

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

JORDAN MOLINA
Director

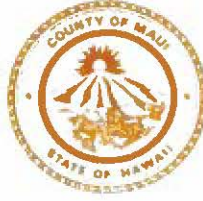
PAUL M. BARANY, P.E.
Deputy Director

WADE SHIMABUKURO, P.E.
Development Services Administration

RODRIGO "CHICO" R. RABARA, P.E.
Engineering Division

JOHN R. SMITH, P.E.
Highways Division

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DEPARTMENT OF PUBLIC WORKS
COUNTY OF MAUI
200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/publicworks

October 14, 2024

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 S. High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Richard T. Bissen 10-16-24
Mayor Date

For Transmittal to

Honorable Gabe Johnson, Chair
Agriculture, Diversification, Environment, and Public Transportation Committee
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Johnson and Committee Members:

**SUBJECT: BILL 131 (2024) RELATING TO PESTICIDE AND FERTILIZER
USE ON COUNTY PROPERTY (ADEPT-16)**

The Department of Public Works (Department) is in receipt of your letter dated September 30, 2024, requesting a response to the subject matter above. The Department offers the following:

1. Please provide a list of your Department's operational challenges with implementing Ordinance 5242.

The Department's operational challenges are below:

1. *The Department has not yet found any effective "minimum risk" or "allowed" pesticides per MCC 2.50 that meet operational needs.*
 - a. *Many commercially available products being proposed by vendors to meet operational needs, do not meet the "minimum risk" or "allowed" definitions.*
 - i. *"Minimum risk" listings typically contain naturally occurring oils – poor performance on weed control.*
 - ii. *"Allowed" listings not applicable to operational needs, applicable to farming, crop, and livestock production.*

2. *The Department uses mainly mechanical methods to maintain growth, which is:*

- a. *Manual process which is time consuming (increased man hours and OT)*
- b. *Frequency of recurrence – 3-4 weeks without herbicide vs. 4-6 months with use of herbicide*
 - i. *DPW Highways employees increased frequency of working in the roadways, also increased public interaction.*
- c. *Substantial Ongoing Equipment and Maintenance Costs*

Please refer to the presentation provided by the Department at the September 26, 2024 ADEPT Committee meeting and contact the Department if further clarification is needed.

2. Please outline your Department's plan and timeline to amend Chapter 2.50, Maui County Code, to selectively allow the use of certain active ingredients for commercially available herbicides, such as Garlon (triclopyr), Finale XL (glufosinate-ammonium), and Speedzone.

The Department does not currently plan to amend MCC 2.50. The Department instead plans to apply for a waiver under MCC 2.50.060 as per question 3. The vegetation management plan and waiver request will include the proposed herbicides and their active ingredients the Department plans to utilize. This waiver submission and approval process will determine if further amendments to MCC 2.50 would be proposed by the Department.

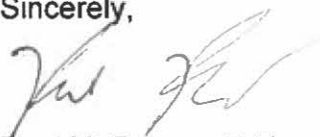
3. Please outline your Department's plan and timeline to apply for a waiver under Section 2.50.060, Maui County Code.

The Department has contracted with Haley & Aldrich to meet the waiver application requirements under MCC 2.50.40. The Scope of Work and plan includes:

1. *Development of a Vegetation Management Plan for numerous identified locations, intersections, and activities under Department responsibility, whereby there exists an undue burden of maintenance without the use of commercially available herbicides, other than Roundup®.*
 - a. *Anticipated timeline for completion: End of 1st Quarter of 2025.*
2. *Based upon the Vegetation Management Plan, development of a waiver petition and submission of waiver to County Council for approval.*
 - a. *Anticipated timeline for completion: End of 2nd Quarter of 2025.*

Should you have any questions, please contact me at 808-270-7845.

Sincerely,



Paul M. Barany, P.E.
Deputy Director of Public Works

ADEPT Committee

From: Estrelita Dahilig <Estrelita.B.Dahilig@co.maui.hi.us>
Sent: Wednesday, October 16, 2024 3:26 PM
To: ADEPT Committee; Gabe Johnson
Cc: Cynthia Lallo; Cynthia Sasada; Jordan Molina; Josiah Nishita; Paul Barany; Kelii Nahooikaika; Summer Enfield-Carlos
Subject: TRANSMITTALS: Sustainable Landscape Management (Adept-(25) and BILL 131(2024) Relating to Pesticide and Fertilizer Use on County Property (Adept-16)
Attachments: MT#10814 - ADEPT Committee Chair Johnson.pdf; MT#10815-ADEPT Committee Chair.Johnson.pdf

Aloha Committee Chair Gabe Johnson,

Please see attached Transmittals (2) from Public Works Deputy Director, Paul M.Barany,P.E.
Thank you.

Estrelita B.Dahilig

Secretary

Office of the Mayor

County of Maui

200 S. High Street

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phone: 808-270-7855