

HLU Committee

From: Krista Barresi <KBarresi@js.management>
Sent: Tuesday, June 9, 2026 11:26 AM
To: HLU Committee
Subject: Urgent Request for Reconsideration: Inclusion of Kahana Reef on the TIG Recommended Exemption/Hotel Rezoning List {Bill 9}
Attachments: Kahana Reef AOA Letter to Maui County-compressed (2) (1) (1).pdf

You don't often get email from kbarresi@js.management. [Learn why this is important](#)

Aloha Housing & Land Use Committee,
Please find the attached letter from Kahana Reef Association of Apartment Owners.
Mahalo,
Krista Barresi (s)
JS Property Management Inc.
1962-B Wells ST.
Wailuku, HI 96793

From: Krista Barresi <KBarresi@js.management>

Sent: Monday, June 8, 2026 12:46 PM

To: Krista Barresi <KBarresi@js.management>

Subject: Urgent Request for Reconsideration: Inclusion of Kahana Reef on the TIG Recommended Exemption/Hotel Rezoning List {Bill 9}

KAHANA REEF ASSOCIATION OF APARTMENT OWNERS
June 8, 2026

The Honorable Richard T. Bissen, Jr.
Mayors.Office@co.maui.hi.us
200 S. High Street
Kalana O Maui Building
Wailuku, HI 96793

Housing and Land Use Committee
Hlu.committee@mauicounty.us

Thomas Cook
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Alice K. Lee
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Keani Rawlins-Fernandez
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Shane Sinenci
shane.sinenci@mauicounty.us

Yuki Lei Sugimura
yukilei.sugimura@mauicounty.us

Nohelani U'u-Hodgins
nohe.uu-hodgins@mauicounty.us

Aloha Honorable Members of Maui County Council & Housing & Land Use Committee,

Please find attached letter and enclosures of:

**Urgent Request for Reconsideration: Inclusion of Kahana Reef on the TIG
Recommended Exemption/Hotel Rezoning List {Bill 9}**

To: Honorable Members of Maui County Council

From: The Board of Directors, Kahana Reef Association of Apartment Owners

Mahalo,
Krista Barresi (s)
Account Manager, Kahana Reef AOA
JS Property Management Inc.
1962-B Wells St.
Wailuku, HI 96793

KAHANA REEF ASSOCIATION OF APARTMENT OWNERS
JUNE 5th 2026

The Honorable Richard T. Bissen, Jr.
Mayors.Office@co.maui.hi.us
200 S. High Street
Kalana O Maui Building
Wailuku, HI 96793

hlu.committee@mauicounty.us

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Yuki Lei Sugimura
yukilei.sugimura@mauicounty.us

Nohelani U'u-Hodgins
nohe.uu-hodgins@mauicounty.us

**Urgent Request for Reconsideration: Inclusion of Kahana Reef on the TIG
Recommended Exemption/Hotel Rezoning List (Bill 9)**

From: The Board of Directors, Kahana Reef AOA

To: The Honorable Members of the Maui County Council & Housing & Land Use Committee

Aloha Chair and Members of the Maui County Council and Housing & Land Use Committee,

Thank you for your ongoing commitment to solving Maui's complex housing needs and protecting our local communities. On behalf of the Board of Directors and the homeowners at Kahana Reef, we are writing to provide official testimony regarding **Bill 9**. We respectfully urge the Council to re-evaluate the recent **Temporary Investigative Group (TIG) recommendations** and include Kahana Reef on the list of properties designated for transition into the new **H-3/H-4 Hotel Districts**.

While we fully support the County's mission to secure stable housing for displaced fire survivors, applying a blanket short-term rental phase-out to Kahana Reef is structurally counterproductive. Our property is fundamentally **not a standard apartment complex**, nor is it a viable or safe option for long-term residential housing. We ask the Council to reconsider our exclusion based on the following critical realities:

- **Incompatible Physical and Structural Realities:** Kahana Reef is an aging

oceanfront structure heavily impacted by severe coastal erosion. As documented by the Planning Department during our emergency stabilization work, the property faces ongoing environmental vulnerabilities. It is a highly specialized visitor-focused building—not a traditional residential apartment neighborhood suited for families or long-term community displacement recovery.

- **Continuous Operation as a Commercial Hotel:** Since its construction in 1974, Kahana Reef has legally and exclusively operated as a short-term rentable resort. The building lacks the infrastructure, amenities, and layout of a long-term residential apartment district. It has functioned as a dedicated commercial contributor to West Maui’s visitor economy for over half a century.
- **Proactive Environmental Responsibility:** Rather than relying on isolated, permanent shoreline hardening, our AOA is actively cooperating with the Hawaii Office of Planning and Sustainable Development and the **Kahana Bay Steering Committee** on a comprehensive, regional beach nourishment plan. Forcing the sunset of our operations threatens the very funding and collective private alignment required to execute these vital public-private coastal restoration efforts.
- **Prohibitive Market Valuations:** With individual unit market prices currently **ranging from \$800,000**, the capital investment in these oceanfront properties does not align with the economic framework of affordable or subsidized long-term local housing. Eliminating our short-term rental rights will not organically create viable local housing; instead, it will severely damage an active economic engine for the County while leaving an environmentally vulnerable property in limbo.

Excluding Kahana Reef from the TIG's recommended exemption list overlooks the specialized, oceanfront nature of our property. We kindly request that the Council recognize Kahana Reef’s historic use and environmental parameters by ensuring we are included in the upcoming zoning protections.

Mahalo nui loa for your fairness, your time, and your dedicated leadership.

Sincerely,

The Board of Directors

Kahana Reef AOA

Enclosure: Current Listings, SLRXA, Compliance report and map, Letter from USPS,
Historical Brochures, Operating Budget and monthly dues per unit

KAHANA REEF 411

4471 Lower Honoapiilani Rd 411,
Napili/Kahana/Honokowai

\$895,000 - 1 Beds, 1.00 Baths, 611 Sf
MLS # 401988

Fee Simple
Colwell Banker Island Prop-KP
Cell: Cell: 808-457-0604

KAHANA REEF 303

4471 Lower Honoapiilani Rd 303,
Napili/Kahana/Honokowai

\$875,000 - 1 Beds, 1.00 Baths, 611 Sf
MLS # 400197

Fee Simple
Living Maui Real Estate LLC
Cell: Cell: 808-359-1161

KAHANA REEF 216

4471 Lower Honoapiilani Rd 216,
Napili/Kahana/Honokowai

\$850,000 - 1 Beds, 1.00 Baths, 661 Sf
MLS # 396609

Fee Simple
West Maui Luxury Property



KAHANA REEF 204

4471 Lower Honoapiilani Rd 204,
Napili/Kahana/Honokowai

\$829,000 - 1 Beds, 1.00 Baths, 611 Sf
MLS # 399018

KAHANA REEF 401

4471 Lower Honoapiilani Rd 401,
Napili/Kahana/Honokowai

\$825,000 - 1.00 Baths, 556 Sf
MLS # 398596

KAHANA REEF 317

4471 Lower Honoapiilani Rd 317,
Napili/Kahana/Honokowai

\$725,000 - 1 Beds, 1.00 Baths, 661 Sf
MLS # 404082





25

3-1-85

KAHANA REEF

RR 1, Lihima, Maui, Hawaii 96761
Telephone (808) 669-6831

KAHANA REEF, on a beautiful sand beach, is a happy blending of luxury, comfort and convenience. Located only minutes from historic Lihima Town, once capital of the Hawaiian Kingdom, Kahana Reef is a perfect getaway for those seeking a peaceful escape. The resort features a variety of amenities, including a swimming pool, tennis facilities, shops and fine restaurants. KAHANA REEF is a part of the most famous and beautiful tourist destination in Hawaii.



GVC

POST CARD

JUST RETURNED FROM A FIVE DAY TRIP TO MAUI WITH TWO LADY FRIENDS. FOR THE MOST PART WE HAD A GREAT TIME. WE TOOK A TWO DAY TRAIL RIDE (ON HORSE) TO HALEKALUA CRATER. IT RAINED ON US MOST ALL THE TIME. IT HAD TO BE THE MOST ADVENTUROUS THING I'VE EVER DONE.

SORRY MY CARD TO YOU DIDN'T MAKE IT IN ONE PIECE. ALOHA Maibyan

MRS xxxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxxxxxx
WASHINGTON, DC 20009

Lahaina Main Post Office
1760 Honoapiilani Hwy
Lahaina, HI 96761-9998



UNITED STATES
POSTAL SERVICE

November 5, 2015

Gordon Langston
Association President
Kahana Reef
4471 Lower Honoapiilani RD
Lahaina, HI 96761

Sir,

In accordance Domestic Mail Manual (DMM) section 615.2 mail is delivered to the institution as a single drop and you do not qualify for individual delivery. Single drop delivery was established at your complex due to fact that it is used for nightly and weekly vacation rentals.

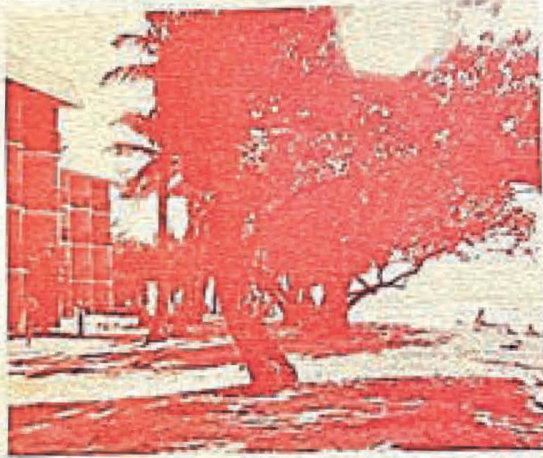
Though I apologize for the inconvenience, we are unable to comply with your request for individual delivery. Please consider this the final decision on your delivery status.

Thank you for your inquiry.

Anthony Ramirez
Postmaster
Lahaina

kahana reef

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 COLOR TELEVISION DAILY MAID SERVICE
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 COMPLETE KITCHENS



DAILY RATES	Double Occupancy	Additional Persons
ONE BEDROOM UNIT	\$27.00	\$5 each
STUDIO UNIT	\$24.00	\$5 each

(Maximum occupancy: Studio — 3, one bedroom — 5)
 \$50 deposit is required to secure each apartment reserved.
 10% discount on occupancies of one month or longer.

FOR RESERVATIONS: Telephone (808) 669-6491
 Or Write KAHANA REEF
 R.R. 1, Lahaina, Maui, Hawaii 96761

OR CONTACT YOUR TRAVEL AGENT.

Sundap, Dick & Nancy

KAHANA REEF
 R.R. 1, Lahaina, Maui, Hawaii 96761
 Telephone (808) 669-6491



KAHANA REEF, on a beautiful sand beach, is a happy blending of beauty, comfort and convenience. Located only minutes from historic Lahaina Town, once capital of the Hawaiian Kingdom, and closer still to golf courses, tennis facilities, unique shops and fine restaurants, KAHANA REEF is a part of the most rapidly developing tourist destination in Hawaii.

PLACE
 STAMP
 HERE

POST CARD



731268



October 1, 2025 to September 30, 2026 OPERATING BUDGET
prepared on a cash basis

Total Income	\$1,737,907.56	2019-20	\$1,644,724.00
Total Expenses	<u>\$1,335,966.00</u>		
Profit (loss)	\$401,941.56		

AOAO KAHANA REEF
OCT 2025-SEPT 2026 MAINTENANCE
CAM EXPENSES

\$119,875.63

UNIT NO.	Type	% of Common Interest	Monthly % Share of CAM
100	I	0.80000000%	\$959.01
101	A	1.03500000%	\$1,240.71
102	B	1.12200000%	\$1,345.00
103	B	1.12200000%	\$1,345.00
104	B	1.12200000%	\$1,345.00
105	B	1.12200000%	\$1,345.00
106	B	1.12200000%	\$1,345.00
107	B	1.12200000%	\$1,345.00
108	C	1.20100000%	\$1,439.71
109	C1	1.14900000%	\$1,377.37
110	B	1.12200000%	\$1,345.00
111	B	1.12200000%	\$1,345.00
112	B	1.12200000%	\$1,345.00
113	B	1.12200000%	\$1,345.00
114	B	1.12200000%	\$1,345.00
115	B	1.12200000%	\$1,345.00
116	C	1.20100000%	\$1,439.71
117	C1	1.14900000%	\$1,377.37
118	B	1.12200000%	\$1,345.00
119	B	1.12200000%	\$1,345.00
120	B	1.12200000%	\$1,345.00
121	B	1.12200000%	\$1,345.00
122	A	1.03500000%	\$1,240.71
201	A	1.03500000%	\$1,240.71
202	B	1.12200000%	\$1,345.00
203	B	1.12200000%	\$1,345.00
204	B	1.12200000%	\$1,345.00
205	B	1.12200000%	\$1,345.00
206	B	1.12200000%	\$1,345.00
207	B	1.12200000%	\$1,345.00
208	C	1.20100000%	\$1,439.71
209	C	1.20100000%	\$1,439.71
210	B	1.12200000%	\$1,345.00
211	B	1.12200000%	\$1,345.00
212	B	1.12200000%	\$1,345.00
213	B	1.12200000%	\$1,345.00
214	B	1.12200000%	\$1,345.00
215	B	1.12200000%	\$1,345.00
216	C	1.20100000%	\$1,439.71
217	C	1.20100000%	\$1,439.71
218	B	1.12200000%	\$1,345.00
219	B	1.12200000%	\$1,345.00
220	B	1.12200000%	\$1,345.00
221	B	1.12200000%	\$1,345.00
222	A	1.03500000%	\$1,240.71
301	A	1.03500000%	\$1,240.71
302	B	1.12200000%	\$1,345.00
303	B	1.12200000%	\$1,345.00
304	B	1.12200000%	\$1,345.00
305	B	1.12200000%	\$1,345.00
306	B	1.12200000%	\$1,345.00
307	B	1.12200000%	\$1,345.00
308	C	1.20100000%	\$1,439.71
309	C	1.20100000%	\$1,439.71
310	B	1.12200000%	\$1,345.00
311	B	1.12200000%	\$1,345.00
312	B	1.12200000%	\$1,345.00
313	B	1.12200000%	\$1,345.00
314	B	1.12200000%	\$1,345.00
315	B	1.12200000%	\$1,345.00
316	C	1.20100000%	\$1,439.71
317	C	1.20100000%	\$1,439.71
318	B	1.12200000%	\$1,345.00
319	B	1.12200000%	\$1,345.00
320	B	1.12200000%	\$1,345.00
321	B	1.12200000%	\$1,345.00
322	A	1.03500000%	\$1,240.71
401	A	1.03500000%	\$1,240.71
402	B	1.12200000%	\$1,345.00
403	B	1.12200000%	\$1,345.00
404	B	1.12200000%	\$1,345.00
405	B	1.12200000%	\$1,345.00
406	B	1.12200000%	\$1,345.00
407	B	1.12200000%	\$1,345.00
408	C	1.20100000%	\$1,439.71
409	C	1.20100000%	\$1,439.71
410	B	1.12200000%	\$1,345.00
411	B	1.12200000%	\$1,345.00
412	B	1.12200000%	\$1,345.00
413	B	1.12200000%	\$1,345.00
414	B	1.12200000%	\$1,345.00
415	B	1.12200000%	\$1,345.00
416	C	1.20100000%	\$1,439.71
417	C	1.20100000%	\$1,439.71
418	B	1.12200000%	\$1,345.00
419	B	1.12200000%	\$1,345.00
420	B	1.12200000%	\$1,345.00
421	B	1.12200000%	\$1,345.00
422	A	1.03500000%	\$1,240.71
100%			\$119,875.63

AOAO KAHANA REEF
OCT 2025-SEPT 2026 RESERVES
RESERVE EXPENSES
\$264,000.00
\$22,000.00

UNIT NO.	Type	% of Common Interest	Monthly % Share of CAM	TOTAL DUES
100	I	0.80000000%	\$176.00	\$1,135.01
101	A	1.03500000%	\$227.70	\$1,468.41
102	B	1.12200000%	\$246.84	\$1,591.84
103	B	1.12200000%	\$246.84	\$1,591.84
104	B	1.12200000%	\$246.84	\$1,591.84
105	B	1.12200000%	\$246.84	\$1,591.84
106	B	1.12200000%	\$246.84	\$1,591.84
107	B	1.12200000%	\$246.84	\$1,591.84
108	C	1.20100000%	\$264.22	\$1,703.93
109	C1	1.14900000%	\$252.78	\$1,630.15
110	B	1.12200000%	\$246.84	\$1,591.84
111	B	1.12200000%	\$246.84	\$1,591.84
112	B	1.12200000%	\$246.84	\$1,591.84
113	B	1.12200000%	\$246.84	\$1,591.84
114	B	1.12200000%	\$246.84	\$1,591.84
115	B	1.12200000%	\$246.84	\$1,591.84
116	C	1.20100000%	\$264.22	\$1,703.93
117	C1	1.14900000%	\$252.78	\$1,630.15
118	B	1.12200000%	\$246.84	\$1,591.84
119	B	1.12200000%	\$246.84	\$1,591.84
120	B	1.12200000%	\$246.84	\$1,591.84
121	B	1.12200000%	\$246.84	\$1,591.84
122	A	1.03500000%	\$227.70	\$1,468.41
201	A	1.03500000%	\$227.70	\$1,468.41
202	B	1.12200000%	\$246.84	\$1,591.84
203	B	1.12200000%	\$246.84	\$1,591.84
204	B	1.12200000%	\$246.84	\$1,591.84
205	B	1.12200000%	\$246.84	\$1,591.84
206	B	1.12200000%	\$246.84	\$1,591.84
207	B	1.12200000%	\$246.84	\$1,591.84
208	C	1.20100000%	\$264.22	\$1,703.93
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210	B	1.12200000%	\$246.84	\$1,591.84
211	B	1.12200000%	\$246.84	\$1,591.84
212	B	1.12200000%	\$246.84	\$1,591.84
213	B	1.12200000%	\$246.84	\$1,591.84
214	B	1.12200000%	\$246.84	\$1,591.84
215	B	1.12200000%	\$246.84	\$1,591.84
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221	B	1.12200000%	\$246.84	\$1,591.84
222	A	1.03500000%	\$227.70	\$1,468.41
301	A	1.03500000%	\$227.70	\$1,468.41
302	B	1.12200000%	\$246.84	\$1,591.84
303	B	1.12200000%	\$246.84	\$1,591.84
304	B	1.12200000%	\$246.84	\$1,591.84
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413	B	1.12200000%	\$246.84	\$1,591.84
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415	B	1.12200000%	\$246.84	\$1,591.84
416	C	1.20100000%	\$264.22	\$1,703.93
417	C	1.20100000%	\$264.22	\$1,703.93
418	B	1.12200000%	\$246.84	\$1,591.84
419	B	1.12200000%	\$246.84	\$1,591.84
420	B	1.12200000%	\$246.84	\$1,591.84
421	B	1.12200000%	\$246.84	\$1,591.84
422	A	1.03500000%	\$227.70	\$1,468.41
100%			\$22,000.00	\$141,875.63

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- **Hawaii** – Experience the Aloha Spirit on six unique islands. Our selection features 180+ resorts, hotels, condos and vacation rentals to suit every budget and style.
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- **Mexico** – Discover spectacular beaches and fascinating sights in 18 popular vacation destinations. Choose from 300+ resorts, including all-inclusive, adults-only and family-friendly options.
- **Tahiti, Fiji & Cook Islands** – Indulge in iconic overwater bungalows perched above turquoise lagoons. Our portfolio features 80+ resorts, including adults-only and meal plan options, and a wide array of accommodations.
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PLUS a variety of optional activities, excursions and tours in all destinations that enhance the vacation experience.

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Consult your Travel Advisor whose
advice is priceless



Pleasant Holidays[®]

HAWAII





LET HAWAII HAPPEN

Six Hawaiian Islands. Six unique experiences. Sacred valleys, active volcanoes, cascading waterfalls and humpback whales playing in warm Pacific waters. Visit historic landmarks and experience legendary golf courses, surfing and snorkeling. Immerse yourself in cultural experiences steeped in tradition. Home to world-class resorts and spas, Hawaii offers a warm and inviting Aloha Spirit and promises an unforgettable vacation. And while this brochure showcases a wide variety of destinations, resorts and activities, please note that our entire portfolio includes even more than what is featured here.

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- Direct connectivity with hotels to offer dynamic rates, inventory and instant confirmation
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- Customized itineraries
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- NCL Hawaiian Island cruises year-round from Honolulu & pre/post stay options

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Relax and take some adult time as your children discover the island culture in supervised children's programs. Children will have a great time with kids their own age, learn valuable lessons and create memories that will last a lifetime.

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Big plans or intimate gatherings? Pleasant Holidays has more than 60 years of experience accommodating the individual

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LUXURY SPA AND GOLF RESORTS

Restore your spirit at luxurious full-service spas featuring massages with exotic island ingredients, body wraps, fitness classes, saunas and whirlpools and more. Many spas offer traditional beauty services as well. Love golf? Hawaii offers many world-class golf courses designed by legends such as Arnold Palmer and Jack Nicklaus.

LAST-MINUTE TRAVEL

Making vacation reservations early helps ensure the best selection and availability. However, sometimes you just have to seize the day. As "last-minute specialists," we can make your reservations right up to and including the day of departure.

ACTIVITIES, EXCURSIONS AND SIGHTSEEING

Whether your passion is touring historic sites, snorkeling, surfing or exploring a rainforest, Hawaii has it all. Pleasant Holidays offers the highest quality and safest activities and excursions from reputable companies who call the islands home. For the best selection and availability, ask your travel advisor to reserve your activities in advance. Need more time to decide? Visit PleasantActivities.com or stop by one of our Hawaii Activity Centers conveniently located throughout the islands.

*See inside back cover for details

ACTIVITIES



ISLAND LUAU



USS ARIZONA MEMORIAL & USS MISSOURI TOUR



ZIPLINE THROUGH PARADISE



MOLOKINI SNORKEL ADVENTURE



BIG ISLAND SPECTACULAR HELICOPTER TOUR



SNORKEL & DOLPHIN ADVENTURE



POLYNESIAN CULTURAL CENTER



BEACH LANDING NA PALI RAFT NUALOLO KAI

MAUI

MAUI SPECTACULAR HELICOPTER EXCURSION

Bring your camera for this thrilling island tour offering spectacular views of Haleakala and more.

HANA ADVENTURE TOUR

Discover breathtaking beauty at every turn along the famous, scenic Road to Hana.

DISCOVER LANA'I SNORKEL EXCURSION

Explore the warm waters of this tropical island paradise and encounter fascinating marine life on this fun-filled excursion.

MOLOKINI SNORKEL ADVENTURE

Enjoy an ocean of fun on this cruise featuring the playful marine life off the island coast.

ISLAND LUAU

Immerse yourself in island culture at an authentic luau featuring Polynesian cuisine, dancing, music and more.

O'AHU

USS ARIZONA MEMORIAL & USS MISSOURI TOUR

Experience two of the most iconic battleships of World War II in a memorable encounter.

POLYNESIAN CULTURAL CENTER

Learn about the unique cultures of ancient Hawaiian and Polynesian villages on this educational excursion.

MAJESTIC CIRCLE ISLAND TOUR

Experience the island's top cultural and historic sites on this narrated tour.

ISLAND LUAU

Enjoy a lively evening of island-style food, fun and authentic entertainment.

SUNSET DINNER & SHOW CRUISE

Take to the seas for a magical evening along the coast of Waikiki featuring dinner, live entertainment and a spectacular sunset.

ISLAND OF HAWAII

BIG ISLAND SPECTACULAR HELICOPTER TOUR

Witness lava flowing from fiery Kilauea, black-sand beaches, lush rainforests, the meandering valleys of the Kohala Mountains and more.

TWILIGHT VOLCANO ADVENTURE HIKE

Journey through the island's incredible range of ecosystems and climate zones to experience the dynamic energy of Kilauea, the world's most active volcano.

SNORKEL & DOLPHIN ADVENTURE

Playful spinner dolphins often shadow this cruise along the Kona coast to Red Hill, a protected marine preserve and snorkelers' paradise.

ZIPLINE THROUGH PARADISE

Take your need for speed to new heights on this thrilling adventure featuring eight zipline courses covering nearly two miles of tropical landscape.

MAUNA KEA SUNSET AND STARGAZING

This fascinating and informative expedition affords spectacular views, from an awe-inspiring sunset to private stargazing. Includes picnic dinner and hot chocolate.

KAUAI

NA PALI CATAMARAN CRUISE

Experience the grandeur of this majestic coastline from the comforts of a custom-built, state-of-the-art vessel.

KIPU ZIPLINE SAFARI

Take it all in on this full-day excursion that includes kayaking, hiking, a wagon ride, ziplining, picnic lunch and more.

KAUAI ECO ADVENTURE HELICOPTER TOUR

Get a bird's-eye view of the incredible natural beauty of the island on this ultimate air adventure aboard a helicopter.

BEACH LANDING NA PALI RAFT NUALOLO KAI

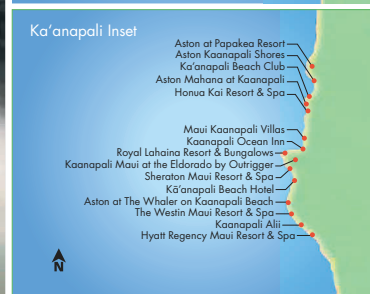
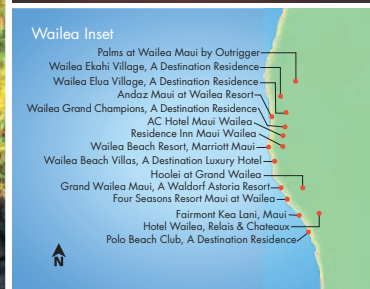
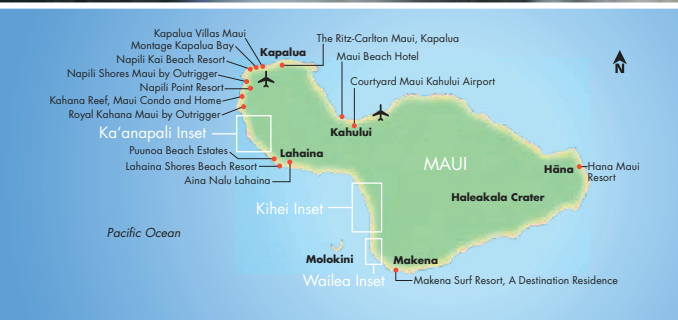
This thrilling adventure tour utilizes zodiac-type rafts that allow for amazing encounters of sea caves, waterfalls and more, plus a beach landing and snorkeling.

ISLAND LUAU

Experience a cultural journey featuring authentic island cuisine, heart-pounding music and breathtaking entertainment including fire dancers.



Known for its magical ambiance, stroll the beaches of Wailea, discover the waterfalls of the Iao Valley, explore the Road to Hāna or watch the sunset from Haleakala.

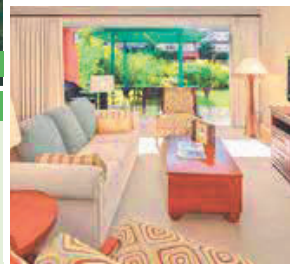


HONUA KAI RESORT & SPA

☆☆☆☆½

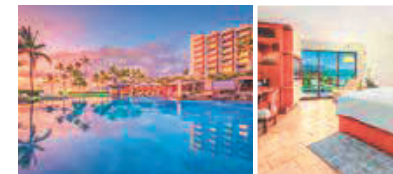
Located on 38 manicured acres on Kaanapali's North Beach, this resort features well-appointed accommodations, including spacious suites. Modern comforts, upscale amenities and an expansive aquatic playground make it the perfect place for families and friends to reconnect and make lasting memories.

FEATURES & AMENITIES: 285 Guest Rooms • Duke's Beach House • Oceanfront • A/C • Bar/Restaurant • BBQ Facilities • Fitness Center • Kitchens • Pools • Spa (Full-Service) • Washer/Dryer • Wi-Fi



ANDAZ MAUI AT WALEA RESORT

☆☆☆☆

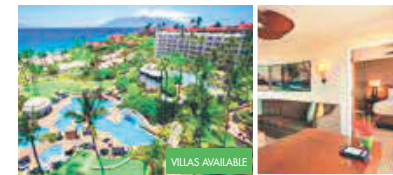


This 15-acre oceanfront resort is designed for the sophisticated island traveler. Experience upscale service and world-class dining in beautiful Wailea. Rooms feature private lanais for admiring the magnificent Mokapu Beach sunsets.

FEATURES & AMENITIES: 320 Guest Rooms • On Beach • A/C • Bars/Restaurants • Connecting Rooms • Cultural Performances • Fitness Center • Pools • Spa (Full-Service) • Wi-Fi

FAIRMONT KEA LANI, MAUI

☆☆☆☆

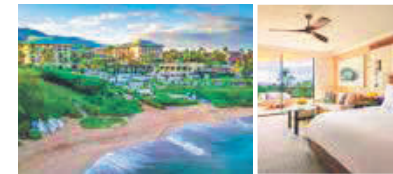


Escape to Maui's only oceanfront all-suite and villa luxury resort. For couples and families alike, this elegant resort offers an authentic Hawaiian experience with spectacular views, luxury Willow Steam Spa and signature restaurant, Ko.

FEATURES & AMENITIES: 450 Guest Rooms • On Beach • A/C • Bars/Restaurants • Connecting Rooms • Cultural Performances • Fitness Center • Kids Program • Pools • Spa (Full-Service) • Swim-Up Bar • Wi-Fi

FOUR SEASONS RESORT MAUI AT WALEA

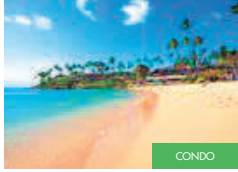
☆☆☆☆



Bask in the sunny, dry weather of Wailea at this luxurious Maui resort. This grand palace by the sea has well-appointed guest rooms with deep marble tubs and showers for two. Try a lomi lomi massage in an oceanside hale or laze at the adults-only pool.

FEATURES & AMENITIES: 379 Guest Rooms • On Beach • A/C • Bars/Restaurants • Connecting Rooms • Cultural Performances • Fitness Center • Golf • Kids Program • Nanny Services • Pools • Spa (Full-Service) • Swim-Up Bar • Wi-Fi

NAPILI KAI BEACH RESORT



CONDO



Ideal for families, experience the comfort and spaciousness of a condo with modern resort amenities. A variety of recreational activities are available including an 18-hole putting green, four outdoor pools and complimentary cultural activities as well as a calm lagoon for swimming, snorkeling and paddleboarding.

FEATURES & AMENITIES: 165 Guest Rooms • On Beach • A/C • Bar/Restaurant • BBQ Facilities • Ceiling Fans • Cultural Performances • Fitness Center • Kids Program • Kitchens • Pools • Spa (Treatments Available) • Wi-Fi

☆☆☆

NAPILI SHORES MAUI BY OUTRIGGER



CONDO



Situated oceanfront on Napili Bay, this low-key haven offers accommodations with custom-made furniture and sunset views of Lanai and Molokai set amid tranquil gardens with fragrant plumeria trees. Be sure to try the famed macadamia-nut pancakes at Gazebo restaurant.

FEATURES & AMENITIES: 152 Guest Rooms • Oceanfront • A/C • BBQ Facilities • Kitchens • Pools • Restaurants • Wi-Fi

☆☆☆

WALEA EKAHI VILLAGE, A DESTINATION RESIDENCE



CONDO



Set amidst 34 acres of tropical landscaping that slope gently to Keawakapu Beach, these condos are one of Wailea's most family-friendly vacation destinations. Enjoy nearby championship golf and pro tennis as well as shopping and fine dining outlets.

FEATURES & AMENITIES: 294 Guest Rooms • A/C • Grocery Delivery Service • Kitchens • Pools • Washer/Dryer • Wi-Fi

☆☆☆

WALEA GRAND CHAMPIONS, A DESTINATION RESIDENCE



CONDO



On a private enclave on the fairways at Wailea, this country club-style resort offers home-like amenities. The Wailea Town Center is conveniently close, as are Ulua and Mokapu Beaches.

FEATURES & AMENITIES: 188 Guest Rooms • A/C • Grocery Delivery Service • Kitchens • Pools • Washer/Dryer • Wi-Fi

☆☆☆

ASTON AT PAPAKEA RESORT



CONDO



This oceanfront condominium resort is set on 13 acres of expansive lawns and lush gardens. Ideal for active travelers, onsite amenities include two outdoor pools, tennis courts, a pickleball court, putting green, poolside cabanas and more.

FEATURES & AMENITIES: 364 Guest Rooms • Oceanfront • A/C • BBQ Facilities • Kitchens • Pools • Washer/Dryer • Wi-Fi

☆☆½

CASTLE KAMAOLE SANDS



CONDO



Embrace the Aloha Spirit at this condo resort built on 15 acres of gardens, waterfalls and ponds. Set across from Kihei's popular Kamaole Beach Park III in South Maui, enjoy a laid-back vibe and tropical beauty.

FEATURES & AMENITIES: 400 Guest Rooms • A/C • Fitness Center • Grocery Delivery Service • Kitchens • Pool • Washer/Dryer • Wi-Fi

☆☆½

KIHEI SURFSIDE, MAUI CONDO AND HOME



CONDO

- 7 Guest Rooms
- Oceanfront
- BBQ Facilities
- Ceiling Fans
- Kitchens
- Pool
- Wi-Fi

☆☆½

MAUI KAMAOLE, MAUI CONDO AND HOME



CONDO

- 29 Guest Rooms
- A/C
- Kitchens
- Pools
- Washer/Dryer
- Wi-Fi

☆☆½

SUGAR BEACH RESORT



CONDO

- 216 Guest Rooms
- On Beach
- A/C
- Bar
- BBQ Facilities
- Kitchens
- Pools
- Spa (Treatments Available)
- Washer/Dryer • Wi-Fi

☆☆½

KAANAPALI OCEAN INN



CONDO

- 59 Guest Rooms
- On Beach
- A/C
- Bars/Restaurant
- Fitness Center
- Pools
- Spa (Treatments Available)
- Wi-Fi

☆☆

KIHEI AKAHU, MAUI CONDO AND HOME



CONDO

- 18 Guest Rooms
- BBQ Facilities
- Ceiling Fans
- Kitchens
- Pools
- Washer/Dryer
- Wi-Fi

☆☆

MAUI VISTA, MAUI CONDO AND HOME



CONDO

- 20 Guest Rooms
- A/C
- BBQ Facilities
- Kitchens
- Pools
- Wi-Fi

☆☆

LAHAINA SHORES BEACH RESORT



CONDO

- 117 Guest Rooms
- On Beach
- A/C
- BBQ Facilities
- Grocery Delivery Service
- Kitchens
- Pools
- Wi-Fi

☆☆½

ROYAL KAHANA MAUI BY OUTRIGGER



CONDO

- 236 Guest Rooms
- Oceanfront
- A/C
- BBQ Facilities
- Fitness Center
- Kitchens
- Pool
- Washer/Dryer
- Wi-Fi

☆☆½

ASTON AT THE MAUI BANYAN



CONDO

- 256 Guest Rooms
- A/C
- BBQ Facilities
- Kitchens
- Pools
- Washer/Dryer
- Wi-Fi

☆☆

KAHANA REEF, MAUI CONDO AND HOME



CONDO

- 13 Guest Rooms
- Oceanfront
- BBQ Facilities
- Ceiling Fans
- Kitchens
- Pool
- Wi-Fi

☆☆

MAUI BEACH HOTEL



CONDO

- 147 Guest Rooms
- On Beach
- A/C
- Bar/Restaurant
- Fitness Center
- Pool
- Wi-Fi

☆☆

NAPILI POINT RESORT



CONDO

- 95 Guest Rooms
- Oceanfront • AC
- Bar/Restaurant • BBQ Facilities
- Connecting Rooms
- Cultural Performances
- Fitness Center
- Kids Program • Kitchens
- Pools • Washer/Dryer
- Wi-Fi

☆☆

Compliance Report

Date: May 11, 2020

To: James Buika, Shoreline Planner
County of Maui
Planning Department
Current Division
Suite 619, One Main Plaza
2200 Main Street, Wailuku, HI 96793

Owner: Ms. Sandy Szymanski, Board President
Kahana Reef Condominium AOA
4471 Lower Honoapiilani Road
Lahaina, HI 96761
808-205-2413 / 572 1720
SandySzymanski@hotmail.com



RE: COMPLIANCE REPORT FOR SINKHOLE AND SEAWALL REPAIRS AT THE SADANG RESIDENCE AND KAHANA REEF CONDOMINIUM. TMKs: 2-4-3-005:009 & 019. SM5 2018/0042, SSA 2017 0038, SM2 2020/0003, SSA 2020/0002, B 2018/0615, G 2018/0073.

Dear Jim:

The Kahana Reef Condominium has completed the first and second phases of repairs to its seawall. The repair fixed cracks and slumping of the southern and middle portions of the seawall that was built in the 1970s. The project's implementation was conducted in phases to better control best management practice execution and in recognition of the condominium's financial limitations. The Planning Department evaluated the cumulative impacts of the repair work and has accepted compliance reports for the first two phases of the repair. The Building Inspector has also deemed the work acceptable during spot checks.

Phase III would repair the northern portion of seawall and was slated to begin in April, 2020. The Department issued concurrence on October 22, 2019 that Phase III, the final phase, could be started (SM5 2018/0042, SSA 2017 0038) but added three additional conditions in light of changing circumstances at the site. However, in late 2019 a large, long sinkhole developed unexpectedly across the shared property line between the Kahana Reef Condominium and the Sandang family residence immediately to the north. The sinkhole was caused by flanking erosion and stretched from a point 35 feet inland of the shoreline on the Sadang's property to within ten feet of the northernmost corner of the Kahana Reef condominium building. The sinkhole was located well-inland but posed a clear and present danger to the public and to the stability of the habitable units within the multi-story condominium building.

The Planning Director issued a verbal approval for emergency stabilization activities on September 9, 2019. After submitting timely requests and amending its approved repair permit to allow for joint emergency stabilization measures, the Planning Department approved the incorporation of the sinkhole repairs with Phase III of the planned seawall repair on January 13, 2020 (SM2 2020/0003, SSA 2020/0002). The approval letter incorporates the installation of sheet pile extending underground, along the shared property line inland of the existing seawall's tie back wall into the seawall's Phase III repairs. A temporary, stacked row of Elco sand bags was authorized to prevent further erosion and to act as a buffer until the repair work is completed.

Compliance Report

The purpose of this letter is to indicate how the conditions of each permit approval were and/or would be addressed for the various approvals granted. Each permit is listed separately. Additional site plan revisions and additional relocation diagrams are attached as exhibits.

SM5 2018/0042, SSA 2017 0038 Amended October 22, 2019.

All conditions of the original permit have been, and will continue to be, implemented as confirmed by previous compliance reports. The three added conditions, noted in October 2019, are addressed as follows:

- 1) That the Applicant is encouraged to continue to provide both vertical and lateral shoreline access cooperatively for the public that frequents this section of the shoreline for fishing and cultural practices;

Response: Access from Lower Honoapiilani to the shoreline for fishing and cultural practices has not been restricted on the south end of the property since the completion of Phase I of the repairs. The front yard hedge row ends at a footpath from the roadway that intersects with the parking lot and extends along the southern side yard. The ungated path terminates at the reconstructed stairwell to the ocean on the south side of the property. Local neighborhood residents have been observed using the seawall's wide cap as a platform for fishing and gear.

- 2) That the Applicant submit any supplemental structural plans to the Department as part of the existing authorized permits that relate to additional work related to mitigating life safety and coastal erosion condition; and

Response: A building plan set consisting of two (2) additional pages (S-11, S-12) was developed in November 2019 by the Kiumars Siah, the engineer of record for B 2018/0615. The additional pages were provided to the Planning Department during previous discussions with the landowner and to the Department of Public Works Building Inspection Division on March 9th, 2020. Inspections of the work by the County Public Works Inspectors are noted in the County's Kiva database. **Please see the attached drawings and timestamp.**

- 3) That within 120 days of the date of this permit, the Applicant or representatives meet with the Department to gain guidance on developing at least conceptual plans for relocating the currently vulnerable northern building more mauka out of the Sea Level Rise 3.2 feet erosion line as depicted on the PACIOOS Hawaii Sea Level Rise viewer. <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii>. Conceptual plans shall be submitted to the Department within 90 days following this guidance meeting.

Response: The Applicant met with the staff planner, Jim Buika at the Planning Department on February 20, 2020 to discuss sea-level rise (SLR) planning. The above referenced website offers a projection of the exposure of a selected area to passive flooding, annual high wave flooding, and coastal erosion at four different SLR scenarios (0.5, 1.1, 2.2 and 3.2 feet). The SLRXA is a combination of these three hazards.

Compliance Report

The three hazards can be disaggregated to view the extent of their individual impact at each level of SLR, as shown in Figures 1-5.

Passive flooding illustrates a ‘bathtub’ approach of rising water without waves or motion (Figure 1). There is no difference between this risk at 0.5 feet and 3.2 feet because the elevation of the property’s yard is ~9 feet above sea level. Therefore, the building is not at risk from passive flooding of 3.2 feet.

Coastal Erosion lines are projected on the property for the four different SLR scenarios (Figure 2). Rates of erosion are determined for a littoral cell at transects spaced at 66 feet apart based on historic shoreline change. Transects 50-57 of the Kahana Map of the Maui Shoreline Atlas apply to the property. They list rates of 0 feet/year because a seawall was constructed at the property about the time of the condominium’s construction. Since the wall has recently been repaired, it could be regarded as effective at fixing the shoreline. Thus, the predicted lines of erosion across the property that are shown for the future would not be applicable if the seawall remains viable.

Annual High Wave Flooding is shown in blue on Figures 3-5. The property is exposed to large waves due to its location and orientation to north Pacific swell. These seasonal swells grow in size and intensity during the winter and cause annual high wave flooding. In the future as the level of the sea rises, less wave energy will be dissipated by breaking off shore on reefs and waves will arrive at a higher elevation on the shoreline than before. In addition, more of the wave’s energy would be telegraphed to the shore. As a result, the risk to the condominium would be that they could be inundated with seawater at least once a year, especially likely during the winter season. An over wash lip that was added to the seawall during the repair could help reduce wave over topping to some extent but not eliminate it given SLR.

The seasonal flooding from big waves would tend to extend further inland as the level of the sea increases and as more severe coastal storms and storm surge occur due to SLR. This is the main risk to coastal hazards at the property.

At 0.5 and 1.1 feet of SLR, the rear yard would flood and the pool would likely require additional maintenance from being flooded with seawater and debris it may carry. At 2.0 feet of SLR, the seaward (*makai*) side of each condominium building is predicted to be inundated by seasonal wave flooding each year (Figure 4). At 3.2 feet of SLR, the *makai* half of each of the three main condominium buildings would be inundated (Figure 5) but most of the parking lot – which is on the *mauka* side of the property – would not be flooded.

SLR of 3.2 feet could occur by year 2100 or in as little as 40 years (i.e., 2060) based on some conservative estimates. The condominium was built ~1970, and the buildings would be ~90 years and would have reached the end of their design life span by 2060 or 2100. A planned obsolescence strategy to rebuild and relocate, rather than renovate or replace may be considered in the future.

Compliance Report

Potential Remedies for SLR

Similar to the adjacent Pohailani Resort to the south, a new multi-story condominium building at the Kahana Reef could have its parking on the first floor allowing the occasional flood event to pass underneath the condominium units unhindered. One or two new buildings could be constructed over top of the existing parking area where there is minimal risk of flooding in the future as shown in Figures 6 and 7. The current 4-story, 3 building, configuration provides 88 total units but buildings could cover nearly 29,880 square feet of the 1.824-acre lot. Replacement buildings could rise to 60 feet tall or as much as 6 stories tall if the open space ratio was 120% given the property's A-2 Apartment zoning. Based on this analysis, each dwelling could be up to 873 square feet if unit count remained the same given the 90% floor area ratio allowed on the parcel.

First, buying out first floor units over time and retiring them to open space or parking to allow flood and intermittent rising waters to pass underneath the building with minimal damage could be a cost-effective manner to avoid SLR impacts. Second, SLR could also be accommodated by relocating the buildings to footprints that allow for similar density as presently exists but in a different configuration and building height. Third, reconstructing the buildings in a more mauka location such as over the existing parking lot, and using first floor parking to accommodate annual high wave flooding is feasible given the density allowed on the parcel. Figures 6-7 illustrate how new building footprints could be conceived to accommodate 3.2 feet of sea level rise while being consistent with County zoning and setback requirements.

The Kahana Reef recognizes the potential hazards posed by SLR. While not bound to any one of the conceptual remedies listed, the exercise has highlighted some of the potential opportunities for future planning, in substantial compliance with Condition 3 of the permit (SSA 2017 0038).

- 4) That best management practices applicable to the seawall's repair would be implemented during sinkhole stabilization;

Response: The BMPs used during the first two phases of the repair were effective in preventing pollution and would be used during the final phase of the repair work. In addition, a row of large sandbags would serve as an added buffer and containment barrier during work on the tie back wall at the northern end of the property. The bags would be removed when work is completed.

- 5) That Phase III of the authorized seawall repair including the stairway would commence as shown on the July 2018 approved site plans;

Response: Phase III would be constructed consistent with the approved building plan set, as amended with two (2) additional pages (S-11, S-12) in November 2019 by the Kiumars Siah, the engineer of record, and subsequently determined to be acceptable by the Planning & Public Works Departments.

Compliance Report

- 6) That repairs to the tie back wall from the stairway extending inland would be conducted in the same manner as Phase II, to include trenching of 7-feet wide or less);

Response: The repairs to the northern tie back wall would be conducted according to the revised plan set that limits trenching to seven (7) feet wide as shown on pages S-11 and S-12 dated November 2019. The use of sheet pile minimizes the construction footprint and the amount of excavation needed to prevent future flanking erosion.

- 7) That engineering plans be submitted to the Department that involve any modification or extension of the wall along the property line designed to prevent the sinkhole or flanking erosion from threatening the Kahana Reef condominium building;

Response: The plan set for the SMA / Shoreline permit was amended with two (2) additional pages (S-11, S-12) by the Kiumars Siah, the engineer of record. The revised pages were provided to the Building Inspection Section of the Department of Public Works on 3/9/2020.

- 8) That best management practices, permit conditions, and compliance reporting required for the seawall's repair, SM5 2018/0052 and SSA 2017/0038, would be applicable to the additional work discussed in this amendment; and

Response: The BMPs used during the first two phases were effective in preventing pollution and would be implemented during the final phase of the repair work. In addition, a stacked row of Elco sand bags serve as an added buffer and containment barrier during work on the tie back wall at the northern side of the property. The Elco sand bags are perpendicular to the shoreline just to the north of the stairwell and extend inland and would be removed when the repair work is completed. Photographs of their timely removal would be emailed to coastal planning staff at the Department by the landowner and/or contractor.

- 9) That no work shall be completed in the ocean, mauka of the shoreline without proper permits.

Response: No work would occur seaward of the shoreline unless approval was granted by the State Department of Land and Natural Resources. No work is planned in the ocean given that it is a highly sensitive environmental resource.

Compliance Report

SM2 2020/0003, SSA 2020/0002, Issued January 13, 2020.

Approval to correct a sinkhole that crossed adjacent properties was granted by the Department subject to the following conditions that would be complied with in full.

1. That the proposed action, to include installation of the temporary sand bag structure, shall be limited to the area as approximated according to plans titled, "Sadang Sinkhole Repair," and date stamped by the Department January 4, 2020. Sand bags will be stacked within the shoreline setback area.

Response: A series of Elco sand bags were filled with sand and mechanically stacked two high and placed in a row perpendicular to the shoreline. The sand bags extend inland from the corner of the seawall, past the Kahana Reef's stairway, and along the northern property line. The sand bags prevent further flanking erosion or scouring that formed the sinkhole. The bags also serve as a BMP during repair activities to ensure that soils are not lost and water quality is protected during Phase III of the repair. The sand bags are temporary and would be removed within 180 days of the initiation of Phase III long-term repairs and/or upon completion of the repairs.

2. That BMPs shall be implemented to ensure water quality and marine resources are protected. No construction materials shall be stockpiled in the aquatic environment. All construction-related materials shall be free of pollutants and placed or stored in ways to avoid or minimize disturbance. No debris, petroleum products or deleterious materials or wastes shall be allowed to fall, flow, leach, or otherwise enter near shore waters. Any turbidity and siltation generated from activities proposed at the site shall be minimized and contained in the immediate vicinity of construction through the use of effective silt containment devices. Construction during adverse weather conditions shall be curtailed to minimize the potential for adverse water quality impacts. Appropriate measures to minimize dirt and water runoff, noise, and dust must be used.

Response: No materials were or would be allowed to enter the ocean during the repair work. A temporary barrier consisting of a series of Elco sand bags along the northern edge of the construction site serve as an additional buffer or BMP.

3. That work shall be conducted at low tide to the most practical extent possible, and no work shall occur during high surf or ocean conditions that will create unsafe work or beach conditions.

Response: All work would and did occur at low tide and during sunny weather without rain or high surf conditions.

4. That a grading or building permit shall be obtained as applicable from the Department of Public Works Development Services Administration.

Response: A grading permit (G 2018 0073) and building permit (B 2018 0615) were issued for the Kahana Reef's seawall repairs.

Compliance Report

The BMPs and requirements of the permit related to MCC 20.08 Erosion Control would be applicable to the remedial work proposed. The plans were augmented on March 9th, 2020 with pages S-11 & S-12 to prevent flanking erosion or sinkhole reformation by installing sheet pile inland of the existing seawall and along northern property boundary. Each phase of the repair work would be, or has been, inspected by the County Building Inspector.

5. That construction of the temporary bank stabilization structure shall be initiated by February 28, 2020, and shall be completed within one (1) month of said initiation.

Response: The sinkhole remedial stabilization work was completed in January, 2020 and the long-term repair has been authorized to be included in the Phase III repair. The Phase III long-term repair is anticipated to start in April, 2020 and be completed and inspected in a timely manner.

6. That in the event historic resources, including human skeletal remains, structural remains, cultural deposits, or lava tubes are identified during construction activities, all work shall cease in the immediate vicinity of the find, the find shall be protected from additional disturbance, and the Department of Land and Natural Resources-State Historic Preservation Division (DLNR-SHPD), Maui Section, shall be contacted immediately at (808) 243-1285. Work shall not continue until cleared by DLNR-SHPD.

Response: No artifacts or cultural resources were encountered during the stabilization of the sinkhole. If artifacts are encountered during Phase III repairs all work would stop and the SHPD would be contacted immediately.

7. That the temporary stacked sand bag structure approved under this permit is authorized for only one hundred eighty (180) days as required under the Shoreline Rules 12-203-12(a)(10).

Response: The temporary row of stacked Elco sand bags have been placed perpendicular to the shoreline just to the north of the stairwell extending inland past the tie back wall. They act as a temporary BMP during Phase III repair activities. The landowner and/or contractor would provide the Department with photographs of the sand bags timely removal by email as final compliance. The sand bags are temporary and would be removed within 180 days of the initiation of Phase III long-term repairs and/or upon completion of the repairs.

8. That the temporary stacked sand bag structure shall be removed within 180 days of the date of this permit and that the applicant shall submit to the Department, within ninety (90) days of completion of removal of the temporary sand bag structure, a summary report with pictures addressing its compliance with the conditions established with this SMA Permit.

Response: The Elco bags act as a temporary BMP during Phase III repair activities. They would be removed upon completion of the repair work.

Compliance Report

The landowner or contractor doing the work will provide the Department with photographs of the Elco bags being removed and/or their absence upon completion of the repair work in compliance with the intent of the above condition. The sand bags are temporary and would be removed within 180 days of the initiation of Phase III long-term repairs and/or upon completion of the repairs.

9. That both the Kahana Reef AOA and the Sadang family continue to support and commit to a long-term solution to the ongoing coastal erosion in Kahana Bay through support of the Environmental Impact Statement (EIS) now underway and the associated pending permit process. The EIS is to explore alternatives for beach nourishment and other alternatives designed to protect at-risk structures and to enhance the coastal ecosystem.

Response: Both landowners are actively involved in the long-term beach nourishment project for the Kahana Bay littoral cell.

10. That the term of this permit may be extended at the discretion of the Department, upon submission of an Amendment to Planning Permit Terms application, which must be filed within sixty (60) days prior to permit expiration.

Response: The sinkhole was stabilized in a timely manner and the Phase III repair work is anticipated to be started in April 2020. Should an extension be needed, an amendment would be submitted 60 days prior to the permit's expiration date, or by November 13, 2020, if the long-term repair and sand bag removal cannot be completed by January 13, 2021.

11. That a separate permit shall be obtained for any other protection measures contemplated for this shoreline.

Response: The repair work is anticipated to fix the sinkhole problem and any potential future flanking erosion. No other measures are proposed. The landowner acknowledges that the Elco sand bags are temporary and would be removed within 180 days of the initiation of Phase III long-term repairs and/or upon completion of the repairs.

12. That full compliance with all other applicable governmental requirements shall be rendered.

Response: The repair work will fully comply with government requirements.

The aforementioned explains how the contractor and/or landowner would or has complied with the conditions of the permit approval. We look forward to completion of this needed repair. Feel free to contact us should you have any questions in regards to this matter.

Compliance Report

The Kahana Reef Condominium would appreciate acknowledgement of receipt of this final compliance report. Please carbon copy any correspondence to Sandy Szymanski, President of the Kahana Reef condominium association by email at sandyszymanski@hotmail.com

Thank you for your time and consideration.
Mahalo!



Thorne Abbott
Coastal Planners, LLC
117 Loi Pohaku Place
Wailuku, HI 96793
Tel: 808 344 1595
Email: Thorneabbott@yahoo.com

Enclosures: SLRXA impacts and adaptation options (Figures 1-7)

Separate Attachment: Revised plan set T-1, S-2, S-11, S-12 by Kiumars Siah dated November 2019
Timestamped receipt by the Building Inspection Division of Public Works

Compliance Report

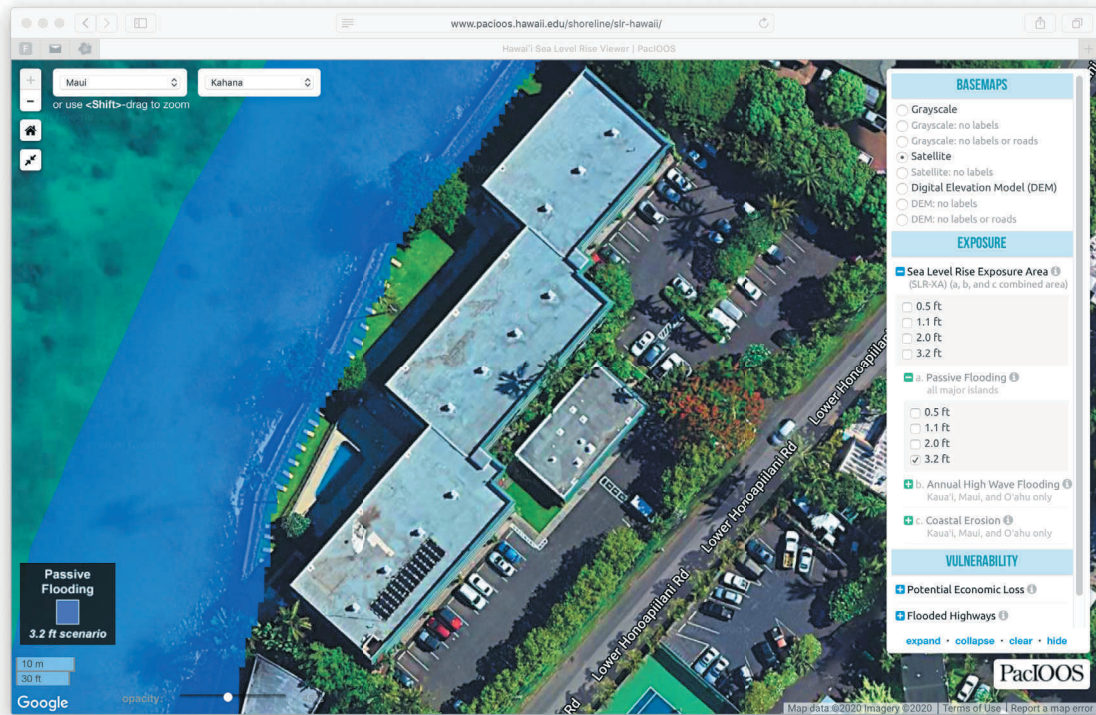


Fig 1. Passive Flooding; the inland extent of 3.2 feet of rising water given the yard is 9 feet above sea level.

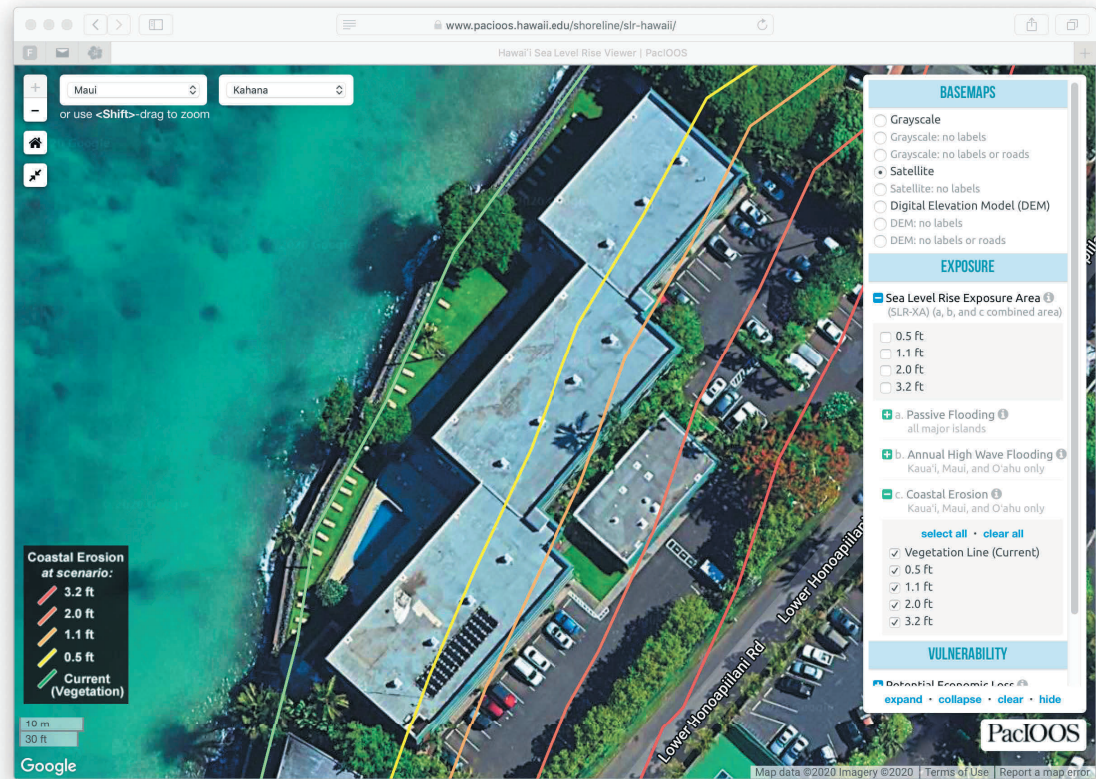


Fig 2. Coastal Erosion; the lines represent future locations of the shoreline without the seawall.

Compliance Report

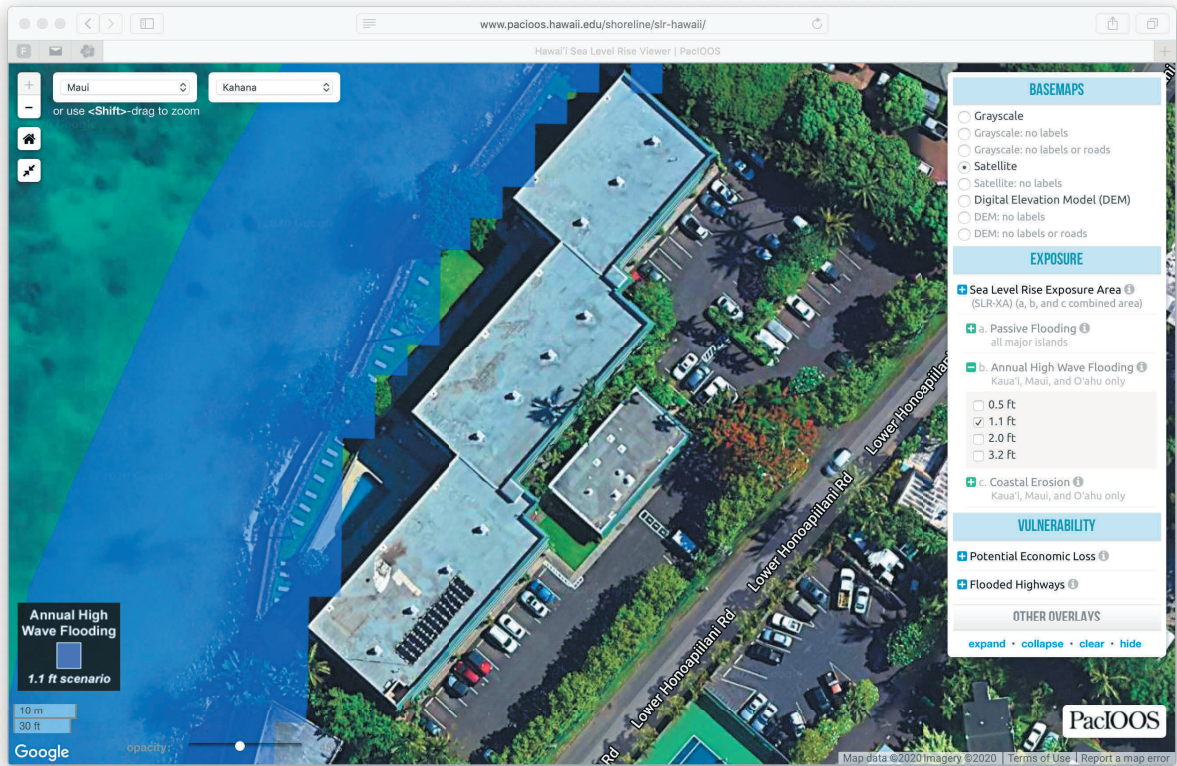


Fig 3. Annual High Wave Flooding; exposure to 1.1 feet of sea level rise.

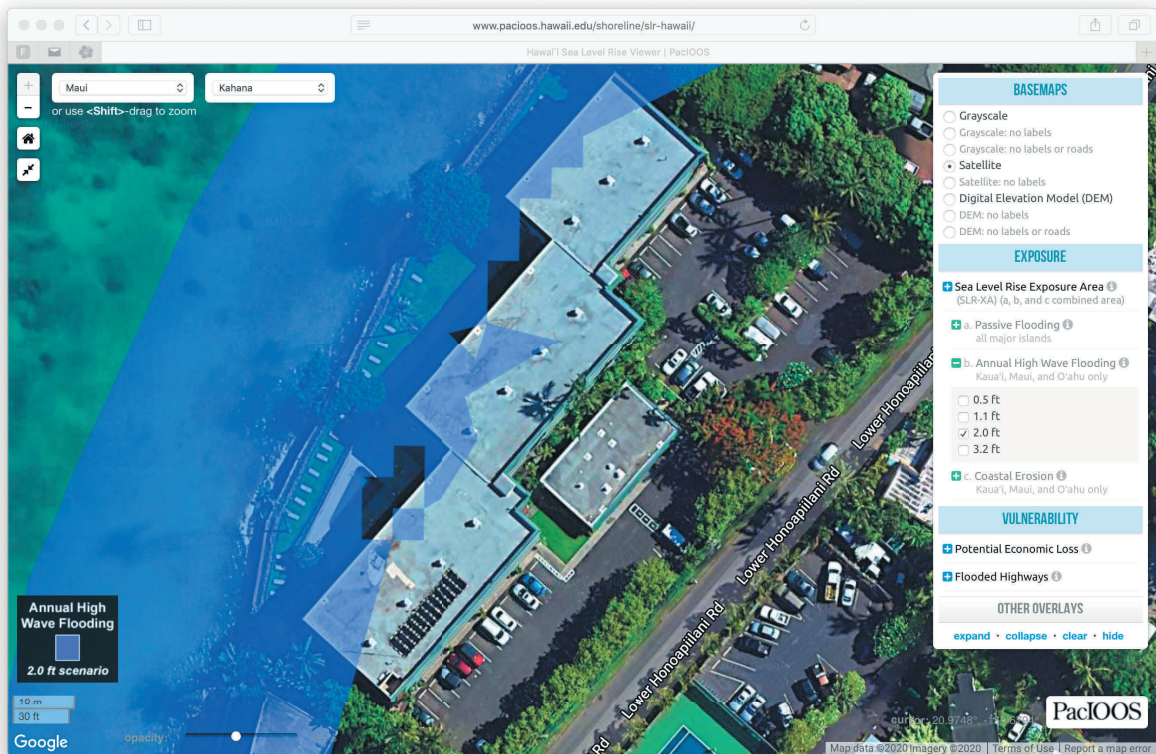


Fig 4. Annual High Wave Flooding; exposure to 2.0 feet of sea level rise.

Compliance Report

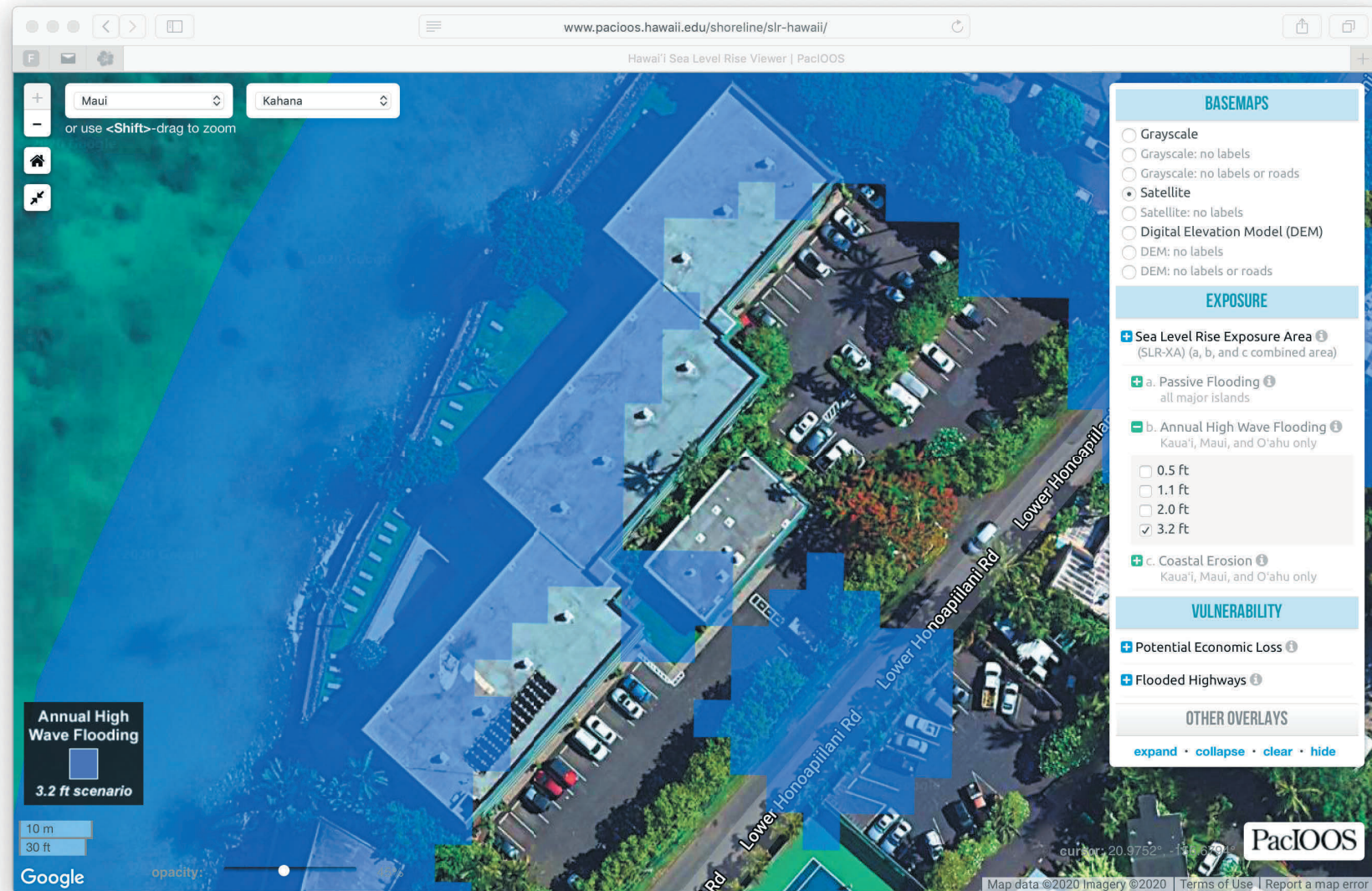


Fig 5. Annual High Wave Flooding; exposure to 3.2 feet of sea level rise noting that the parking area is relatively unaffected.

Compliance Report

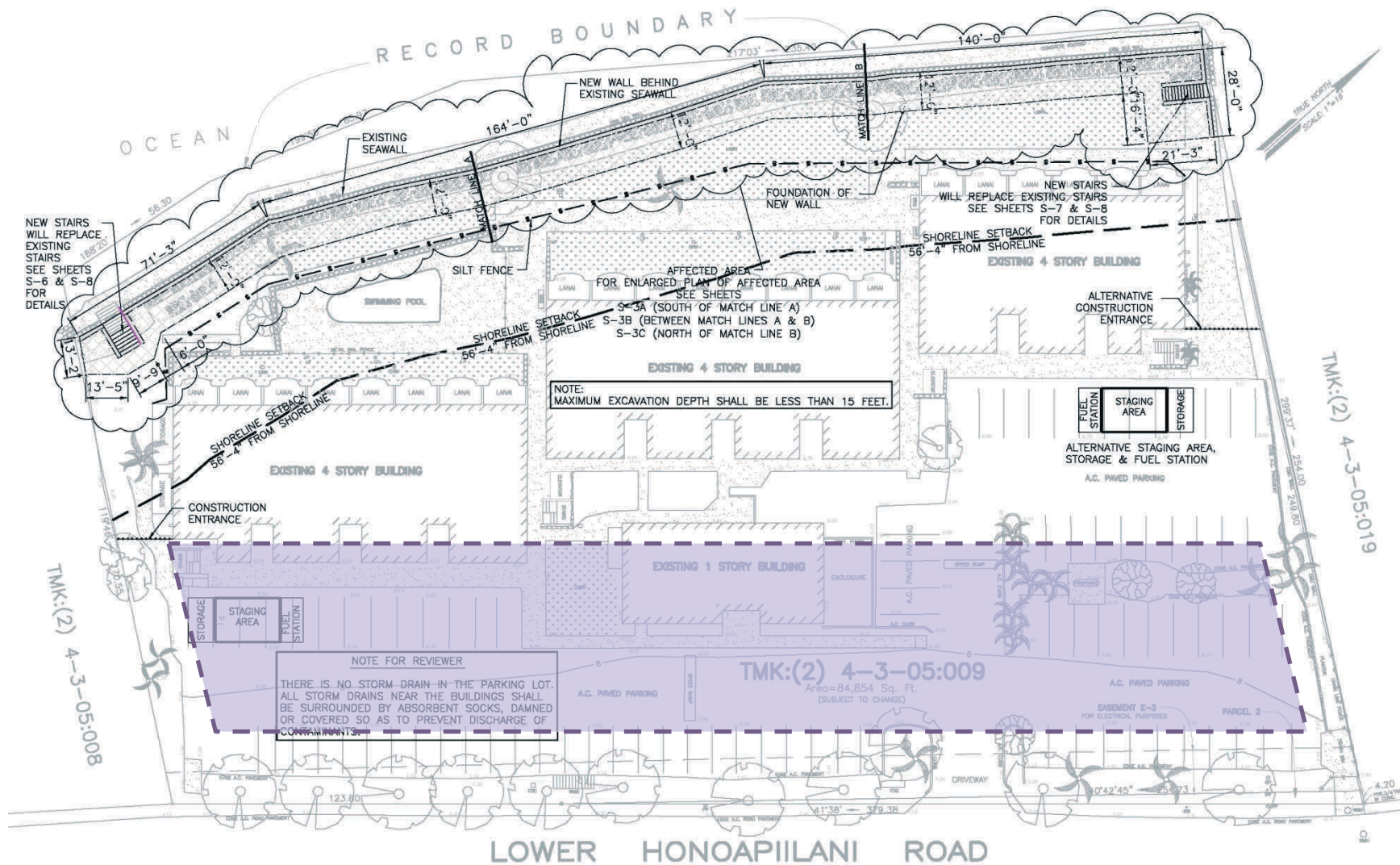


Fig 6. The footprint of a 4+ story condominium building which covers less than 30,000 square feet is highlighted above with dwelling units above ground floor parking. The location avoids most, if not all, coastal hazards associated with 3.2 feet rise in sea level and complies with land use entitlements including 20' front yard setback, 15 feet side yard setback, 90% floor area ratio and 35% lot coverage.

Compliance Report

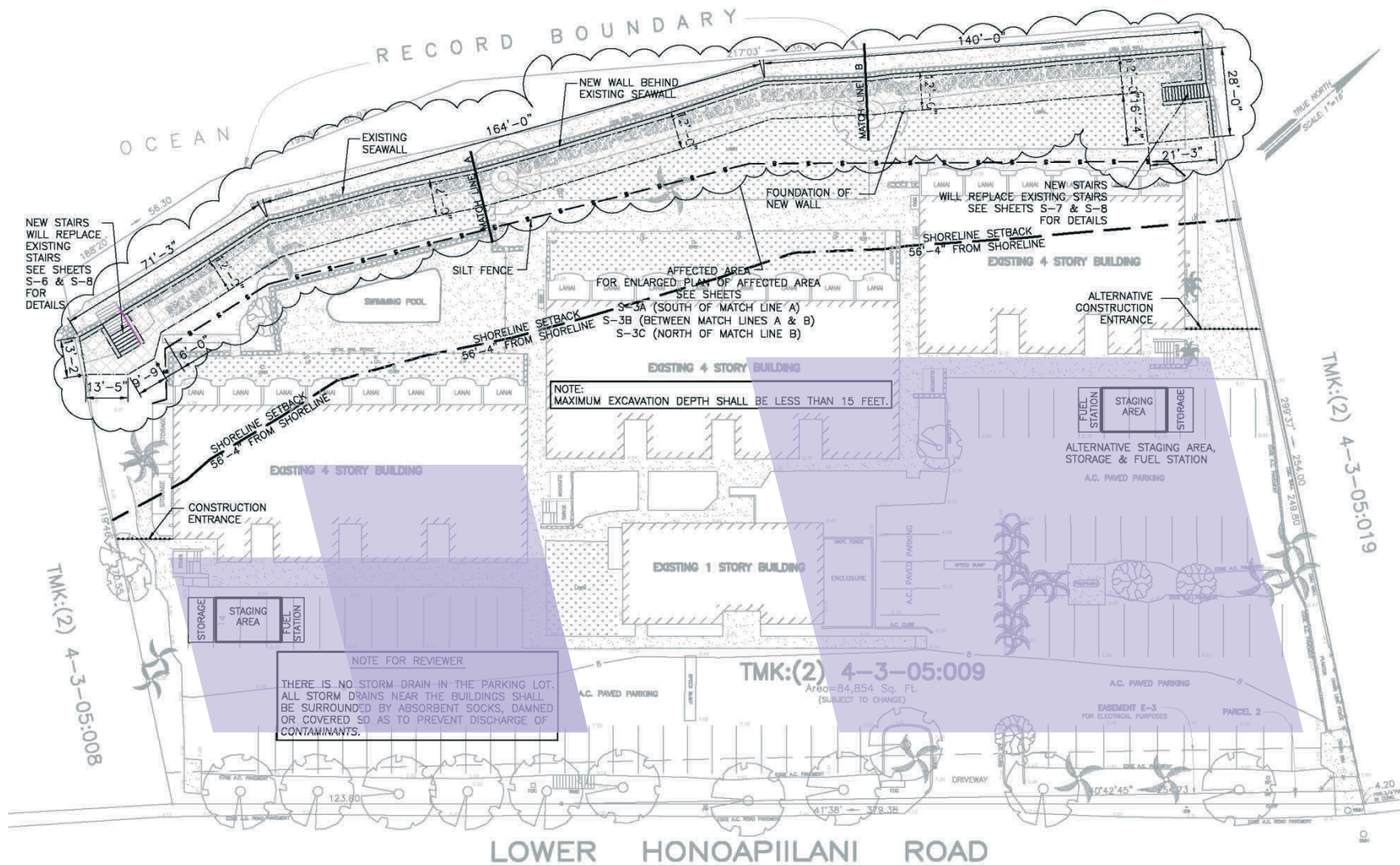


Fig 7. The footprints of two, 4+ story condominium buildings that cover less than 30,000 square feet is highlighted above with dwelling units above ground floor parking. The location avoids coastal hazards associated with a 3.2 feet rise in sea level and complies with land use entitlements including 20' front yard setback, 15 feet side yard setback, 90% floor area ratio and 35% lot coverage.



BRIAN T. HIRAI
ATTORNEY

McCORRISTON MILLER MUKAI MACKINNON LLP
ATTORNEYS AT LAW

DIRECT #S:
PHONE - (808) 529-7404
FAX - (808) 535-8011
E-MAIL - HIRAI@M4LAW.COM

March 21, 2022

Alice L. Lee, Council Chair
and Members of the County Council
County of Maui
Kalana O Maui Building, 8th floor
200 S. High St.
Wailuku, Hawaii 96793

RE: Request for Council Action with respect to
Kahana Bay Erosion Mitigation Project

Dear Chair Lee and Councilmembers:

We are serving as special counsel to the Kahana Bay Steering Committee with respect to the proposed Kahana Bay Erosion Mitigation Project. On behalf to the Committee, I am transmitting for consideration a letter from the Committee requesting Council action with respect to the Project, which we have approved as to form and content. We support the Committee's request.

Very truly yours,

BRIAN T. HIRAI

KAHANA BAY STEERING COMMITTEE

10 Hoohui Road, Suite 201
Lahaina, Hawaii 96761

March 4, 2022

Alice L. Lee, Council Chair
and Members of the County Council
County of Maui
Kalana O Maui Building, 8th floor
200 S. High St.
Wailuku, Hawaii 96793

RE: Request for Council Action with respect to
Kahana Bay Erosion Mitigation Project

Dear Chair Lee and Councilmembers:

On behalf of its constituent members, the Kahana Bay Steering Committee (“KBSC”) respectfully requests that the County Council institute proceedings for the establishment of a Community Facilities District (the “District”) to finance the costs of constructing the proposed Kahana Bay Erosion Mitigation Project (the “Project”) pursuant to Chapter 3.75 of the Maui County Code. A boundary and parcel map of the proposed District is attached as Attachment A hereto.v

The taxable properties proposed to be included in the District consist of one individually-owned kuleana parcel and 961 units located in nine condominium properties. The members of KBSC, which are the condominium associations representing all nine condominium properties, unanimously support the Project and the financing of Project costs through the establishment of the District and the levy of special taxes (the “Special Taxes”) on taxable properties in the District under Chapter 3.75. In December 2019, Mayor Victorino requested formal Resolutions from each of the boards of the KBSC members. See Attachment B for a copy of the Resolution adopted by each board, including a summary record of the votes on the Resolution by each board. The KBSC members’ support for the Project is hereby reaffirmed. In addition, KBSC has consulted with the individual owner of the kuleana parcel proposed to be included in the District, and this individual has expressed his support for the Project by signing the statement of support below.

KBSC, on the recommendation of and upon consultation with the County, retained Oceanit to begin the preparation of an Environmental Impact Statement (EIS) to address the continuing shoreline erosion problem at Kahana Bay that is a major concern to area residents, businesses and visitors alike. The preferred alternative in the draft EIS is that beach restoration be undertaken, including the use of rock T-head groins, revegetation and the importation of beach sand from offshore sand fields. The useful life of the Project is expected to exceed 40 years. Past experience has demonstrated that short-term solutions and piecemeal efforts to deal with the problem have not had the desired effects. We believe that the Project represents the kind of long term, sustainable solution that is required to address the problem effectively.

KBSC is requesting that the County form the District to provide a means to obtain the financing for the Project. The Project cost is expected to be up to \$40 million, including

completion of the EIS. KBSC has investigated other means of financing and believes that the establishment of the District is not only the best, but also the only viable, means of financing the costs of the Project. We understand and are fully prepared to accept our financial responsibilities with respect to the District and the financing of the Project costs, including the following:

- We understand that the County will incur certain costs in connection with the establishment of the District and the financing of the Project, including the costs of retaining its bond counsel, special tax consultant, financial advisor and property appraiser. KBSC members have authorized the making of an initial deposit of \$75,000 with the County for its use in defraying such costs under an agreement with the County that requires KBSC members to replenish the deposit from time to time as needed to assure the availability of sufficient funds to cover such costs pursuant to a Deposit Agreement to be executed with the County. The County would have the right to terminate the proceedings should we fail to replenish the deposit on a timely basis.
- We understand that the County does not want to be responsible for or to manage the design, construction, and completion of the Project. Therefore, KBSC will, upon formation of the District, enter into an agreement with an independent contractor to undertake the work needed to complete the Project. The County will be requested to accept the Project as County property only upon its completion and satisfactory inspection by the County.
- It is anticipated that the costs of the Project will be financed through the issuance of special tax revenue bonds (the "District Bonds"). The District Bonds will be secured solely by the Special Taxes to be levied on properties in the District. We understand and agree that there will be no recourse to the County's real property tax collections or any other County funds in the event of any deficiencies in Special Tax collections. KBSC also supports a bond debt service reserve fund to additionally secure the District Bonds and cover any future property owner delinquencies.
- We also understand that the County will incur ongoing administrative expenses with respect to the District over the life of the District Bonds, including the fees and expenses of a third-party administrator or consultant with respect to the Special Tax levies, fees and expenses of the trustee bank for the District Bonds, collection and foreclosure expenses with respect to delinquent Special Taxes, and expenses relating to compliance with continuing disclosure and arbitrage rebate requirements for the District Bonds. The annual levy of Special Taxes will include amounts needed to cover such administrative expenses as well as debt service on the District Bonds.
- Additionally, concerns about long term maintenance have been raised. KBSC proposes to enter into a long term maintenance agreement with the County and agrees to fund a maintenance reserve to address maintenance needs. Future replenishment of beach sand, if needed, can be covered by the District as can capital repairs so our understanding is that actual maintenance are expected to be low.

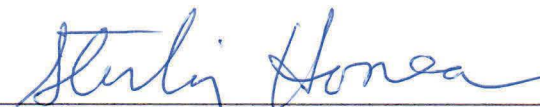
The Maui County Code authorizes the Council to initiate proceedings to establish a community facilities district either (i) on its own initiative under Section 3.75.100(a), or (ii) upon petition signed by the owners of at least 25% of the land in the proposed district under Section 3.75.100(b). Due to the number of condominium units proposed to be included in the District, the process of obtaining the required signatures for a petition would necessarily be both costly and time consuming. In view of the urgent need to address the ongoing shoreline erosion problem, we are requesting that the Council initiate the necessary proceedings on its own initiative in order to avoid unnecessary costs and delays.

We sincerely hope that the County Council will join us in support of the Project and the District. We respectfully request that the County Council accept this letter of request, agree to allow KBSC to make the initial deposit to cover costs as discussed above and institute proceedings for the establishment of the District on its own initiative as authorized under Section 3.75.100(a) of the Maui County Code.

Thank you for your consideration of our request. If you have any questions, please contact me via e-mail at sterlinghonea@gmail.com. If you have any scientific or engineering questions, please contact Dr. Michael Foley at Oceanit via e-mail at mfoley@oceanit.com.

Very truly yours,

Kahana Bay Steering Committee, on behalf of its members:
Association of Apartment Owners of Kahana Bay Beach
Resort Condominium
Association of Apartment Owners of Valley Isle Resort
Association of Apartment Owners of Royal Kahana
Association of Apartment Owners of Hololani
The Association of Apartment Owners of Pohailani Maui
Association of Apartment Owners of Kahana Reef
Association of Apartment Owners of Kahana Outrigger
Association of Apartment Owners of Kahana Village
Association of Apartment Owners of Sands of Kahana

By: 
Sterling Honea, Chair

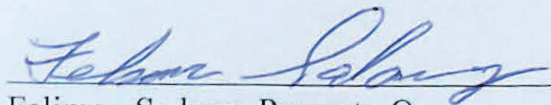
Kuleana Parcel Owner's Statement of Support

As owner of the kuleana parcel referred to in the foregoing letter of request, I support the Project and the establishment of the proposed District to obtain financing for the Project as described in the letter of request.

I'm signing this document with reservations and in support of a managed retreat plan.

How much do I have to pay and why do I have to pay?

Thank you!

A handwritten signature in blue ink, appearing to read "Felimon Sadang", is written over a horizontal line.

Felimon Sadang, Property Owner

Date: March 18, 2022

Attachment A

Proposed Community Facilities District



Courtesy of Kahana Bay Steering Committee and Deanit

Attachment B

RESOLUTION REQUESTING THE FORMATION OF A COMMUNITY FACILITIES DISTRICT TO FINANCE BEACH RESTORATION IN KAHANA BAY

WHEREAS, the properties and structures on Kahana Bay in West Maui have been threatened and negatively impacted by the long-term trend of coastal erosion and beach loss; and

WHEREAS, seawalls and other shoreline armoring aggravate erosion along the West Maui coastline, have the potential to damage coastal ecosystems and increase erosion along other areas of the coast; and

WHEREAS, certain property owners in Kahana Bay including Kahana Village, Kahana Outrigger, Kahana Reef, Pohailani, Hololani, Royal Kahana, Valley Isle Resort, Sands at Kahana, Kahana Beach Resort and one residential property, formed and funded the Kahana Bay Steering Committee (KBSC) in 2018 to develop a sustainable and resilient solution to mitigate the chronic and seasonal erosion along the Kahana Bay shoreline; and

WHEREAS, the KBSC is committed, in partnership with the Maui community, the County of Maui and the State of Hawaii, to explore, develop, and establish a cost-effective, regional erosion mitigation solution for Kahana Bay that will minimize impacts to the sensitive coastal environment and restore, stabilize, and preserve the sandy beach and offshore resources for long term community wide recreational and cultural uses, including surfing, fishing, and gathering; and

WHEREAS, KBSC has work in cooperation with the County of Maui Department of Planning since 2018 and retained and funded at significant expense the environmental engineer firm OCEANIT to prepare a Draft Environmental Impact Statement (DEIS) to explore beach restoration alternatives; and

WHEREAS, The Environmental Impact Statement Preparation Notice (EISPN) was published by Office of Environmental Quality Control (OEQC) on July 23, 2019. The DEIS is currently in the final stage of preparation; and

WHEREAS, the estimated cost of the beach restoration project may cost as much as \$40 million, including up to \$30 million in initial design and construction costs for the initial beach nourishment and groins structure and up to \$10 million in future capital costs for future beach nourishment, if needed, and maintenance; and

WHEREAS, the County of Maui is considering forming a Community Facilities District to provide long term financing for the beach nourishment and groins improvement project but has not agreed to be responsible for the project design, management and construction or the long term maintenance of the improvements thereof and,

WHEREAS, the nine homeowner associations represented by the KBSC do not have the organizational capacity, financial resources, or expertise to manage and fund a beach restoration project of the likely scope and complexity under consideration; and

WHEREAS, the County of Maui adopted Ordinance 4947 on December 24, 2018 allowing for the formation of Community Facilities Districts to fund among other things, public infrastructure including shoreline restoration and beach nourishment projects; and,

WHEREAS, each of the nine homeowner association Board of Directors have discussed the proposed CFD project and as Boards of Directors; now, therefore

BE IT RESOLVED:

1. The County of Maui is hereby requested to assist the KBSC and its property owner association members in the design, permitting, construction and financing of the beach nourishment and beach groins improvement project by formation of a Community Facilities District, acceptance of the project as a public project upon completion and agree to enter into a development agreement or public private partnership with KBSC and a third party project manager and financial partner to complete the project ; and
2. KBSC and its property owner association boards of directors support a County formed Community Facilities District including the levy of annual special parcel taxes on each residential unit for up to 30 years in amounts sufficient for the repayment of up to \$40 million in bonded debt for project design, project management, financing and construction including County annual bond administrative costs.
3. KBSC and its property owner association boards of directors support special annual HOA levies and reserves for on-going maintenance for the beach nourishment and groin improvement project.

,

KBSC Member	Number of Units	Board of Directors Vote in Support
<i>Kahana Village</i>	42	4-1
<i>Kahana Outrigger</i>	16	5-0
<i>Kahana Reef,</i>	88	8-0
<i>Polhailani,</i>	114	5-0
<i>Hololani,</i>	65	6-0 (1 abstain)
<i>Royal Kahana,</i>	236	7-0 (1 absent)
<i>Valley Isle Resort,</i>	120	7-0
<i>Sands at Kahana,</i>	196	unanimous
<i>Kahana Beach Resort</i>	84	5-0
TOTAL	961	

Expected Scope of the Project

