

**COUNCIL OF THE COUNTY OF MAUI**  
**PARKS AND ECONOMIC**  
**DEVELOPMENT COMMITTEE**

December 19, 2006

**Committee**  
**Report No.**

06-167

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Parks and Economic Development Committee, having met on November 30, 2006, makes reference to the referrals noted on Exhibit "A", attached hereto and incorporated herein.

At its meeting, your Committee met with the Deputy Director of Parks and Recreation and a Deputy Corporation Counsel.

Your Committee received public testimony from Rob Parsons, Environmental Coordinator, Office of the Mayor, in connection with County Communication No. 06-69, concerning the rapid decrease in Maui's sand supply. Mr. Parsons referred to correspondence dated October 5, 2006, from the Mayor and himself, to the Chair of your Committee, providing alternatives to address this issue. Of the recommended alternatives, he suggested moving forward with a moratorium on the exportation of sand and/or a resolution urging the County to either stockpile beach quality sand for replenishment purposes or limit the amount of sand being exported as immediate fixes to help conserve the finite supply of sand on Maui. He acknowledged that further research, including a legal opinion from the Department of the Corporation Counsel, is needed before legislation is proposed to restrict the exportation of sand.

Mr. Parsons submitted the following: 1) correspondence entitled "Kahului Harbor Sand Barge Arrivals: 01/01/2006 to 09/30/2006"; and 2) correspondence dated November 30, 2006 from Lance Holter, Chair, Sierra Club, Maui Group, supporting legislative action to preserve Maui's sand resources.

Your Committee noted that the end of the current Council term was approaching. In preparation for the new Council term, the Chair of your Committee recommended that certain pending matters be referred to the Council Chair for the term beginning January 2, 2007, pursuant to the following provision of the Rules of the Council:

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Sec. 19. Filing of Items.

A. At the expiration of a Council term, all items pending before the Council and its committees shall be deemed filed and disposed of; provided that the following items shall be deemed referred to the Council Chair for the ensuing term, for consideration by the Council:

1. an item transmitted by another governmental agency to the Council, pursuant to a legal requirement, for Council action;
2. pending legislation that has passed only one of the required readings; and
3. subject to Council approval, items recommended for referral by the Council Chair for matters pending before the Council, and items recommended for referral by a committee chair with the approval of that committee for matters pending before that chair's committee.

B. This provision shall not prevent the resubmittal of any matter to the Council in a subsequent term, for consideration as a new item.

The Vice-Chair of your Committee recommended that County Communication No. 06-214, pertaining to the definition of "agriculture", be filed. She stated that various interest groups plan to meet on the issue in the coming year, and will be submitting their recommendations for Council consideration. Your Committee approved the recommendation to file County Communication No. 06-214. Your Committee notes that pursuant to Section 19 of the Rules of the Council, County Communication No. 06-214 will have been deemed filed at the end of the term.

After due consideration, the recommendation of the Chair of your Committee was approved with respect to the communications noted on Exhibit "A".

Your Parks and Economic Development Committee **RECOMMENDS** that all communications noted on Exhibit "A" be **REFERRED** to the Council Chair for the term beginning January 2, 2007.

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Adoption of this report is respectfully requested.

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**JO ANNE JOHNSON** Chair

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**ROBERT CARROLL** Member

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**CHARMAINE TAVARES** Vice-Chair

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**DANNY A. MATEO** Member

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**MICHELLE ANDERSON** Member

## **EXHIBIT "A"**

### **PED-2                    TREE PRESERVATION**

Sep. 3/04            C.C. 04-220            Councilmember Robert Carroll, transmitting a draft bill entitled "A BILL FOR AN ORDINANCE ADDING A NEW CHAPTER 12.26, MAUI COUNTY CODE, PERTAINING TO TREE PRESERVATION".

### **PED-3                    GENETICALLY MODIFIED ORGANISMS (GMO)**

Aug. 1/03            C.C. 03-195            Councilmember Johnson, relating to the matter of genetically modified organisms.

Apr. 2/04            C.R. 04-74  
(Recommitted)            Parks and Agriculture Committee, recommending the following:

1.     ADOPTION of resolution urging the State to establish advisory boards regarding genetically modified organisms; and
2.     FILING of communication.

### **PED-14                    PENALTIES PERTAINING TO THE RECREATIONAL AREA REGULATIONS GOVERNING CAMPING**

Sept. 19/03            MISC.                    County Clerk, referring the matter relating to penalties in Chapter 13.04, Maui County Code.

### **PED-27                    TAXICAB OPERATIONS**

Feb. 17/06            C.C. 06-56            Councilmember Johnson, relating to Chapter 5.16, Maui County Code, pertaining to taxicab operations.

**PED-29 MAUI INLAND SAND RESOURCE QUANTIFICATION STUDY**

Mar. 3/06 C.C. 06-69 Mayor, transmitting a draft report, entitled "MAUI INLAND SAND RESOURCE QUANTIFICATION STUDY: MAUI, HAWAII: February, 2006", to determine the sustainability and/or eventual dissipation of Maui Island's sand dune resources due to mining for local usage and for export to Oahu for construction and beach restoration purposes.

**PED-32 PARK DEDICATIONS SEMIANNUAL REPORT**

May 26/06 C.C. 06-153 Director of Parks and Recreation, transmitting the semiannual report regarding park dedications for the period of October 1, 2005 through March 31, 2006.

**PED-41 AUTHORIZING A GRANT OF A CONCESSION FOR THE IAO THEATER**

Nov. 17/06 C.C. 06-288 Economic Development Coordinator, transmitting a proposed resolution entitled "AUTHORIZING A GRANT OF A CONCESSION BELOW FAIR MARKET VALUE FOR THE THEATER MANAGEMENT CONCESSION AT IAO THEATER".

**END OF EXHIBIT "A"**