
HOUSE RESOLUTION

REQUESTING THE STATE TO ADOPT A POLICY TO PROMOTE A NET GAIN IN
WETLANDS AND ENCOURAGING ACTIONS TO CONTROL THE INVASIVE
AXIS DEER POPULATION ON MAUI.

1 WHEREAS, South Maui has been hit by five major floods
2 causing significant damage and two once-in-a-century floods in
3 the last three years in part due to the degradation of Kihei's
4 historical wetlands; and

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6 WHEREAS, these floods put citizens' lives directly at risk
7 by closing roads and access to and by emergency medical
8 personnel and aid; and

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10 WHEREAS, these floods also put emergency responders' lives
11 directly at risk, leading to tragedies, including the death of
12 Maui County firefighter Tre' Evans-Dumaran in 2023 while he
13 responded to flood-related emergencies; and

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15 WHEREAS, Kihei is a critical revenue-generating area that
16 needs protection; and

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18 WHEREAS, greening efforts to reduce flooding are effective
19 at making greenbelts for fire mitigation; and

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21 WHEREAS, wildfires and flooding can both be prevented by
22 greening the area surrounding Kihei, reducing plant destruction
23 by deer and providing recycled R1 water to grow mosses and
24 plants that prevent erosion and act as firebreaks; and

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26 WHEREAS, these measures in conjunction with retention ponds
27 can reduce flooding and wildfire risk, effectively saving lives,
28 property, and generating revenue; and

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30 WHEREAS, Hawaii's surface water quality standards apply to
31 wetlands:



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- (1) Hawaii's State Water Code defines "water" or "waters of the State" as "any and all water on or beneath the surface of the ground, including natural or artificial watercourses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground";
- (2) Hawaii's State Water Code explicitly protects wetlands as part of stream systems; and
- (3) It is the policy of the County of Maui that wetlands be restored or protected beyond what is required by the Clean Water Act, Coastal Zone Management Act, or any other law, and all discretionary permits issued by the County must be consistent with this policy; and

WHEREAS, anchialine pools have unique and often rare ecosystems and species, several of which are in South Maui; and

WHEREAS, without protections, anchialine pools and other wetlands may be at risk for development or degraded habitat, and it is financially prudent to protect and prevent degraded wetlands because, due to the State's stringent land use laws, it is incredibly difficult and cost-prohibitive to maintain or restore degraded wetlands; and

WHEREAS, the boundaries of wetlands are determined by the presence of two or more of the three wetland indicators (hydrophytic vegetation, the presence of hydric soils, and evidence of hydrology) listed in the 1987 United States Army Corps of Engineers Wetland Delineation Manual and the 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Hawaii and Pacific Islands Region; and

WHEREAS, much of Kihei has all three of the aforementioned wetland indicators; and

WHEREAS, Kihei's wetlands directly receive stream, storm, and urban runoff, and these wetlands act as a necessary filter before this water reaches the ocean; without such filtering,



1 high levels of sediments damage coral reefs, aquatic life, and
2 recreational usage; and

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4 WHEREAS, restoration and net gain of wetlands enhance
5 wildfire and drought resilience, reduce the magnitude of
6 flooding events, and provide valuable habitat for a variety of
7 flora and fauna, all of which are of vital importance to Maui;
8 and

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10 WHEREAS, fire and flooding in Maui are further exacerbated
11 by the invasive axis deer population over-grazing native plants;
12 and

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14 WHEREAS, compared to native plants, invasive forest plants
15 tend to be more fire-prone, do not absorb as much water, and are
16 less likely to latch onto the soil, causing higher flooding and
17 fire risk; now, therefore,

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19 BE IT RESOLVED by the House of Representatives of the
20 Thirty-second Legislature of the State of Hawaii, Regular
21 Session of 2024, that the State is requested to adopt a policy
22 to promote a net gain in wetlands; and

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24 BE IT FURTHER RESOLVED that the Department of Land and
25 Natural Resources is requested to adopt a policy to protect and
26 restore anchialine pools; and

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28 BE IT FURTHER RESOLVED that there should be substantial
29 funding to mitigate fire and flood risk in South Maui; and

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31 BE IT FURTHER RESOLVED that Kihei wetlands should be
32 prioritized over development concerns where feasible; and

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34 BE IT FURTHER RESOLVED that funds should be prioritized for
35 purchasing land parcels solely for restoration and habitat
36 protection purposes; and

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38 BE IT FURTHER RESOLVED that the replanting of native plants
39 that are vital to preventing flooding and fire disasters should
40 be prioritized on Maui, and should be done so in areas and ways
41 so that they are protected from imminent destruction by axis



1 deer and other hazards, particularly around streambanks and
2 wetland banks to prevent erosion and purify water; and
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4 BE IT FURTHER RESOLVED that further measures should be
5 taken to control the invasive axis deer population in Maui,
6 including furthering current fencing and ungulate control
7 efforts and hunting incentives; and
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9 BE IT FURTHER RESOLVED that to further axis deer hunting
10 incentives and to better feed Maui and all of Hawaii, the County
11 of Maui, Department of Land and Natural Resources, Department of
12 Agriculture, and State of Hawaii are requested to engage in
13 proactive efforts to make United States Department of
14 Agriculture inspections and United States Department of
15 Agriculture butchers more accessible, feasible, and affordable
16 for hunters to utilize in order to sell venison; and
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18 BE IT FURTHER RESOLVED that these efforts by the County of
19 Maui, Department of Land and Natural Resources, Department of
20 Agriculture, and State of Hawaii are requested to aim to model
21 other state programs that process meat and distribute it to the
22 community, such as Pennsylvania's Hunters Sharing the Harvest
23 program, which donates over one hundred thousand pounds of
24 venison to over five thousand food banks by allowing hunters to
25 bring a kill to any one of a network of deer processors who put
26 venison into the food bank system; and
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28 BE IT FURTHER RESOLVED that the lands available for hunting
29 axis deer on Maui should be expanded where possible; private
30 owners should continue to be incentivized to allow axis deer
31 hunts on private lands through programs such as the Department
32 of Land and Natural Resources' Landowner Incentive Program, and
33 fiscal support for such programs should be prioritized; and
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35 BE IT FURTHER RESOLVED that Mesonet and Commission on Water
36 Resource Management hydrologic data services are of utmost
37 importance to track, understand, and predict fires and flooding
38 on Maui and throughout Hawaii, and should continue to be funded
39 and supported so disastrous events can be anticipated,
40 mitigated, and planned for when unavoidable; and
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1 BE IT FURTHER RESOLVED that certified copies of this
2 Resolution be transmitted to the Governor, Chairperson of the
3 Board of Land and Natural Resources, Director of Health,
4 Chairperson of the Board of Agriculture, Mayor of Maui County,
5 all members of the Maui County Council, and Director of the
6 Department of Public Works of Maui County.

