

COUNCIL OF THE COUNTY OF MAUI

HEALTHY FAMILIES AND COMMUNITIES COMMITTEE

July 24, 2020

**Committee
Report No.** _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Healthy Families and Communities Committee, having met on July 9, 2020, makes reference to County Communication 20-269, from the Director of Parks and Recreation, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A, MAUI COUNTY CODE, RELATING TO EXCEPTIONAL TREES.”

The purpose of the proposed bill is to remove from the list of “exceptional trees” 34 monkey pod (*samanea saman*) trees along Honoapiilani Highway, north of the intersection with Kuihelani Highway, in Waikapu, Maui, Hawaii. The site is on the mauka side of Honoapiilani Highway, fronting real property identified as tax map key (2) 3-5-002:002. The delisting of the trees would allow for their removal in conjunction with the Pu'unani Homestead Subdivision, a Department of Hawaiian Home Lands residential project.

Your Committee notes the project is on 47.4 acres and will include a maximum of 161 single-family lots, including 137 turn-key homes and 24 vacant lots, according to *The Environmental Notice*, published by the State Office of Environmental Quality Control, May 23, 2020.

Your Committee received written and oral testimony in support of the bill from the President of Association of Hawaiians for Homestead Lands. She said the proposed tree removal would support a vital housing project.

Your Committee received oral testimony from a member of the Maui County Arborist Committee in support of the bill. She noted the Arborist Committee reviewed the proposed tree removal at its meeting of

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February 12, 2020. She said the trees proposed for removal are in poor condition.

The Director of Parks and Recreation informed your Committee the bill was submitted with the Arborist Committee's unanimous concurrence. The Deputy Director of Public Works, the County Arboriculturist, and a representative of the Department of Hawaiian Home Lands expressed support for the bill. Representatives of Dowling Co., the project developer, provided your Committee with a presentation on the project.

With the assistance of resource persons from the County, the project developer, and the property owner, your Committee discussed details for the project's design and the importance to Maui County of exceptional trees, especially those indigenous to Hawai'i. Your Committee suggested the Administration require a minimum of 1:1 replacement of any trees removed for the project and was pleased to be informed the project developer and property owner are willing to accept such a requirement.

Your Committee also discussed the restricted intersection and the full flow intersection included in the plans for this project, as well as roadway infrastructure throughout the County and the importance of having a broad perspective on infrastructural needs, rather than only project-by-project consideration. The Chair of your Committee advised he will ask for the subject matter to be referred to your Water, Infrastructure, and Transportation Committee.

Your Committee determined the justification for removing the trees is sound and voted to recommend passage of the proposed bill.

Your Committee voted 6-0 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Hokama, Vice-Chair Sugimura, and members Kama, King, Molina and Paltin voted "aye." Committee member Rawlins-Fernandez was excused.

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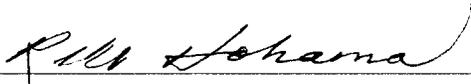
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Your Healthy Families and Communities Committee
RECOMMENDS the following:

1. That Bill ____ (2020), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A, MAUI COUNTY CODE, RELATING TO EXCEPTIONAL TREES," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 20-269 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



RIKI HOKAMA, Chair

hfc:cr:20059aa:ljcm

ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A,
MAUI COUNTY CODE, RELATING TO EXCEPTIONAL TREES

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

SECTION 1. Section 12.24A.055, Maui County Code, is amended by amending subsection E to read as follows:

“E. List of exceptional trees. The trees in this section are designated as exceptional trees of the County of Maui:

Name of Tree (scientific, common)	Location, description, size	Tax map key (if available)
Ala`a, <i>Pouteria sandwicensis</i>	D.T. Fleming Arboretum, Kanaio; larger of two trees; height 25 feet, diameter 16.5 inches, crown spread 30 feet	(2) 2-1-009:017
Alani, <i>Melicope knudsenii</i>	D.T. Fleming Arboretum, Kanaio; planted in 1953 from seeds gathered from Auwahi slopes of Haleakala; height 20 feet, diameter 9.5 inches, crown spread 20 feet	(2) 2-1-009:017
Banyan, <i>Ficus</i> sp.	Former Pau Hana Inn, Kaunakakai, Molokai; large spreading tree with an attractive fluted trunk; height 60 feet, diameter 216 inches, crown spread 135 feet	(2) 5-3-006:028
Bermuda Juniper, <i>Juniperus bermudiana</i>	Souder residence, 3145 Baldwin Avenue, Makawao; at least 90 years old; height 45 feet, diameter 61 inches, crown spread 70 feet	(2) 2-4-002:014

Breadfruit, Ulu, <i>Artocarpus altilis</i>	Baldwin House, Lahaina height 45 feet, diameter 33 inches, crown spread 36 feet	(2) 4-6-008:007
California Featherduster Palm, <i>Washingtonia filifera</i>	Hale Paahao, Lahaina; located on the old prison grounds; height 40 feet, diameter 23 inches, crown spread 12 feet	(2) 4-6-008:044
California Pepper Tree, <i>Schinus molle</i>	406 Lower Kimo Drive, Kula; Male tree planted in 1957 by Jack and Loraine Clayton at the first house built on Lower Kimo Drive; height 50 feet, diameter 53 inches, crown spread 85 feet	(2) 2-3-015:020
Chinese Banyan, <i>Ficus microcarpa</i>	Kalana Pakui Building, Wailuku; planted by Dr. Hilario Moncado in 1937; height 65 feet, diameter 95 inches, crown spread 100 feet	(2) 3-4-008:042
Hala (spineless) (5 stands), <i>Pandanus tectorius</i>	Old Maui High School campus, Hamakuapoko, Makawao; height 25 feet, diameter multi trunks, crown spread 20 feet (averages)	(2) 2-5-004:014
Halapepe (2 trees), <i>Chrysodracon auwahiensi</i>	D.T. Fleming Arboretum, Kanaio; height 21 feet, diameter 2 feet, crown spread 15 feet (averages)	(2) 2-1-009:017
Indian Banyan, <i>Ficus benghalensis</i>	Lahaina Court House Square, listed on National Register of Historic Places; planted April 24, 1873 by William O. Smith, sheriff of Lahaina; height 50 feet, diameter 180 inches near ground level (10 trunks), crown spread 225 feet	(2) 4-6-001:009
India Rubber Tree, <i>Ficus elastica</i>	Souder residence, 3145 Baldwin Avenue, Makawao; at least 90 years old; height 56 feet, diameter 88 inches, crown spread 135 feet	(2) 2-4-002:014
Jacaranda, <i>Jacaranda mimosifolia</i>	165 Hanamu Road, Makawao; The blooms of the spreading canopy and its pastoral setting are the subject of many artists' canvas; height 60 feet, diameter 63.5 inches, crown spread 103 feet	(2) 2-4-010:001

Kiawe, <i>Prosopis pallida</i>	Honoapiilani Highway, oceanside near mile marker 11; historic landmark at ocean's edge with two dominant lateral branches and a horizontal branch that reaches over the water; height 30 feet, diameter 102 inches, crown spread 50 feet	(2) 3-6-001:013
Kokio (4 trees), <i>Kokia cookei</i>	D.T. Fleming Arboretum, Kanaio; height 15 feet, diameter 3 inches, crown spread 6 feet (averages)	(2) 2-1-009:017
Kou, <i>Coria subcordata</i>	Baldwin House, Lahaina; height 35 feet, diameter 22 inches, crown spread 45 feet	(2) 4-6-008:007
Loulu Palm, <i>Pritchardia arecina</i>	D.T. Fleming Arboretum, Kanaio; height 17 feet, diameter 7 inches, crown spread 16 feet	(2) 2-1-009:017
Loulu Palm, <i>Pritchardia forbesiana</i>	D.T. Fleming Arboretum, Kanaio; height 21 feet, diameter 6 inches, crown spread 12 feet	(2) 2-1-009:017
Loulu Palm, <i>Pritchardia forbesiana</i>	D.T. Fleming Arboretum, Kanaio; largest of four trees; height 25 feet, diameter 10.5 inches, crown spread 12 feet	(2) 2-1-009:017
Mango (11 trees), <i>Mangifera</i> (assorted)	Old Maui High School campus, Hamakuapoko, Makawao; height 40 feet, diameter 25 inches, crown spread 35 feet (averages)	(2) 2-5-004:014
Mexican Featherduster, <i>Washingtonia robusta</i>	Hale Paahao, Lahaina; On old prison grounds; height 55 feet, diameter 16 inches, crown spread 10 feet	(2) 4-6-008:044
Monkey Pod (256 trees), <i>Samanea saman</i>	4.32 mile stretch of Honoapiilani Highway with approximately 290 monkey pod trees on South High Street, <u>beginning</u> in front of the Wailuku Public Library and the old Wailuku Court House, makai of High Street at the Wells <u>Street</u> intersection[;], <u>and running south towards the intersection with Kuihelani Highway, except those trees (approximately 34) on the mauka side of</u>	Not applicable

	<u>Honoapiilani Highway fronting that parcel of real property identified as TMK (2) 3-5-002:002</u> ; height 50 feet, diameter 24-40 inches, crown spread 80 feet	
Monkey Pod (8 trees), Samanea saman	Old Maui High School campus, Hamakuapoko, Makawao; height 35-50 feet, diameter 33-120 inches, crown spread 72-75 feet (averages)	(2) 2-5-004:014
Monkey Pod, Samanea saman	Kaahumanu Church, Wailuku; height 40 feet, diameter 78 inches, crown spread 95 feet	(2) 3-4-014:002
Monkey Pod, Samanea saman	Manager's residence, Kaanapali Kai, Inc., 2145 Wells St., Ste. 301, Wailuku; height 50 feet, diameter 57 inches, crown spread 130 feet	(2) 3-4-014:060
Monkey Pod (10 trees), Samanea saman	940 South Kihei Road, Kihei; height 30 feet, diameter 20 inches, crown spread 30 feet	(2) 3-9-001:006
Monkey Pod, Samanea saman (stand of 4)	980 South Kihei Road, Kihei; large, beautiful shade trees, aesthetic quality; height 25 feet (average), diameter 16-22 inches, crown spread 25 feet	(2) 3-9-011:004-0000
Monkey Pod, Samanea saman	Hale Paahao, Lahaina; old prison grounds; height 60 feet, diameter 69 inches, crown spread 100 feet	(2) 4-6-008:044
Monkey Pod (187 trees), Samanea saman	Honoapiilani Highway from the north mile marker 16 to Luawa Street on the south in Olowalu; height 80 feet, diameter 18 inches to 11 feet, crown spread up to 80 feet	(2) 4-8-003:034
ʻOhe (2 trees), Tetraplasadra hawaiiensis	D.T. Fleming Arboretum, Kanaio; planted by D.T. Fleming; height 65 feet, diameter 35.5 inches, crown spread 45 feet (larger of 2 trees)	(2) 2-1-009:017

Ohia, <i>Metrosideros polymorpha</i>	Waikamoi Preserve, Haleakala Ranch; aged over 600 years, the largest and oldest known specimen on Maui of this culturally significant species; height 80 feet, diameter 47 inches, crown spread 108 feet	(2) 2-3-05:004
Plumeria (11 trees), Frangipani (assorted)	Old Maui High School campus, Hamakuapoko, Makawao; height 20 feet, diameter 19 inches, crown spread 15 feet (averages)	(2) 2-5-004:014
Podocarpus, <i>Afrocarpus falcatus</i>	D.T. Fleming Arboretum, Kanaio; larger of two trees; planted by D.T. Fleming; height 70 feet, diameter 57 inches, crown spread 70 feet	(2) 2-1-009:017
Rainbow Shower, <i>Cassia x nealiae</i> (85 trees)	A 6.7 mile stretch of Baldwin Avenue starting at 0.5 miles from intersection of Hana Highway on Baldwin Avenue, Paia, and ending below `A`ala Place, Makawao; planted by Ethel Baldwin and later by Mayor Hannibal Tavares; height 35 feet, diameter 15 inches, crown spread 30 feet	
Royal Palm (23 trees), <i>Roystonea regina</i>	Wailuku Elementary School, Wailuku; around school entrance; height 50 feet, diameter 15 inches, crown spread 20 feet	(2) 3-4-007:001
Royal Palm, <i>Roystonea regina</i>	Hale Paahao, Lahaina; Old prison grounds; height 50 feet, diameter 22 inches, crown spread 17 feet	(2) 4-6-008:044
Royal Palm (20 trees), <i>Roystonea regina</i>	Entrance to Lahainaluna High School, Lahaina; height 40 feet, diameter 16 inches, crown spread 15 feet	(2) 4-6-018:005
Royal Palm (18 trees), <i>Roystonea regina</i>	Old Maui High School campus, Hamakuapoko, Makawao; height 30 feet, diameter 20 inches, crown spread 20 feet (averages)	(2) 2-5-004:014

True Kamani, Calophyllum inophyllum	Lahainaluna High School, Lahaina; height 60 feet, diameter 60 inches, crown spread 80 feet	(2) 4-6-018:012
True Kamani, Calophyllum inophyllum	Old Hana School, Hana; over 90 years old; fronting the school; height 31 feet, diameter 72.6 inches, crown spread 101 feet	(2) 1-4-004:030
West India Locust, Hymenaea courbaril	Manager's residence, Kaanapali Kai, Inc., 2145 Wells St., Ste. 301, Wailuku; height 75 feet, diameter 39 inches, crown spread 80 feet	(2) 3-4-014:060
Wiliwili (4 trees), Erythrina sandwicensis	Kuheia LZ1, Luamakika, Kaho'olawe; height 7 feet, diameter 23 inches, crown spread 16 feet	Not applicable

SECTION 2. New material is underscored. Material to be repealed is bracketed. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND
LEGALITY:



 DAVID A. GALAZIN
 Department of the Corporation
 Counsel
 County of Maui
 2020-0334
 2020-03-30 Ord Amd 12.24A.055(E)