

**Item to add to the 2.2 actions in the South Maui Community Plan proposal, p 121**

Rob Weltman

11/16/2022

Policies 2.2.31 and 2.2.32, as well as actions 2.0.6 and 2.0.7 in the SMCP proposal touch on shoreline access either explicitly or implicitly.

Action 2.0.7 falls short in only specifying shoreline access preservation or expansion in certain areas to be determined, rather than enforcement of the right of access to and along all beaches and shorelines in the State situated below the "upper reaches of the wash of the waves." or "along the makai boundaries of the property lines" if "there is no reasonably safe transit for the public along the shoreline below the private property lines" as is required by State law - HRS Secs. 115-4 & 115-5.

I propose a new action between 2.0.6 and the current 2.0.7:

<u>2.0.7</u>	<u>Restore public medial and lateral access to the shoreline along the entirety of the South Maui coast where mandated by HRS 115-4 and 115-5.</u>	<u>Project</u>	<u>Medium</u>	<u>Short</u>	<u>PD</u>	<u>TBD</u>	<u>County, State</u>
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I submitted a proposal for the 2022 budget to allocate funds from the SMA Revolving Fund to study where lateral access needs to be restored along the the South Maui shoreline and which laws and actions the County should take in each case. The Council expanded the scope to all of Maui County and also increased the funds allocated to \$175k. No action was taken on the item by the end of budget year 2022, but the allocation was renewed for budget year 2023. The initial request for South Maui is attached, as well as the expanded request for all of Maui County as suggested by the Council.

I also walked from Sugar Beach to Kanahena and charted out the segments that are obstructed by property owners:

<https://mauigis.org/maps/?m=f0967a00b83542af928aa7b6241af420>

Note: for purposes of the SMCP, the survey would need to be extended north from Sugar Beach through Mā‘alaea to the north coastal boundary of the district.

The TMKs likely in violation of the law are called out in the attachment "Fund-South-Maui-Coastal-Access-Report.pdf".