RICHARD T. BISSEN, JR. Mayor

SHAYNE R. AGAWA, P.E. Director

ROBERT SCHMIDT Deputy Director

MICHAEL KEHANO, P.E. Solid Waste Division

ERIC A. NAKAGAWA, P.E. Wastewater Reclamation Division

Environmental Protection & Sustainability Division





COUNTY OF MAUI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

2145 KAOHU STREET, SUITE 102 WAILUKU, MAUI, HAWAI'I 96793

November 13, 2023

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

For transmittal to:

Honorable Alice L. Lee, Chair and Members of the Maui County Council 200 S. High Street Wailuku, Hawaii 96793 APPROVED FOR TRANSMITTAL

11-13.99

Date

Dear Chair Lee and Members:

SUBJECT:

PROPOSED BILL FOR AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, REGARDING THE ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY PERMIT ("ROE") FOR THE LAHAINA WILDFIRE FINAL DISPOSITION PROJECT

I am transmitting a proposed bill entitled "BILL FOR AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, REGARDING THE ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY FOR THE LAHAINA WILDFIRE FINAL DISPOSITION PROJECT."

The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with DLNR for a ROE to a parcel situated in Olowalu to be used for the Lahaina Wildfire Final Disposition project.

On Friday, October 27, 2023, the Board of Land and Natural Resources ("BLNR") approved the issuance of an Immediate ROE to the County of Maui for wildfire debris landfill and ancillary purposes.

The County of Maui was granted a ROE permit to utilize parcels identified as Tax Map Key (2) 4-8-003:007 and (2) 4-8-003:008 (por.) consisting of 52 acres and 0.7 acre, respectively. The ROE shall be effective upon the County's execution of this BLNR approved immediate management ROE and shall expire in one year or upon execution of the set-aside of government lands by Governor's Executive Order for the Proposed Lahaina Wildfire Final Disposition Project site, whichever occurs first. The BLNR Chairperson is authorized to continue the ROE for additional one-year periods for good cause shown by the County.

May I request that you expedite your review and action of the proposed bill at your Council meeting on November 20, 2023. This would allow the Department to continue its process in securing and developing the site with its partner agencies. Further, I will be available at the meeting to answer any questions that the Council may have on this matter.

Thank you for your consideration of my request and should you have any questions or concerns, please do not hesitate to contact me at ext. 8230.

Respectfully,

SHAYNE R. AGAWA, P.E.

Director of Environmental Management

Attachments