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Director of Council Services
Traci N. T. Fujita, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
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October 11, 2019

RECEIVED
2019 OCT 11 AM 9:59
OFFICE OF THE
COUNTY CLERK

The Honorable Kelly T. King
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair King:

SUBJECT: PROVIDING COMMENTS ON A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE EAST MAUI WATER LEASE (EACP-22)

May I request the attached proposed resolution, entitled "AUTHORIZING THE COUNCIL CHAIR TO PROVIDE COMMENTS ON A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE EAST MAUI WATER LEASE," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane M. Sinenci".

SHANE M. SINENCI, Chair
Environmental, Agricultural, and
Cultural Preservation Committee

eacp:ltr:022amc01:dr

Attachment

COUNTY COMMUNICATION NO. 19-418

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 (“OEQC”) 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 (“EIS”), ensure public accountability; and

WHEREAS, Alexander & Baldwin Inc. and East Maui Irrigation Company, Limited submitted a Draft EIS 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 (“HAR”), 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 Section 11-200.1-25(a), HAR, 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

Resolution No. _____

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, 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, 2019 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.