

ORDINANCE NO. 5597

BILL NO. 133 (2023)

A BILL FOR AN ORDINANCE AMENDING SECTION 19.47.070, MAUI COUNTY
CODE, RELATING TO WETLANDS OVERLAY MAPPING

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

SECTION 1. Section 19.47.070, Maui County Code, is amended by
amending subsection A to read as follows:

“A. [Within three hundred sixty-five days after the effective date of the ordinance establishing this chapter, the] The planning director must prepare, or cause to be prepared, and transmit to the planning commissions, council, conservation planning committee, and director of public works, a map that shows the approximate location of wetlands throughout the County and likely migration areas reflected by passive flooding data[.] by June 30, 2024. The boundary of wetlands is determined by the presence of two or more of the three wetland indicators listed in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Hawai‘i and Pacific Islands Region. These indicators are hydrophytic vegetation, the presence of hydric soils, and evidence of hydrology. For flowing systems, the boundary must extend to the ordinary high-water mark, determined using the 2005 U.S. Army Corps of Engineers Regulatory Guidance Letter on the Determination of Ordinary High Water Mark Identification.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.


SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read 'Kristin K. Tarnstrom', is written over a horizontal line.

KRISTIN K. TARNSTROM
Deputy Corporation Counsel
County of Maui
LF2023-1194
2023-10-26 Ord Amd Ch 19.47

INTRODUCED BY:



Upon the request of the Mayor.

WE HEREBY CERTIFY that the foregoing BILL NO. 133 (2023)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 12th day of January, 2024, by the following vote:

Alice L. LEE Chair	Yuki Lei K. SUGIMURA Vice-Chair	Tom COOK	Gabriel JOHNSON	Natalie A. KAMA	Tamara A. M. PALTIN	Keani N. W. RAWLINS- FERNANDEZ	Shane M. SINENCI	Nohelani U'U-HODGINS
Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 18th day of January, 2024.

DATED AT WAILUKU, MAUI, HAWAII, this 18th day of January, 2024.



ALICE L. LEE, CHAIR
Council of the County of Maui



RICHELLE M. THOMSON, DEPUTY COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS DAY OF January 21, 2024.



RICHARD T. BISSEN, JR. 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. 5597 of the County of Maui, State of Hawaii.



RICHELLE M. THOMSON, DEPUTY COUNTY CLERK
County of Maui

Passed First Reading on December 15, 2023
Effective date of Ordinance January 21, 2024

RECEIVED

2024 JAN 22 AM 8:32

OFFICE OF THE
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 5597, 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