
HOUSE CONCURRENT RESOLUTION

URGING MAUI COUNTY NOT TO ISSUE ANY PERMIT OR SPECIAL PERMIT FOR ANY RESIDENTIAL OR COMMERCIAL DEVELOPMENT OF ANY WETLAND OR TIDAL AREA WITHIN ONE HUNDRED FEET OF THE SHORELINE UNLESS THE COUNTY FIRST SOLICITS PUBLIC INPUT AT A PUBLIC INFORMATIONAL MEETING.

1 WHEREAS, pursuant to section 46-4, Hawaii Revised Statutes,
2 zoning in each county must be accomplished within the framework
3 of a long-range, comprehensive general plan prepared to guide
4 the overall future development of the county, as well as, to
5 ensure the greatest benefit for the State as a whole; and

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7 WHEREAS, among the county zoning powers is the power to
8 prohibit or restrict erection of structures or the location of
9 buildings in areas bordering natural watercourses; and

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11 WHEREAS, wetlands are lands or areas, such as tidal flats
12 and swamps, that contain a lot of soil moisture and protect and
13 maintain water quality in other near-shore habitats; and

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15 WHEREAS, according to the United States Department of
16 Commerce, National Oceanic and Atmospheric Administration, at
17 one time Hawaii contained an estimated fifty-nine thousand acres
18 of wetlands, but has lost approximately twelve per cent of those
19 original wetland acres over the last two hundred years; and

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21 WHEREAS, the protection provided by wetlands is
22 particularly important for coral reefs occurring seaward of
23 coastal wetlands because the wetlands shield the reefs from
24 sediment, turbidity, and pulses of fresh water during periods of
25 heavy rain; and

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27 WHEREAS, in addition, wetlands are habitats to native and
28 endangered species, and provide, directly or through the food



1 chain, prey organisms for reef and open coastal fishery
2 resources; and

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4 WHEREAS, anglers spend millions of dollars fishing in
5 Hawaii's waters and support thousands of jobs here; and

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7 WHEREAS, commercial fishing is a growing part of Hawaii's
8 economy, with commercial dockside landings valued at over
9 \$69,000,000 in a single year; and

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11 WHEREAS, despite their significance to Hawaii's
12 environment, wetlands are increasingly threatened by urban
13 sprawl as the wetlands are drained, dredged, and filled to
14 provide land for residential and commercial development; and

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16 WHEREAS, development of wetland and tidal areas for these
17 purposes could overturn years of environmental protection and
18 progress achieved under the federal Clean Water Act; and

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20 WHEREAS, Maui county should not issue a permit or special
21 permit for any residential or commercial development of any
22 wetland or tidal area without first soliciting public input at a
23 public informational meeting; now, therefore,

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25 BE IT RESOLVED by the House of Representatives of the
26 Twenty-fourth Legislature of the State of Hawaii, Regular
27 Session of 2008, the Senate concurring, that Maui county is
28 urged not to issue any permit under section 46-4 or 205-5,
29 Hawaii Revised Statutes, or any special permit under section
30 205-6, Hawaii Revised Statutes, for any residential or
31 commercial development of any wetland or tidal area within one
32 hundred feet of the shoreline unless the county first solicits
33 public input at a public informational meeting; and

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35 BE IT FURTHER RESOLVED that Maui county is requested to
36 hold the public informational meetings in the affected
37 communities and solicit public input at the meeting regarding
38 whether to approve, deny, or conditionally approve the proposed
39 development; and

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41 BE IT FURTHER RESOLVED that for purposes of this Concurrent
42 Resolution:

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- (1) "Shoreline" has the same meaning as defined in section 205A-1;
- (2) "Tidal" means the presence of periodically rising and falling or flowing or ebbing waters; and
- (3) "Wetland" means land or areas, such as tidal flats and swamps that contain a lot of soil moisture; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Mayor and the Director of the Department of Planning of Maui County.

OFFERED BY: Mele Carroll

Wynn Snow

K. L.

[Signature]

MAR 12 2008

