

Michael P. Victorino  
Mayor

Sananda K. Baz  
Managing Director



**OFFICE OF THE MAYOR**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov](http://www.mauicounty.gov)

August 19, 2019

Honorable Kelly T. King, Council Chair  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair King:

**SUBJECT: OPEN SPACE CONSERVATION AND LAND  
MANAGEMENT**

Pursuant to Ordinance 4878 effective January 2, 2019, the administration shall create and administer a *Conservation Planning Committee*. The purpose of the Conservation Planning Committee is to guide decision making for purchasing or otherwise acquiring lands or property interests for land conservation purposes pursuant to Maui County Code Chapter 3.88. It additionally establishes procedures for long-term conservation planning and management for lands with open space, natural resources, cultural resources and scenic views.

As provided for in Section 2.82.040, one of the members of this committee shall be a council member. I would like to request that you provide the name of a designee to the committee. As time is of the essence, please inform Boards and Commissions liaison Ms. Gladys Baisa of your selection as soon as possible. Ms. Baisa can be reached at (808) 270-8211 or via email at [gladys.baisa@mauicounty.gov](mailto:gladys.baisa@mauicounty.gov).

Enclosed, please find a copy of the ordinance for your information. Conservation of our land and other natural resources in Maui County is of the utmost importance to me. With your involvement, I am confident we can make a positive difference for our community.

COUNTY COMMUNICATION NO. 19-310

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2019 AUG 20 PM 3:32  
OFFICE OF THE  
COUNTY CLERK

August 19, 2019  
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Sincerely,

A handwritten signature in black ink, reading "Michael P Victorino". The signature is written in a cursive style with a large, stylized "P" and a long horizontal stroke at the end.

MICHAEL P. VICTORINO  
Mayor  
County of Maui

Attachment

cc: Gladys Baisa, Community Liaison, Boards & Commissions

ORDINANCE NO. 4878

BILL NO. 76 (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 Definitions.
- 2.82.030 Administration.
- 2.82.040 Conservation planning committee.
- 2.82.050 Greenprint.
- 2.82.060 Land acquisition and management.
- 2.82.070 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 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 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, as described in section 2.82.050 of this chapter.

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

**2.82.030 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.

**2.82.040 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 assist with and oversee the creation of the Countywide greenprint, as well as provide advice and recommendations to the mayor, council, and departments related to the purposes of this chapter.

**2.82.050 Greenprint.** Utilizing public outreach, the general plan, and other community and documentary resources, including land conservation organizations, a comprehensive conservation

plan, also known as a greenprint, shall be created which includes a geographic information systems map. The greenprint shall guide land acquisition by the County for open space, natural resources, cultural resources, and scenic views preservation purposes, and help to identify lands suitable for voluntary private-sector conservation. The greenprint shall be adopted by the committee and submitted to the council by January 1, 2021. The committee shall oversee the review and update of the Countywide greenprint, which shall be submitted to the council every five years thereafter.

**2.82.060 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 or 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.

**2.82.070 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  
LF2018-0855

WE HEREBY CERTIFY that the foregoing BILL NO. 76 (2018)


1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 21st day of September, 2018, by the following vote:

Michael B. WHITE Chair	Robert CARROLL Vice-Chair	Alika ATAY	Eleanora COCHRAN	S. Stacy CRIVELLO	Donald S. GUZMAN	G. Riki HOKAMA	Kelly T. KING	Yuki Lei K. SUGIMURA
Aye	Excused	Aye	Aye	Aye	Aye	Excused	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 21st day of September, 2018.


DATED AT WAILUKU, MAUI, HAWAII, this 21st day of September, 2018.

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OFFICE OF THE MAYOR

  
MICHAEL B. WHITE, CHAIR  
Council of the County of Maui

  
JOSIAH K. NISHITA, DEPUTY COUNTY CLERK  
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 24 DAY OF September, 2018.

  
ALAN M. ARAKAWA, MAYOR  
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. **4878** of the County of Maui, State of Hawaii.

  
JOSIAH K. NISHITA, DEPUTY COUNTY CLERK  
County of Maui

Passed First Reading on September 7, 2018  
Effective date of Ordinance January 2, 2019

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. **4878**, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

\_\_\_\_\_  
County Clerk, County of Maui

RECEIVED  
2018 SEP 24 AM 9:37  
OFFICE OF THE  
COUNTY CLERK