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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

October 7, 2016

Cheryl Kakazu Park, Esq.
Director, Office of Information Practices
No. 1 Capitol District Building
250 South Hotel Street, Suite 107
Honolulu, Hawaii 96813

Dear Ms. Park:

SUBJECT: REQUEST FOR AN ADVISORY OPINION (EAR-67)

The County of Maui recently acquired 267.74 acres in an area of Maui known as Hamakualoa and seeks to develop a master plan for management of the land. Please see the attached article for additional background.

I anticipate Mayor Alan M. Arakawa will issue an executive order to direct County agencies to work on the Hamakualoa master plan and to designate Councilmember Elle Cochran and me as co-chairs of a newly created body to lead the effort to develop the plan.

The adoption of a Hamakualoa master plan would necessitate the Council's enactment of various pieces of legislation.

May I please request that you provide an advisory opinion in response to the following question:

Is it appropriate under the Sunshine Law for Councilmember Cochran and me to jointly participate as members of the body created by the Mayor's executive order for the purpose of developing the Hamakualoa master plan?

Cheryl Kakazu Park, Esq.
October 7, 2016
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Should you have any questions, please contact me or the Committee staff
(Sharon Brooks at 270-7137, or Pauline Martins at 270-8039).

Sincerely,



DON S. GUZMAN, Chair
Economic Development, Energy,
Agriculture, and Recreation Committee

ear:ltr:067a01:scb

Attachment

10/1/16 AP St. News 19:42:25

AP State News
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October 1, 2016

Maui County buys land with access to Jaws surf break

WAILUKU, Hawaii

WAILUKU, Hawaii (AP) — Maui County is pursuing plans for about 270 acres near a surf break.

Councilmembers approved the nearly \$9.5 million deal in early September using the Open Space, Natural Resources and Scenic Views Preservation Fund.

The land includes four lots and an access easement to the so-called Jaws surf break.

Councilmembers Don Guzman and Elle Cochran were asked to create plans for what officials call the Hamakualoa Open Space Park Preserve.

"I said you know what, the community wants this. We need to utilize our Open Space Fund and capture it and buy this land and preserve it for generations to come," Guzman told Hawaii News Now.

An Organic Agricultural Park at the preserve would be the first for the community.

"There are questions that remain about public access for sporting events at Jaws, water issues, land maintenance as well as other concerns," said Mayor Alan Arakawa, according to Maui News. "However, the council felt strongly enough about this purchase that they approved \$9.5 million to be included in the budget, coupled with the fact that many members of our community say they want to start farming organically."

Water access and land maintenance are among the other concerns for the site.

The site used to be a pineapple plantation and was owned by Alexander & Baldwin.

--- **Index References** ---

Company: CANADIAN NATURAL RESOURCES LTD; MATSON INC

Industry: (Energy & Fuel (1EN13); Real Estate (1RE57); Utilities (1UT12); Water Utilities (1WA58); Zoning (1ZO58))

Region: (Americas (1AM92); Hawaii (1HA58); North America (1NO39); U.S. West Region (1WE46); USA (1US73))

Language: EN

Other Indexing: (Open Space Fund) (Don Guzman; Alan Arakawa)

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