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**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

April 9, 2024

Ms. Kate Blystone, Director  
Department of Planning  
County of Maui  
Wailuku, Hawaii 96793

Dear Ms. Blystone:

**SUBJECT: FISCAL YEAR ("FY") 2025 BUDGET** (BFED-1) (PL-3)

Thank you for participating in the Committee's discussions on April 8, 2024. The Committee respectfully submits the follow-up questions listed below. May I further request that, after approval by the Office of the Mayor, you transmit a written response to [bfed.committee@mauicounty.us](mailto:bfed.committee@mauicounty.us) by **April 16, 2024**.

1. Has the Department discussed the effectiveness of covert operations to find Short Term Rental ("STR") or Transient Vacation Rental ("TVR") offenders? Why does the Department not engage in these types of investigations?
2. How many TVR violations did the Department find in FY 2024, to date?
3. Is a Zoning Inspector assigned to Molokai and does that individual travel there at least once a month?
4. Charter Section 8-8.3(7) says the planning director must "review the lists of proposed capital improvements projects contemplated by the county and recommend the order of their priority to the mayor." Please provide a copy of your capital improvement projects recommendations in order of their priority to the Mayor.
5. Please explain how the Department, the Department of the Corporation Counsel, and the Council can work together to ensure

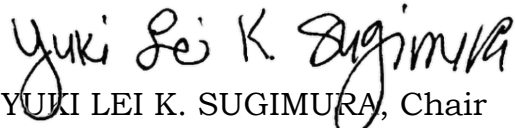
Ms. Kate Blystone  
April 9, 2024  
Page 2

that aggressive cosmetic sales tactics do not continue during and after the rebuilding of Lahaina.

6. How can the Administration, the Department of the Corporation Counsel, and the Council work together to determine whether Transient Accommodations Tax (“TAT”) payments made by property owners to the County and State are accurate and whether these owners are legally permitted to operate transient accommodations? Would the Department consider requesting State TAT information to compare against County TAT information to accomplish this? Please explain.
7. Earlier in 2024, South Maui experienced heavy floods that washed out a waterline near South Kihei Road. The Departments of Public Works and Water Supply conducted emergency repairs but were restricted to using dune sand to fill gaps while restoring the road.
  - a. Does the Department only require sand to mitigate beach erosion?
  - b. Would the additional sand erode over time, causing further damage to public infrastructure near shorelines?
  - c. Could the Department recommend the use of other material or mitigation efforts to further prevent coastal damage?

Thank you for your attention to this request. Should you have any questions, please contact me or the Committee staff (James Krueger at ext. 7761, Kasie Apo Takayama at ext. 7665, or Yvette Bouthillier at ext. 7758).

Sincerely,

  
YUKI LEI K. SUGIMURA, Chair  
Budget, Finance, and Economic  
Development Committee

bfed:2025bgt:240408ap101:clm

cc: Mayor Richard T. Bissen, Jr.  
Acting Budget Director

## BFED Committee

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**From:** BFED Committee  
**Sent:** Wednesday, April 10, 2024 8:49 AM  
**To:** Kate Blystone  
**Cc:** BFED Committee; Ana Lillis; joy.paredes@co.maui.hi.us; Michelle Santos; Zeke Kalua; Lesley Milner; Kristina Cabbat  
**Subject:** PLEASE READ attached letter re: FISCAL YEAR ("FY") 2025 BUDGET (BFED 1) (PL-3); reply by 4/16/24  
**Attachments:** (PL-3) Correspondence to Planning 04-09-2024.pdf  
**Categories:** Processed

**Ms. Blystone:** Please refer to the attached letter from the Budget, Finance, and Economic Development (BFED) Committee Chair, dated April 9, 2024. Please respond by **April 16, 2024.**

**Mayor's Office (attention: Michelle Santos and Zeke Kalua):** Please forward the attached letter to Mayor Bissen for his information.

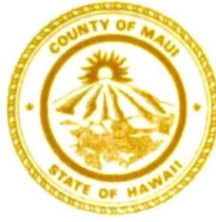
**Ms. Milner:** FYI

Thank you,  
Yvette Bouthillier, Senior Secretary  
BFED Committee

RICHARD T. BISSEN, JR.  
Mayor

KATE L. K. BLYSTONE  
Director

ANA LILLIS  
Deputy Director




**DEPARTMENT OF PLANNING**  
COUNTY OF MAUI  
ONE MAIN PLAZA  
2200 MAIN STREET, SUITE 315  
WAILUKU, MAUI, HAWAII 96793

April 18, 2024

Lesley Milner   
Acting Budget Director, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Honorable Richard T. Bissen Jr.  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

 4-19-24  
\_\_\_\_\_  
Mayor Date

For Transmittal to:

Honorable Yuki Lei Sugimura, Chair  
Budget, Finance, and Economic Development Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair Sugimura:

**SUBJECT: FISCAL YEAR (“FY”) 2025 BUDGET (BFED-1) (PL-3)**

Thank for your April 9, 2024 letter. We offer the following responses to your questions.

1. *Has the Department discussed the effectiveness of covert operations to find Short Term Rental (“STR”) or Transient Vacation Rental (“TVR”) offenders? Why does the Department not engage in these types of investigations?*

The Department previously engaged in these types of investigations in fiscal year 2010, prior to advertisements constituting prima facia evidence of TVR operation. Funding for this type of investigation was removed in fiscal year 2011. Having advertisements as evidence of TVR operation and requiring websites to display the tax map key for operating transient vacation rental units has made this type of enforcement is not necessary.

2. ***How many TVR violations did the Department find in FY 2024, to Date?***

Thirty-four violations.

3. ***Is a Zoning Inspector assigned to Molokai and does that individual travel there at least once a month?***

Yes, there is a Zoning Inspector assigned to Molokai. The assigned Zoning Inspector has traveled to Molokai ten times in the past twelve months.

4. ***Charter Section 8-8.3(7) says the planning director must “review the lists of proposed capital improvements projects contemplated by the county and recommend the order of their priority to the mayor.” Please provide a copy of your capital improvement projects recommendations in order of their priority to the Mayor.***

Please see attached.

5. ***Please explain how the Department, the Department of the Corporation Counsel, and the Council can work together to ensure that aggressive cosmetic sales tactics do not continue during and after the rebuilding of Lahaina.***

Council may consult with Corporation Counsel to outline the provisions of any existing settlement agreements and their status based on existing conditions as well as their potential effect on any proposed legislation.

6. ***How can the Administration, the Department of the Corporation Counsel, and the Council work together to determine whether Transient Accommodations Tax (“TAT”) payments made by property owners to the County and State are accurate and whether these owners are legally permitted to operate transient accommodations? Would the Department consider requesting State TAT information to compare against County TAT information to accomplish this? Please explain.***

We are actively working with the Department of Finance on this issue, a memorandum of agreement between the Departments will likely be required. The Department is considering requesting the State TAT information as well.

7. ***Earlier in 2024, South Maui experienced heavy floods that washed out a waterline near South Kihei Road. The Departments of Public Works and Water Supply conducted emergency repairs but were restricted to using dune sand to fill gaps while restoring the road.***

a. ***Does the Department only require sand to mitigate beach Erosion?***

In this case, the washout of the road was caused by a high volume of rainfall and runoff during a storm event, not from coastal erosion. This runoff created damage to the roadway in addition to scouring away the beach sand. Emergency protective measures were authorized with best management practices to protect the marine environment. Generally speaking, shoreline hardening (rocks, concrete, sandbags) is a solution of last resort because it is well documented that shoreline hardening exacerbates the problem by transferring the erosion to the adjacent unprotected portions of the shoreline and contributing to beach loss. Further, it is important to be aware that the State of Hawaii has jurisdiction over the shoreline seaward of the high wash of waves, so the State is involved in any decisions that involve placement of materials on the beach.

b. ***Would the additional sand erode over time, causing further damage to public infrastructure near shorelines?***

The placement of sand will likely be temporary, although it is the best available solution to avoid further impacts to public infrastructure and the environment while longer term solutions are considered. Until a long-term solution is studied, vetted by the community, and then implemented, South Kihei Road will remain at risk from coastal erosion and inland flooding.

c. ***Could the Department recommend the use of other material or mitigation efforts to further prevent coastal damage?***

While the damage that is the subject of this question was most likely not caused by coastal erosion, several sections of South Kihei Road are highly vulnerable to coastal erosion and high wave impacts. The solutions to coastal erosion are site specific. In this case, dune restoration could be further explored as a short- to mid-term adaptation tool if it could be applied and institutionalized at a regional scale. There are many examples of successful dune restoration work in South Maui, although it is still a very underutilized tool.

As stated previously, shoreline hardening (rocks, concrete, sandbags) is a solution of last resort because it is well documented that shoreline hardening exacerbates the problem by transferring the erosion to the adjacent unprotected portions of the shoreline and contributing to

Honorable Richard T. Bissen Jr  
For Transmittal to:  
Honorable Yuki Lei Sugimura  
April 18, 2024  
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beach loss. With the appropriate studies, other tools or materials may be considered and determined to be the best solution. For example, erosion control structures such as groins along with sand placement can be a useful tool for coastal damage.

Mahalo for allowing us to respond to your requests.

Sincerely,



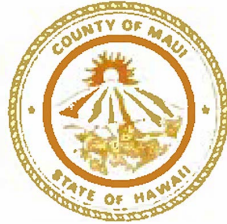
KATE L. K. BLYSTONE  
Director of Planning

Attachment

KLKB:jlj  
S:\ADMIN\BUDGET\FY2025 Budget\BFED-1\_PL-3 Response.docx

**RICHARD T. BISSEN, JR.**  
Mayor

**KATE L. K. BLYSTONE**  
Planning Director



**DEPARTMENT OF PLANNING**  
COUNTY OF MAUI  
ONE MAIN PLAZA  
2200 MAIN STREET, SUITE 315  
WAILUKU, MAUI, HAWAII 96793

March 20, 2024

**MEMORANDUM**

**TO:** RICHARD T. BISSEN JR., MAYOR  
MARIA ZIELINSKI, BUDGET DIRECTOR

**FROM:** KATE L.K. BLYSTONE, PLANNING DIRECTOR 

**SUBJECT: REVIEW OF THE DRAFT FY2025 CAPITAL IMPROVEMENT PROGRAM BUDGET**

Thank you for the opportunity to review and evaluate the Capital Improvement Program (CIP) for the Mayor's proposed FY2025 Budget. Section 8-8.3 of the Charter of the County of Maui (January 2023 Edition) prescribes that the Planning Director review the list of proposed capital improvement projects and recommend their order of priority to the Mayor. In addition, Maui County Code Section 2.80B.030 states that preparation of the County's annual operating budget and capital program shall implement the general plan to the extent possible.

We have reviewed the approximately 69 proposed CIP projects and find that they all support goals, policies, objective and actions contained in the [Countywide Policy Plan \(CWPP\)](#), [Maui Island Plan \(MIP\)](#), [Lānaʻi Community Plan](#) or [Molokaʻi Island Community Plan](#). While we did not review every proposed CIP project against all of Maui island's six [community plans](#), given that the MIP has more than sufficient language supporting the projects, we do note that some projects are also consistent with community plan language.

The CWPP contains a series of broad themes and goals, each supported by more specific objectives and policies that relate to the natural environment, local cultures and traditions, education, social and healthcare services, housing, economy, parks and public facilities, transportation, infrastructure, land use and growth management, and good governance. All CIP projects submitted by the departments can be supported by language found in the CWPP *Section IV: Goals, Objectives, Policies, and Actions*. More specifically, the following core themes, goals, and objectives support the various projects proposed in the FY2025 project list:

**Countywide Policy Plan:**

- 1) F. Strengthen the Local Economy, (CWPP pgs. 60-63)**



**GOAL:** Maui County's economy will be diverse, sustainable, and supportive of community values.

Objective 1: Promote an economic climate that will encourage diversification of the County's economic base and a sustainable rate of economic growth.

**2) G. Improve Parks and Public Facilities (CWPP, pgs. 64-65)**

**GOAL:** A full range of island-appropriate public facilities and recreational opportunities will be provided to improve the quality of life for residents and visitors.

Objective 1: Expand access to recreational opportunities and community facilities to meet the present and future needs of residents of all ages and physical abilities.

Objective 2: Improve the quality and adequacy of community facilities.

Objective 3: Enhance the funding, management, and planning of public facilities and park lands.

**3) H. Diversify Transportation Options (CWPP, pgs. 66-69)**

**GOAL:** Maui County will have an efficient, economical, and environmentally sensitive means of moving people and goods.

Objective 1: Provide an effective, affordable, and convenient ground-transportation system that is environmentally sustainable.

Objective 2: Reduce the reliance on the automobile and fossil fuels by encouraging walking, bicycling, and other energy-efficient and safe alternative modes of transportation.

**4) I. Improve Physical Infrastructure (CWPP, pgs. 70-73)**

**GOAL:** Maui County's physical infrastructure will be maintained in optimum condition and will provide for and effectively serve the needs of the County through clean and sustainable technologies.

Objective 1: Improve water systems to assure access to sustainable, clean, reliable, and affordable sources of water.

Objective 2: Improve waste-disposal practices and systems to be efficient, safe, and as environmentally sound as possible.

Objective 3: Significantly increase the use of renewable and green technologies to promote energy efficiency and energy self-sufficiency.

**5) K. Strive for Good Governance (CWPP, pgs. 78-81)**

**GOAL:** Government services will be transparent, effective, efficient, and responsive to the needs of residents.

**Objective 4:** Adequately fund in order to effectively administer, implement, and enforce the General Plan.

We note that several proposed CIP infrastructure projects are specifically identified in the Maui Island Plan, and that the goals within the Lānaʻi Community Plan, and Molokaʻi Island Community Plan support the proposed projects. Following is a list of some of these projects and corresponding policies and implementing actions:

**Maui Island Plan:**

1. CBS-5521: North Kīhei R-1 Recycled Water System Expansion
2. CBS-1954: Honokōwai New R-1 Distribution System
3. CBS-6080: Lāhainā R-1 Recycled Water Force Main Construction/Rehabilitation

2.2.3-Action 1: Transition from the use of wastewater injection wells to appropriate, environmentally sound methods of wastewater disposal, and promote the beneficial reuse of wastewater effluent.

Policy- 6.2.3.b: Expand the reuse of wastewater from the Central Maui, Kīhei, Lāhainā, and other wastewater systems.

4. CBS-1039: Bus Stops and Shelters
5. CBS-7244: Transportation Baseyard / Bus and Maintenance Facility

Policy-6.5.1.d: Provide adequate transit infrastructure (e.g., bus pullouts, waiting benches and shelters, signs) along existing and future transit right-of-ways.

Policy-6.5.1h: Pursue improvements and upgrades to the existing transit system consistent with updated MDOT planning studies/transit plans (within the framework of comprehensive island-wide multimodal transportation plans).

6. CBS-5022: Countywide Federal Aid Program – Road, bridge, drainage, and complete streets – multiple locations.
7. CBS 6067: Countywide Traffic and Safety Program – Improve traffic operations and safety conditions – multiple locations.

Policy-6.4.1.a: Plan for an integrated multi-modal transportation system comprised of public transit, bicycle, pedestrian, automobile, and other transportation modes.

Policy-6.4.1.c: Encourage the use of “complete streets” design methods.

Policy-6.4.2.d: Identify and improve hazardous and substandard sections of roadways, drainage infrastructure, and bridges, provided that the historical integrity of the roads and bridges are protected.

**Lāna‘i Community Plan:**

8. CBS-6052: Lāna‘i Youth Center and Skate Park.
9. CBS-7242: Fifth Street Courts Resurfacing and Improvements.

Goal: A comprehensive system of parks, recreational facilities, and programs that meet resident and visitor needs.

**Moloka‘i Island Community Plan:**

10. CBS-1153: Kaunakakai Effluent Force Main Replacement.

Goal: Moloka‘i will have reliable, efficient, and environmentally sensitive wastewater services that meet future needs and maximize wastewater reuse where feasible.

We recognize that the County’s infrastructure needs significantly exceed available resources and that there are insufficient funds to support every project proposed throughout the various general plan documents. This draft FY2025 CIP will provide funding for programs and investments the community has established as priorities. Given the complexity of the CIP process, including identifying needed CIP projects, identifying funding sources, implementing the general plan, obtaining public input, prioritizing projects, etc., we suggest that priority be given to projects that:

- Directly support the Lāhainā recovery effort;
- Have clear health and safety effects (aging infrastructure);
- Address environmental or legal mandates (regulatory requirements);
- Clearly support the long-range plans as noted above; and lastly,
- Involve new or upgraded infrastructure and that have a minor improvement to quality of life, health or safety.

Please feel free to contact me if you have any questions or need additional information.

## BFED Committee

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**From:** Janina Agapay <Janina.E.Agapay@co.maui.hi.us>  
**Sent:** Friday, April 19, 2024 10:07 AM  
**To:** BFED Committee  
**Cc:** Lesley Milner  
**Subject:** (BFED-1)(PL-3)  
**Attachments:** (BFED-1)(PL-3).pdf

Hello,

Please see attached correspondence from Department of Planning.

Thank you,

**Janina Agapay**

County of Maui

Budget Office

(808) 270-7836

[Janina.E.Agapay@co.maui.hi.us](mailto:Janina.E.Agapay@co.maui.hi.us)