

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

JORDAN MOLINA
Director

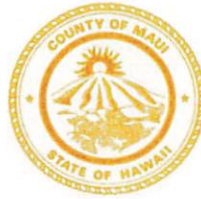
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DEPARTMENT OF PUBLIC WORKS
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February 14, 2025

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OFFICE OF THE
COUNTY CLERK

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

APPROVED FOR TRANSMITTAL

2-19-25
Mayor Date

For Transmittal to:

Honorable Alice Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Council Members:

SUBJECT: A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.29, MAUI COUNTY CODE, RELATING TO FLOOD HAZARD AREAS

The attached bill proposes to amend Maui County Code Sections 16.29.040(B) and 16.29.050(C). The purpose of this ordinance is to administratively establish a process to expand the special flood hazard area regulated in Chapter 16.29 of Title 16 of the Maui County Code, relating to flood hazard areas.

BACKGROUND INFORMATION

Since 1981, the County has regulated development in the special flood hazard area (SFHA) as required for the County's participation in the National Flood Insurance Program (NFIP). Participation in the NFIP offers our community to have access to:

- 1) Subsidized flood insurance premiums
- 2) Federal disaster relief monies in times of a federal disaster declaration
- 3) Federal assistance or loans for properties in the SFHA
- 4) Federal mortgage insurance of insurable buildings in the SFHA

The Federal Emergency Management Agency (FEMA) has defined the special flood hazard area as having a high flood risk from riverine, coastal, or localized flooding and identifies this area on FEMA flood maps, known officially as the flood insurance rate map (FIRM). FEMA last updated the FIRM for Maui County in 2015.

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The County uses the FEMA flood maps to determine where flood regulations are enforced (MCC 16.29.040(B)). Development within high flood-risk areas requires a flood development permit to meet minimum construction standards for the protection of life and property. In general, homes must be anchored to stay in place and elevated to pass flood waters below the livable portion of the home. Flood development permits are reviewed and issued by the Department of Public Works (DPW) and are typically reviewed within 30 days.

Occasionally, a federal or state agency will conduct a technical study that provides new flood data for streams not previously analyzed. When new flood data becomes available, DPW must obtain, review, and reasonably use new flood data to administer flood regulations (MCC 16.29.050(C)). The following two studies are being conducted to determine flood hazards from numerous streams on Maui, as shown in Attachment A:

- As part of the federal disaster relief in response to the 2023 Lahaina Wildfire, FEMA Region 9 initiated a hydrologic and hydraulic study to evaluate the post-fire flood risk in Lahaina. The study will produce flood advisory maps showing high flood-risk areas. The flood advisory maps are anticipated to be completed in April 2025.
- The State of Hawaii Department of Land and Natural Resources (DLNR) is conducting a Base Level Engineering (BLE) Analysis for Maui County. The BLE includes hydrologic and hydraulic modeling to evaluate flood hazards from various streams on Maui. Typically, results from a BLE study will be used to start the process of updating the FEMA flood maps. This study is expected to be completed in the summer of 2025.

SUMMARY

FEMA and DLNR are conducting technical studies that are expected to identify flood hazard areas not shown on the FEMA flood maps. It will be several years until FEMA updates its flood maps with these new flood hazard areas. However, these newly identified flood hazard areas should be regulated because they have the same high flood risk as the special flood hazard areas shown on the FEMA flood maps that the County regulates.

The proposed amendment establishes a process to expand the regulated flood zone so that when a new high flood-risk area is identified, this area can also be regulated until the FEMA flood maps are updated. In this process, the director will recommend areas that should be regulated because there is a high flood risk. A map showing new high-flood-risk areas to be regulated would not be effective until the map is adopted by ordinance by the Maui County Council.

Thank you for your attention and consideration. If you have any questions, please contact me.

Sincerely,


JORDAN MOLINA
Director of Public Works

JM:RRR:SU (ED25-0088)

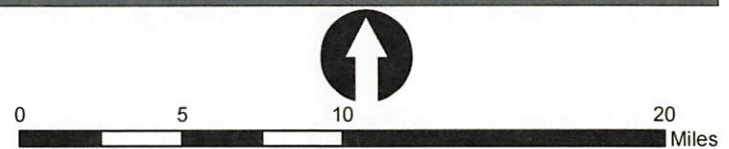
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Attachments: Attachment A Streams for Hydraulic Studies
Corp Counsel Approved Ordinance



Legend

-  Streams for Hydraulic Studies
-  Special Flood Hazard Area



Attachment A Streams for Hydraulic Studies