ecological knowledge and values.
5. Advance social equity and community inclusion.
6. Facilitate a circular economy.
7. Sustainably address current and future infrastructure needs.
8. Commit to both institutional and individual action and local implementation of climate resiliency strategies and actions.

B. The plan must be consistent with and complementary to the goals, objectives, and policies in the countywide policy plan on minimizing climate change and working toward resilience.

20.44.050 Plan implementation, updates, and reporting.

A. The director **or designee**, with ~~the cooperation of the department of management and~~ all necessary agencies, must manage and assist with the plan's implementation, update, and reporting.

B. The director may advise each agency on strategies to implement the plan.

C. The County budget and capital improvement program must implement the plan.

D. An online dashboard must track the progress of the plan's specific recommendations by December 31, 2025."

~~C. The director must submit to the council a proposed update to the plan in the form of a resolution in 2028 and at least once every five years after that. Upon receiving an update to the plan, the council must approve, approve with amendments, or disapprove the update within 90 days. If the council fails to act on the update within 90 days, the update will be automatically approved as submitted. If the council disapproves a proposed update, the director must submit another update for the council's consideration within one year after the disapproval.~~

~~D. The director must provide a progress report every two years to the council summarizing the County's work to implement the plan. The plan and progress reports must be made readily available for access and review by the public."~~

SECTION 2. This Ordinance takes effect ~~on July 1, 2025, or, if enacted after that date,~~ upon its approval.

APPROVED AS TO FORM AND
LEGALITY:

~~NĀHULU NUNOKAWA~~

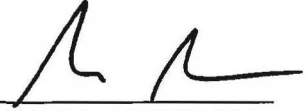
Department of the Corporation Counsel
County of Maui

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~~LF3024-0993~~

~~PAF 24-149 2024-09-18 Ord New Ch.
20.44escs:ltr:008aasf01_attachment markup~~

INTRODUCED BY:

A handwritten signature in black ink, consisting of a large, stylized capital 'A' followed by a cursive 'J' and a horizontal line extending to the right.

GABE JOHNSON

ESCS Committee

From: ESCS Committee
Sent: Tuesday, November 12, 2024 10:49 AM
To: 'Shayne.Agawa@co.maui.hi.us'
Cc: Robert Schmidt; Nadine Orikasa; 'Michelle Santos'; 'Zeke Kalua'; ESCS Committee
Subject: Bill 136 (2024), Amending Title 20, Maui County Code, Establishing a Climate Action and Resiliency Plan (ESCS-8)
Attachments: 008aem01.pdf

Director Agawa: Please refer to the attached letter from ESCS Committee Chair Rawlins-Fernandez, dated 11/12/2024. **Please respond by 11/15/2024.**

Mayor's Office: Please forward the attached letter to Mayor Bissen.

Mahalo,
ESCS Committee Staff