

October 9, 2019

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MEMO TO: EACP-22 File

F R O M: Shane M. Sinenci, Chair *TW/PL*  
Environmental, Agricultural, and Cultural Preservation Committee

SUBJECT: **TRANSMITTAL OF REVISED LEGISLATIVE PROPOSAL  
RELATING TO PROTECTION AND PRESERVATION OF EAST  
MAUI STREAMS** (EACP-22)

The attached revised legislative proposal pertains to Item 22 on the Committee's agenda.

eacp:ltr:022afile03:nas

Attachment

# Resolution

No. \_\_\_\_\_

AUTHORIZING THE COUNCIL CHAIR TO  
PROVIDE COMMENTS ON A DRAFT  
ENVIRONMENTAL IMPACT STATEMENT FOR  
THE EAST MAUI WATER LEASE

WHEREAS, the Office of Environmental Quality Control is charged with enforcing Chapter 343, Hawaii Revised Statutes, relating to Environmental Impact Statements; and

WHEREAS, the regulations for disposition of water rights by long-term leases, including the preparation of Environmental Impact Statements, ensure public accountability; and

WHEREAS, Alexander & Baldwin Inc. and East Maui Irrigation Company, Limited submitted a Draft Environmental Impact Statement for the East Maui Water Lease, as referenced in “The Environmental Notice,” published by the OEQC on September 23, 2019; and

WHEREAS, Sections 11-200-3 and 11-200-15, Hawaii Administrative Rules, require public notice of the Draft EIS to allow the public to submit comments on the Draft EIS during the 45-day public comment period; and

WHEREAS, if granted, the proposed lease will likely have widespread impacts across Maui; and

WHEREAS, according to Hawaii Administrative Rules (HAR) 11-200.1-25(a), review of the draft EIS shall serve to provide the public and other agencies an opportunity to discover the extent to which a proposing agency or applicant has examined environmental concerns and available alternatives; and

WHEREAS, the Council is encouraging the public to review the draft EIS and submit comments to the Board of Land and Natural Resources during the 45-day review period; and,

WHEREAS, to fulfill its duty to represent the people of the County of Maui, the Council would like to provide comments on the Draft EIS,

**Resolution No. \_\_\_\_\_**

reflecting or including questions, concerns, and affirmations of its constituents as expressed in public testimony; now therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby authorizes the Council Chair to provide comments discussed at the October 15, 2019 Environmental, Agricultural, and Cultural Preservation Committee meeting, written public testimony on the draft EIS, and the minutes of the committee meetings on October 8 and October 15, 2019 to the Office of Environmental Quality Control on the Draft Environmental Impact Statement for the East Maui Water Lease on behalf of, and reflecting or including the testimony received by, the Maui County Council; and
2. That certified copies of this resolution be transmitted to the Honorable Michael P. Victorino, Mayor, County of Maui.