

MAR 07 2025

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## SENATE CONCURRENT RESOLUTION

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URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSULT WITH THE KAHANA BAY STEERING COMMITTEE, THE COUNTY OF MAUI, AND THE UNITED STATES ARMY CORPS OF ENGINEERS REGARDING A PATH FORWARD FOR THE PROPOSED KAHANA BAY EROSION MITIGATION PROJECT.

1 WHEREAS, at the urging of the County of Maui Department of  
2 Planning, the owners of units in the nine condominium projects,  
3 through their owners' associations, and one residential kuleana  
4 parcel on Kahana Bay, are members of, and have provided funding  
5 for, the Kahana Bay Steering Committee to develop and implement  
6 the Kahana Bay Erosion Mitigation Project, which is a proposed  
7 regional project to restore the eroded beaches on Kahana Bay;  
8 and  
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10 WHEREAS, the Kahana Bay Steering Committee retained Oceanit  
11 to assist in the engineering, planning, permitting, and  
12 implementation of the Kahana Bay Erosion Mitigation Project; and  
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14 WHEREAS, by 2019, Oceanit had engaged in extensive  
15 community and agency consultation, prepared an environmental  
16 impact statement preparation notice, and held scoping meetings;  
17 and  
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19 WHEREAS, Oceanit published the Kahana Bay Erosion  
20 Mitigation Project Second Draft Environmental Impact Statement  
21 on November 8, 2021; and  
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23 WHEREAS, unfortunately, the Kahana Bay Erosion Mitigation  
24 Project has been stalled, and no final environmental impact  
25 statement has been prepared; and  
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27 WHEREAS, the Kahana Bay Steering Committee proposed to fund  
28 the Kahana Bay Erosion Mitigation Project, at an estimated cost  
29 of \$26,000,000 to \$40,000,000, through community facilities  
30 district financing pursuant to Chapter 3.75, Maui County Code,



1 which would require public ownership of the rock groins  
2 necessary to hold the replenished sand in place; and  
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4 WHEREAS, the County of Maui has indicated that it is  
5 unwilling to assume the liability risks of owning the groins;  
6 and  
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8 WHEREAS, the Office of Conservation and Coastal Lands of  
9 the Department of Land and Natural Resources informed the Kahana  
10 Bay Steering Committee that it will not discuss a path forward  
11 for the Kahana Bay Erosion Mitigation Project; and  
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13 WHEREAS, the Office of Conservation and Coastal Lands of  
14 the Department of Land and Natural Resources has not acted on  
15 applications to repair the emergency sandbag structures that  
16 serve many condominium properties as the only source of  
17 protection against severe erosion of the Kahana Bay shoreline;  
18 and  
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20 WHEREAS, the Board of Land and Natural Resources has urged  
21 condominium associations along Kahana Bay to develop a  
22 collective solution to protect public resources; and  
23

24 WHEREAS, the United States Army Corps of Engineers might be  
25 willing to assume control of the Kahana Bay Erosion Mitigation  
26 Project if requested to do so by the State, the County of Maui,  
27 or an agency of the State or the County of Maui; now, therefore,  
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29 BE IT RESOLVED by the Senate of the Thirty-third  
30 Legislature of the State of Hawaii, Regular Session of 2025, the  
31 House of Representatives concurring, that the Department of Land  
32 and Natural Resources is urged to consult with the Kahana Bay  
33 Steering Committee, the County of Maui, and the United States  
34 Army Corps of Engineers regarding a path forward for the  
35 proposed Kahana Bay Erosion Mitigation Project; and  
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37 BE IT FURTHER RESOLVED that the aforementioned parties are  
38 urged to consider:  
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40 (1) Legal options for the ownership of the rock groins;  
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1 (2) Whether the United States Army Corps of Engineers  
2 would undertake an evaluation of the Kahana Bay  
3 Erosion Mitigation Project under Section 103 of the  
4 River and Harbor Act of 1962;

5  
6 (3) The path forward, timeline, and roles of the Kahana  
7 Bay Steering Committee, the County of Maui, and the  
8 Department of Land and Natural Resources if the United  
9 States Army Corps of Engineers, following the  
10 requested evaluation, assumes control of the Kahana  
11 Bay Erosion Mitigation Project; and  
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13 (4) Financing options for the Kahana Bay Erosion  
14 Mitigation Project, both with and without United  
15 States Army Corps of Engineers' participation; and  
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17 BE IT FURTHER RESOLVED that the Department of Land and  
18 Natural Resources is urged to submit to the Legislature, no  
19 later than December 31, 2025, a report on the Department's  
20 progress in moving the Kahana Bay Erosion Mitigation Project  
21 forward; and  
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23 BE IT FURTHER RESOLVED that certified copies of this  
24 Concurrent Resolution be transmitted to the Chief of Engineers  
25 and Commanding General of the United States Army Corps of  
26 Engineers, Chairperson of the Board of Land and Natural  
27 Resources, Mayor and Planning Director of the County of Maui,  
28 and Chair of the Kahana Bay Steering Committee.  
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OFFERED BY: 

