


July 16, 2018

MEMO TO: PRL-41 File

F R O M: Don S. Guzman, Chair   
Parks, Recreation, Energy, and Legal Affairs Committee

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO GREENPRINTING AND STRATEGIC CONSERVATION PLANNING FOR OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES AND SCENIC VIEWS PRESERVATION** (PRL-41)

The attached legislative proposal pertains to Item 41 on the Committee's agenda.

prl:ltr:041afile01:cmn

Attachment

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2018)

A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 2.82, MAUI COUNTY CODE, RELATING TO OPEN SPACE CONSERVATION AND LAND MANAGEMENT

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

SECTION 1. Title 2, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

**“Chapter 2.82**

**OPEN SPACE CONSERVATION AND LAND MANAGEMENT**

- 2.82.010 Purpose.
- 2.82.020 Scope of chapter.
- 2.82.030 Definitions.
- 2.82.040 Administration.
- 2.82.050 Conservation planning committee.
- 2.82.060 Greenprint.
- 2.82.070 Land acquisition and management.
- 2.82.080 Rules.

**2.82.010 Purpose.** The purpose of this chapter is to guide decision making for purchasing or otherwise acquiring lands or property interests for land conservation purposes pursuant to chapter 3.88 of this code and to establish procedures for long-term conservation planning and management for lands with open space, natural resources, cultural resources, and scenic views values.

**2.82.020 Scope of chapter.** The procedures established herein shall facilitate the identification of areas for land conservation purposes pursuant to chapter 3.88 of this code. They shall also guide the management, administration, and maintenance of land or property interests acquired for land conservation purposes as outlined in chapter 3.88 of this code.

**2.82.030 Definitions.** Whenever used in this chapter, the following words shall have the meaning indicated:

“Committee” means the conservation planning committee.

“Council” means the Maui County council.

“Greenprint” means a strategic conservation plan and tool as described in section 2.82.060 of this chapter.

“Mayor” means the mayor of the County of Maui.

**2.82.040 Administration.** Unless otherwise specified, the mayor or mayor’s designee shall administer the provisions of this chapter and shall provide administrative support to the committee.

**2.82.050 Conservation planning committee.** A. There is established a conservation planning committee consisting of the following nine voting members and three ex-officio non-voting members:

1. One representative: Office of the mayor.
2. Managing director or director’s designee.
3. Director of public works or director’s designee.
4. Planning director or director’s designee.
5. Director of parks and recreation or director’s designee.
6. One representative: Hawaii-based conservation group or land trust.
7. One council member.
8. Two representatives: general public.
9. Ex-officio non-voting members: one representative each from the State department of land and natural resources, the Sustainable Science Management program at the University of Hawaii Maui College, and the County information technology division.

B. The council member shall be appointed by the council for a term concurrent with the council member’s term of office. The representative from the office of the mayor shall be appointed by the mayor without approval by the council for a term concurrent with the mayor’s term in office. The general public and land trust/conservation members of the committee shall be nominated by the mayor, approved by the council, and serve staggered terms of five years.

C. Additional stakeholders may be involved as resource persons on an ad hoc basis, including subject matter experts, cultural practitioners, and stakeholders for specific lands, including lineal descendants, but shall not be considered members of the committee.

D. The committee shall create the Countywide greenprint, as well as provide advice and recommendations to the mayor, council, and departments related to the purposes of this chapter.

**2.82.060 Greenprint.** Utilizing public outreach, the general plan, and other community and documentary resources, the committee shall create a comprehensive conservation plan, also known as a greenprint, including a geographic information systems map, to inform land acquisition by the County for open space, natural resources, cultural resources, and scenic views preservation purposes, and to identify lands suitable for voluntary private-sector conservation. A greenprint is a planning tool based on local conservation priorities and grounded in science to meet the County's conservation goals of protecting important cultural, historical, agricultural, natural, coastal, and scenic landscapes. The greenprint shall be adopted by the committee and submitted to the council by January 1, 2021. The committee shall review, update, and submit the Countywide greenprint to the council every five years thereafter.

**2.82.070 Land acquisition and management.** A. The committee shall review and provide its recommendation on acquisition of land or property interests to the mayor and council within 120 days of transmittal of a request for review consistent with the purposes and values identified in the greenprint and this chapter.

B. At the request of the mayor or the council, the committee shall prepare plans for management of lands acquired pursuant to chapter 3.88 of this code. Plans shall be submitted to the council for review and approval within 180 days of the council providing notice of the acquisition of the land to the committee. Plans shall include, but not be limited to, the following:

1. Long-term vision.
  - a. Detailed plan and vision for the use of the land, whether passive or active, including economic or social benefits.
  - b. Outline of community partnerships for carrying out vision for the land.
2. Maintenance.
  - a. Description of necessary maintenance.
  - b. Detailed outline of maintenance plans, schedules, and entity responsible for each task.
  - c. Estimated annual cost to the County for maintenance.
3. Safety and security.
  - a. Plans for addressing safety and security concerns.
  - b. Estimated annual cost to the County to address safety and security concerns.

c. Safety and security plans shall be reviewed and approved by the department of police and department of fire and public safety.

4. Signage.

a. Description and verbiage for necessary signage, approved by the department of the corporation counsel.

b. Estimated cost to the County to produce, install, and maintain signage.

c. Timeline for production and installation of signage by the department of public works.

5. Designated entities. All plans for land management and maintenance shall identify the County department or private entity responsible for each component of plan implementation.

**2.82.080 Rules.** The committee may adopt administrative rules of practice and procedure pursuant to chapter 91, Hawaii Revised Statutes.”

SECTION 2. This ordinance shall take effect on January 2, 2019.

APPROVED AS TO FORM AND LEGALITY:



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Department of the Corporation Counsel  
County of Maui

paf:mcc:17-245c