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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

June 25, 2019

Mr. Christopher Reynolds, Acting Chair  
Maui County Arborist Committee  
c/o County of Maui  
700 Hali`a Nakoa Street, Unit 2  
Wailuku, Hawaii 96793

Dear Mr. Reynolds:

**SUBJECT: PERMITTED USE, OVERUSE, AND MANAGEMENT OF  
THE LAHAINA BANYAN COURT PARK, LAHAINA  
HISTORIC DISTRICT (HFC-3)**

At its meeting of June 20, 2019, the Healthy Families and Communities Committee met to discuss the permitted use, overuse, and management of the Lahaina Banyan Court Park in the Lahaina Historic District.

The Committee received a copy of the attached correspondence dated July 21, 2004, from former Maui County Arborist Committee Chair Kelvin Nelson outlining recommendations made at a July 14, 2004 meeting on the impact of activities on the health of the banyan tree at Lahaina Banyan Court Park. The correspondence referenced "the development of a master plan for the Banyan Tree Park." Chair Nelson also mentioned the Committee's commitment to perform annual reviews to assess the situation and make future recommendations.

May I please request you respond in writing to the following:

1. What is the status of the master plan for the Park?
2. Provide copies of the Maui County Arborist Committee's annual reviews since 2005 assessing activities at the Park.
3. Is the banyan tree tested annually for soil compaction as a result of increased activities near and under the tree? If so, please summarize the results of those tests.

Mr. Christopher Reynolds

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4. Since the July 21, 2004 correspondence, has the Committee voted to recommend any updates on recommendations to monitor Park activities impacting the banyan tree? If so, provide copies of the updated recommendations.
5. What are the Maui County Arborist Committee's plans to address the current situation at the Park and its impact on the banyan tree?

I would appreciate receiving your written response **no later than Friday, July 19, 2019**. To ensure efficient processing, please include the relevant Committee item number in the subject line of your response.

Should you have any questions, please contact me or the Committee staff (Shelly Espeleta at ext. 7134, Wesley Crile at ext. 7663, or Rayna Yap at ext. 8007).

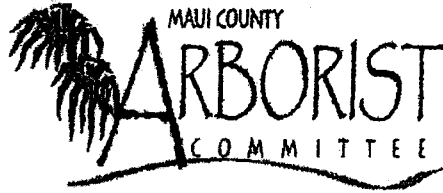
Sincerely,



RIKI HOKAMA, Chair  
Healthy Families and Communities  
Committee

hfc:ltr:003a01:ske

Attachment



04 JUL 23 AM 53

275 UHU STREET - KAHULUI - HAWAII 96732 - (808) 270-7329 - FAX (808) 270-7328

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

July 21, 2004

Ms. Lori Sablas, Chairwomen  
Maui County Cultural Resources Commission  
c/o Department of Planning  
County of Maui  
200 High Street  
Wailuku, HI 96793

Dear Ms. Sablas,

RE: Recommended policy for the Lahaina Banyan Tree

At the request of the Cultural Resources Commission, the Maui County Arborist Committee, at its meetings of March 10 and July 14, 2004, discussed the issue of activities under the Banyan Tree in Lahaina.

The Banyan Tree has been designated as an "exceptional" tree. Hawaii State Law Chapter 58 defines "exceptional" as a tree, stand or grove of trees with historic or cultural value because of age, rarity, location, size, beauty or endemic status. This law requires the counties to enact appropriate protective regulations to designate and safeguard exceptional trees. Due to the Banyan Tree's "exceptional" status, the Maui County Arborist Committee is responsible for monitoring the health of the tree.

The Arborist Committee is quite concerned with the increasing popularity and usage of Banyan Tree Park for arts fairs and special events. At its July 14 meeting, Arborist Committee members voted to recommend the following:

1. The number of vendors allowed under the Banyan Tree be reduced to twenty-five (25) per event.
2. To allow no more than three (3) consecutive weekend events. Every fourth weekend should be closed to arts fairs or special events so that the Banyan Tree is allowed to recover from the heavy foot traffic that these activities attract. It is our goal to optimize the health of the tree by suggesting time for the tree to "rest" while also providing the community with an opportunity to enjoy a passive park on these weekends. The Committee realizes some flexibility may be necessary to accommodate special events that are scheduled on a given calendar day, but the principle should be honored as much as possible.

EXHIBIT 3

3. The Arborist Committee recognizes that the Maui County Council has the authority to establish fees in County parks. Members recommended that the user fees for events at Banyan Tree Park be increased and that a portion of these fees be designated for maintenance purposes.
4. That the County of Maui monitor activities and enforce the rules pertaining to use of the Banyan Tree. Members suggested that increased permit fees could also be used for enforcement.
5. That the tree be tested on an annual basis for soil compaction and to determine the impact of activities under the tree. Annual testing and analysis is important in assessing whether changes to permits and activities are needed in the future.
6. The rules and restrictions previously adopted for the use of Banyan Tree Park are still in effect and are as follows:
  - No climbing on the tree.
  - No swinging from the roots of the tree.
  - No motorized vehicles allowed in the park.
  - No nailing or stapling is permitted on the tree.
  - Foreign matter should never be applied to the surface of the tree, ie. paint, oil, etc.
  - No pruning or physical injury to the tree.
  - Toxic materials (herbicides, oils, etc.) should not be applied under the canopy of the tree without the guidance of the Maui County Arborist.
  - No cooking or fires be permitted under the canopy of the tree.
  - No fireworks are permitted under the canopy of the tree.

The Arborist Committee would like to pursue the development of a master plan for the Banyan Tree Park. Such a plan would allow a scientific evaluation of the tree so that recommendations can be made to insure the tree's health and to determine the impacts of activities. In the meantime, the Committee is committed to the annual review in order to assess the current situation and to make future recommendations.

Thank you for your attention to this matter. We appreciate the contribution that your Commission makes to Maui County.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelvin Nelson", with a long horizontal flourish extending to the right.

Kelvin Nelson, Chair