



Board of Land and Natural Resources

Agenda Item K4

The OCCL submittal documents the lengthy history of a Temporary Emergency CDUP approval granted in 2020, along with subsequent extensions issued without full compliance with permit conditions.

In this context, we question the Department's enforcement of MA 21-10 E-CDUP conditions. Specifically, the permittee was required as a condition of the 2021 Emergency CDUP:

**“However, this authorization is temporary. The Mantokuji Mission must develop a longer-term plan to move the coastal structures landward of the advancing escarpment. This emergency authorization will include a condition that requires them to do this.”** (Exhibit A, Page 10)

**“Condition 4. A plan for the relocation of the threatened structures must be submitted to the OCCL within two (2) years of the date of issuance of this emergency permit. The plan must include timeframes for implementation;”** (Exhibit A, Page 12)

In April 2023, Paia Mantokuji/Oceanit submitted the attached “Mitigation Report for Adaptation Pathways” to DLNR OCCL, apparently in an effort to comply with Condition 4. However, the submission does not meet the intent or requirements of that condition.

Instead, the Paia Mantokuji Board, on the advice of their consultants, shifted the project direction and turned over leadership to Oceanit and Oceanit's nonprofit, proposing a highly complex and uncertain pathway centered on beach nourishment. According to the report itself, “...a beach restoration would be a major challenge...” while later also introducing the concept of a controversial, privately constructed, football field-sized offshore breakwater, a project type that has not been permitted in Maui.

It also appears that Paia Mantokuji does not intend to remove the “temporary emergency erosion protection device,” as indicated in the 2023 report:

“The emergency temporary shoreline protection installed at Mantokuji Mission in late 2022 could be buried in the nourished beach as a temporary backstop protection...”

This raises further concern and provides additional justification for requiring submission of a standard CDUP application.

The 2023 Mitigation Report also states:

“Relocation of the Temple building would be expensive, with onsite relocation estimated to cost about \$2 million...”

Despite identifying relocation as a viable and comparatively achievable option, the Board instead chose to pursue conceptual alternatives that may cost upwards of \$20 million and require many years to permit, if they are approvable at all.

At this point, it has been six years since the original “Temporary Emergency” permit was issued in 2020. The feasible and permissible relocation of the structure could have already been completed.

The applicant should have complied with Condition 4 and proceeded in 2021 with the relocation strategy, estimated at \$2 million, as the primary action.

**The good news:** There is currently funding available. The Maui County Council has allocated resources through the Managed Retreat Fund and Special Management Area Fund. Paia Mantokuji has a FY2026 County budget allocation of \$2.5 million and an additional \$500,000 through the State of Hawai‘i Green Fee. This represents approximately \$3 million that could be directed toward the most immediate and necessary action: relocating the structure out of harm’s way.

**The concern:** The current direction appears to prioritize speculative and highly complex engineering proposals rather than the clearly identified and required relocation strategy. Oceanit has not demonstrated prioritization of the most urgent need, relocation of the threatened, uninhabited structure, which was explicitly required under Condition 4 of Emergency CDUP MA21-10.

Additionally, Oceanit, led by Ken Cheung, and Oceanit Research Foundation, led by Carol Takahashi, drafted SB3169/HB2490 seeking legislative approval of a “pilot program” that would exempt the project from:

- Chapter 183C (Conservation District)
- Chapter 205A (Coastal Zone Management)
- Chapter 343 (Environmental Review)
- County shoreline setback and variance requirements
- County building permit requirements

These proposed exemptions raise significant concerns regarding precedent and the removal of established environmental safeguards.

Even more concerning are recent on-site activities. Oceanit appears to have placed large quantities of gravel within the shoreline area without State or County authorization. During a March 11, 2026 site visit with Ken Cheung and Eric Moto, I observed gravel stockpiles and evidence of excavation. I expressed concern regarding potential impacts to the coastal environment and lack of permitting. Mr. Cheung stated that no County or State permit was required.

Following this, I notified OCCL, DOCARE, and Maui County Planning. The County subsequently issued Notices of Warning on April 27, 2026 for potential shoreline and SMA violations, each carrying potential fines of up to \$100,000 initial and \$10,000 per day.

These actions raise serious concerns regarding compliance with regulatory requirements and the ability to carry out a project of this magnitude responsibly.

The lack of progress toward relocation, the required long-term solution, calls into question the appropriateness of further emergency permit extensions without demonstrated compliance with Condition 4.

Given:

- the scale and uncertainty of proposed offshore structures
- challenges of beach restoration in habitat areas with protected species
- intent to retain the erosion control structure
- repeated emergency extensions
- ongoing enforcement actions related to unauthorized activities
- and the potential for cumulative environmental and cultural impacts

We recommend that BLNR and the Department **determine that no further emergency extensions be granted**, and that any proposed shoreline protection project proceed through the standard CDUP process.

This process should include:

- full environmental review under HRS Chapter 343
  - comprehensive alternatives analysis
  - Ka Pa‘akai Analysis
  - and meaningful public engagement
-

## **Recommendation**

- Grant a one-year extension solely for the purpose of demonstrating compliance with Condition #4
- Require coordination with County Planning, CZM, UH Sea Grant, and OCCL
- Require submission of a relocation plan including cost estimates and timeline
- Require documentation of efforts to utilize County funding for relocation
- Require submission of a full CDUP application with HRS 343 documentation within one year
- Require removal of all unauthorized shoreline materials immediately
- Require shoreline certification

Mahalo,

Kai Nishiki

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

**JACKY TAKAKURA**  
Director

**ANA LILLIS**  
Deputy Director



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

April 27, 2026

CERTIFIED MAIL NO. 7021 2720 0001 0300 8210

Mantokuji Mission  
PO Box 790207  
Pāi'a, Hawai'i 96779

**SUBJECT: NOTICE OF WARNING AND REQUEST TO CORRECT AND APPARENT VIOLATION**  
**TMK: (2) 2-6-008:013-0000**  
**CODE CASE: PZ-E2026-00034**  
**DESCRIPTION: UNPERMITTED MATERIAL WAS UTILIZED WITHIN THE SHORELINE AREA LOCATED AT 253 HANA HIGHWAY, PĀI'A , HAWAI'I**

Based on information obtained, we have reason to believe that on your property, on or before March 31, 2026, there were one or more violations. The use of unpermitted material (gravel) was utilized within the Shoreline Management Area (SSA) and is not in compliance with regulations referring to SSA 2020/0025 condition 1. "That work is in accordance with the permitted measures as described in Exhibit 1."

The information obtained includes site inspection, inspection photos, permit records and satellite imagery.

You must correct the above violations by June 11, 2026. We will continue to investigate. If the above-referenced violations remain, we will proceed with enforcement as outlined in Hawaii Revised Statute (HRS) 205-A, Title MC-12, Chapter 203, Shoreline Rules for the Maui Planning Commission.

Mantokuji Mission  
April 27, 2026  
Page 2

For your information the civil fines for each violation of MC-12, Chapter 203 Shoreline Rules for the Maui Planning Commission may be 1) an initial fine of \$100,000 and 2) a daily fine of \$10,000 for each day the violation exists.

This request is only for violations of regulations that are enforced by the Department of Planning. There may be additional violations that are enforced by other County, State or Federal agencies. If you have any questions about this Notice of Warning or need further information, please contact me via email at [ashlyne.hao@mauicounty.gov](mailto:ashlyne.hao@mauicounty.gov) or by phone at (808) 270-7139 and refer to PZ-E2026-00034.

Sincerely,



Ashlyne Hao  
Zoning Inspector

cc: Carolyn Cortez, Planning Program Administrator (PDF)  
Conklin Wright, Zoning Inspector Supervisor (PDF)  
Ashlyne Hao, Zoning Inspector (PDF)  
Case File

CW:AH:cbc

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

**JACK TAKAKURA**  
Director

**ANA LILLIS**  
Deputy Director



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

April 27, 2026

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**SUBJECT: NOTICE OF WARNING AND REQUEST TO  
CORRECT APPARENT VIOLATION**  
**TMK: (2) 2-6-008:013-0000**  
**CODE CASE: PZ-E2026-00034**  
**DESCRIPTION: UNPERMITTED MATERIAL WAS UTILIZED  
WITHIN THE SPECIAL MANAGEMENT AREA (SMA)  
LOCATED AT 253 HANA HIGHWAY, PĀI'A, HAWAI'I**

Based on information obtained, we have reason to believe that on your property, on or before March 31, 2026, there were one or more violations. The use of unpermitted material (gravel) was utilized within the Special Management Area (SMA), in violation of applicable regulations referring to SM2 2020/0095 condition 1 "Permittee shall adhere to all terms and conditions and representations described in the Emergency Conservation Use Permit (CDUP)."

The information obtained includes site inspection, inspection photos, permit records and satellite imagery.

You must correct the above violations by June 11, 2026. We will continue to investigate. If the above-referenced violations remain, we will proceed with enforcement as outlined in Hawaii Revised Statutes §205A-32 Penalties as well as Title MC-12, Department of Planning Subtitle 02, Maui Planning Commission Chapter 202 Special Management Area Rules.

Mantokuji Mission  
April 27, 2026  
Page 2

For your information the civil fines for each violation of MC-12, Chapter 202 Special Management Area Rules for the Maui Planning Commission may be 1) an initial fine of \$100,000 and 2) a daily fine of \$10,000 for each day the violation exists.

This request is only for violations of regulations that are enforced by the Department of Planning. There may be additional violations that are enforced by other County, State or Federal agencies. If you have any questions about this Notice of Warning or need further information, please contact me at ashlyne.hao@mauicounty.gov or (808) 270-7139 and refer to PZ-E2026-00034.

Sincerely,



Ashlyne  
Zoning Inspector

cc: Carolyn Cortez, Planning Program Administrator (PDF)  
Conklin Wright, Zoning Inspector Supervisor (PDF)  
Ashlyne Hao, Zoning Inspector (PDF)  
Case File

CW:AH:cbc

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## Mantokuji Soto Mission of Paia

P.O. Box 790207 Paia, HI 96779

Ph: (808) 579-8051 E-Mail: [info@paiamantokuji.org](mailto:info@paiamantokuji.org)

[www.paiamantokuji.org](http://www.paiamantokuji.org)

April 12, 2023

Dawn N.S. Chang, Chairperson  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
P.O. Box 621  
Honolulu, HI 96809

Subject: Emergency Conservation District Use Permit (CDUP) MA 21-10  
for Temporary Shoreline Protection seaward of the Mantokuji Mission at 253  
Hana Highway, in Pā'ia, Maui; TMK: (2) 2-6-008:013

Dear Chairperson Chang:

In compliance with Condition No. 4 of Emergency Conservation District Use Permit (CDUP) MA 21-10 for Temporary Shoreline Protection, I hereby submit the enclosed, "MITIGATION REPORT FOR ADAPTION PATHWAYS for MANTOKUJI MISSION of PĀ'IA, MAUI (CDUP MA 21-10, Condition No. 4)."

Please contact us at the address above if you have any questions pertaining to this letter.

Sincerely,

Eric H. Moto  
President

c: Oceanit (Michael Foley)  
Maui District Land Office (MDLO)  
County of Maui, Department of Planning



## Mantokuji Soto Mission of Paia

P.O. Box 790207 Paia, HI 96779

Ph: (808) 579-8051 E-Mail: [info@paiamantokuji.org](mailto:info@paiamantokuji.org)

[www.paiamantokuji.org](http://www.paiamantokuji.org)

### MITIGATION REPORT FOR ADAPTION PATHWAYS for MANTOKUJI MISSION of PĀ'IA, MAUI (CDUP MA 21-10, Condition No. 4)

#### Introduction:

In October 2021, the Board of Directors of Mantokuji Mission of Pā'ia, Maui ("Mantokuji Mission"), formed a committee ("Committee") to address Condition No. 4 of the Emergency Conservation District Use Permit (CDUP MA 21-10) issued by the Office of Conservation and Coastal Lands, Department of Land and Natural Resources, State of Hawai'i, regarding an emergency temporary shoreline protection structure seaward of the Mantokuji Mission at 253 Hana Highway, Pā'ia, Maui.<sup>1</sup>

Since its formation, the Committee has worked to examine options to mitigate the threat to the historic Mantokuji Mission property from accelerated coastal erosion. This report examines possible options, discusses positive and negative aspects of each and focuses on a desired path for the management of the historic temple structure in compliance with Condition No. 4 of CDUP MA 21-10.

#### Historic Significance:

Mantokuji Mission was first established in 1906, upon the arrival of Zen Buddhist priest Sokyo Ueoka from Japan. The existing temple structure located at 253 Hana Highway was constructed in 1921, and is one of only a few remaining first-generation temple buildings still extant on Maui, and one of only two that are known to have been built by master carpenter Tomokiyo Seiichi, who also constructed the Maui Jinsha Shrine in Paukukalo, Maui. On the temple property are also located a large cemetery, a historic bell tower or *shoro* with large bronze bell or *bonsho*, a memorial commemorating the Sino-Japanese and Russo-Japanese wars, a columbarium or *nokotsudo*, and a parsonage.

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<sup>1</sup> Condition No. 4 states:

A plan for the relocation of the threatened structures must be submitted to the OCCL within two (2) years of the date of issuance of this emergency permit. The plan must include timeframes for implementation.

The cultural value of this iconic structure in this historic setting cannot be underestimated. It has served many generations of worshipers and remains an active and thriving community member. The property was placed on the Hawai'i Register of Historic Places in 2018. In 2022 the Historic Hawai'i Foundation recognized the Mantokuji Mission Bell Tower Restoration with a Project Award through its Preservation Honor Awards program. Nomination of Mantokuji Mission for the National Register of Historic Places is pending.

### **Consultants:**

The Board of Directors of Mantokuji Mission retained Architects Hawaii, Ltd. (AHL), and their structural engineering consultant, Martin, Chock & Carden, Inc., to study potential methods of floodproofing to lengthen the time that the temple structure could be usable through the adaption pathways proposed here, and to help protect the historic structure from future damage from sea level rise, flooding events, and erosion.

The consultants surveyed the site and buildings to review the state of shoreline erosion, the condition of the temple building, and other factors and elements of note. The team also reviewed completed studies, including a Coastal Engineering Assessment for Shoreline Protection at the Mantokuji Mission, by EKNA Services, Inc., in 2010, and a Mantokuji Mission Shoreline Adaption (Project No. 201806) Memorandum, by Oceanit, in 2022.

In February 2023, Mantokuji Mission's consultants and a temple representative met virtually with representatives of the County of Maui Planning Department and its Coastal Zone Management Program, to discuss possible options to mitigate the threat posed by shoreline erosion.

### **Existing Conditions:**

The Mantokuji Mission temple structure is 102 years old. Although it has been well maintained, its proximity to the corrosive ocean environment, and the effects of the tropical sun, wind, and rain, limit the practical life span of the temple building without significant repairs to the floor framing, floor decking, walls, and roof.

During their inspection of the structure, the architectural and engineering consultants found that the building has extensive termite damage, at least in select observable areas, including the temple floor framing and floor decking. Termite damage or decay was also observed in wall sheathing. The roof framing and decking appeared to be in good condition, although there is localized damage in some members.

The beach and shoreline fronting Mantokuji Mission are subject to chronic erosion, as documented by researchers at the University of Hawai'i at Mānoa. Government sand mining in Mantokuji Bay in the last century, significant wave events, including the 1946 tsunami, and the armoring of the shoreline by neighboring properties along the east portion of Mantokuji Bay, have contributed to shoreline erosion and sand loss. Without

a wide beach profile to buffer wave forces Mantokuji Mission is now exposed to greater coastal hazards, including flooding, wave uprush, and foundation scouring. The installation of the emergency temporary shoreline protection structure in the fall of 2022 has helped reduce the loss of unstable soils and slowed the progression of active shoreline erosion, which has progressed unacceptably close to the northwest corner of the temple. The property is composed of a red clay alluvium, so erosion continues to impact water quality in Mantokuji Bay. In addition, grave sites and old landfill debris continue to fall into the ocean along the shoreline where no erosion control has been installed. The continued unmanaged erosion is an environmental and cultural concern for our community.

A recent video documenting the status of the issue is available online at:  
<https://www.youtube.com/watch?v=i6LEDVbXBn4>

### **Examination of Options:**

The Committee and the Mantokuji Mission Board of Directors considered the findings and recommendation of the consultants and evaluated different coastal flood mitigation measures with regard to desirability, cost/benefit, and difficulty of permitting. Both shoreline and site stabilization methods and building structural mitigation methods were examined.

### **Conclusions:**

Based on the work of the Committee, the Mantokuji Mission Board of Directors believes that a two-pronged approach, involving beach restoration and building structural mitigation, is reasonable and preferable in the circumstances.

### **Beach Restoration:**

The first prong, restoration of a sandy beach in Mantokuji Bay, would entail beach nourishment, installation of a vegetated coastal dune and living shoreline, shoreline monitoring, and beach maintenance along the entire length of the property's shoreline boundary. Restoration of the natural beach system would: reduce the risk of soil, debris, and other potential contaminants from entering the nearshore water; potentially slow the rate of shoreline erosion; and restore the cultural, recreational, and environmental resources in the area, including public shoreline access.

The project would require approximately 20,000 - 30,000 cubic yards of beach quality sand to restore what has been lost from the system. It is unclear to us how much of the sand loss is due to the government's mining operations. Beach quality sand is currently not commercially available on Maui; however, a potential sand source for beach restoration is the Kahului Harbor entrance channel, which accumulates sand comparable to Mantokuji Bay's. The channel is regularly dredged by the U.S. Army Corps of Engineers. Unfortunately, in past dredging operations, dredged sand was not reused but instead was disposed of at an offshore dumping site.

The emergency temporary shoreline protection structure installed at Mantokuji Mission in late 2022 could be buried in the nourished beach as a temporary backstop protection and would be only visible should wave forces erode the nourished beach to a hazardous extent. Maintaining the geotextile structure in place would allow time for the nourished beach to prove its resiliency and sustainability.

Beach restoration would require time to accomplish (perhaps three to five years) and would be subject to federal, state, and county regulatory approvals. It would involve the preparation of environmental studies and the input of the surrounding community. Total estimated project cost would be substantial (in the range of \$1 to \$3 million, depending on the scope of the project and the source of sand). Given Mantokuji Mission's limited financial resources, the project would require additional sources of funding.

Although a beach restoration project would be a major challenge, Mantokuji Bay is a rare and appropriate opportunity to restore the natural beauty of a portion of Maui's north shore and, at the same time, preserve a property of historic and cultural significance. Beach restoration would also improve the water quality in the bay and benefit the marine wildlife.

#### Building Structural Mitigation:

The second prong, building structural mitigation, is intended to add structural enhancements to the historic structure to provide stability against coastal hazards. Of the options, we prefer the installation of a new concrete or rubble mound foundation wall, inland from the current shoreline, that surrounds three sides of the temple building foundation. The building basement would also be floodproofed for storm surge. Based on a review of consultant findings and recommendations, Mantokuji Mission's Board believes that pursuit of this option is prudent in light of the continuing threats posed to the historic temple building and the potential regulatory, material, community, and financial issues associated with a beach restoration effort.

This structural mitigation would require the abandonment and demolition of an existing kitchen at the makai end of the temple basement. The kitchen could be reconstructed at a different location on the property, if allowable under Maui County's revised shoreline and special management area (SMA) rules.

Due to the inland advance of the shoreline over the years, it is not possible to build the wall outside the statutory minimum setback. However, the wall could be built at around 25 feet from the 2018 shoreline or around 20 feet from the current approximate shoreline, without impact to the current shoreline. Some offset of the wall from the existing building foundation is necessary.

Construction of the foundation wall inside the shoreline setback would likely require a shoreline setback variance and an environmental assessment. The variance may be reasonably justifiable given the historic nature of the temple building and other mitigating circumstances, including the demolition of the kitchen area. The other

threatened structures on the property would be eventually relocated or demolished. The foundation wall is also limited to the area immediately under and adjacent to the temple building, with the shoreline at the remainder of the site allowed to naturally migrate. If combined with a beach restoration strategy, shoreline recession could be controlled and the foundation wall may never become a coastal structure. Floodproofing provides an affordable solution to maintaining the temple in its historic setting for as long as possible.

Mantokuji Mission's Board of Directors reviewed and considered the option to relocate the temple building onsite and the option to relocate the temple building offsite. Based on the findings and recommendations of the consultants, the Board determined that these options were not preferred due to the risks associated with moving an old, frail, and termite-damaged structure, and because relocation would significantly change the historic character and context of the building. Although onsite relocation is the more feasible of the two relocation options, the stresses of relocating the building would require repairs to damaged components prior to, and after, relocation, as well as the use of temporary bracing. An important point is that the practical remaining life span of the 100-year old temple would not justify a relocation effort. Relocation of the temple building would be expensive, with onsite relocation estimated to cost about \$2 million, an amount that Mantokuji Mission cannot currently afford without additional sources of funding. It also remains unclear that the temple relocation within the property is allowable under Maui County's revised shoreline and special management area (SMA) rules.

