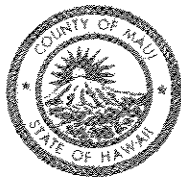


HANNIBAL TAVARES  
Mayor



CHRISTOPHER L. HART  
Planning Director  
RALPH N. MASUDA  
Deputy Planning Director

COUNTY OF MAUI  
PLANNING DEPARTMENT

200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
March 16, 1987

FILE COPY

Dr. John C. Lewin, Director  
Department of Health  
Office of Environmental Quality Control  
465 S. King Street, #104  
Honolulu, HI 96813

Dear Dr. Lewin:

Re: Acceptance of Final Environmental Impact Statement by Accepting Authority, Planning Commission, County of Maui -- Proposed construction of two (2) cul-de-sacs, ten (10) paved public parking stalls, a gravel beach walkway, landscape planting and related improvements on portions of TMK 2-1-06:56, 57, and 59, TMK 2-1-05:86, and the Makena-Keoneoio Road Right of Way, Makena, Maui (Applicant: Mr. Eric T. Maehara, Attorney, on behalf of Seibu Tetsudo K. K. -- formerly referred to as Seibu Hawaii, Inc) (Project Cost: \$57,200.00).

At its meeting of February 20, 1987, the Maui County Planning Commission reviewed the above final EIS entitled, "Makena-Keoneoio Road Cul-De-Sacs Plan, Makena, Island of Maui" prepared by Environmental Communications Inc., on behalf of applicant.

The following are findings and conclusions based on a review of the subject final EIS.

Procedural Matters

1. On February 27, 1986, the applicant filed a letter requesting an environmental assessment determination, pursuant to Chapter 343, HRS, and the Environmental Impact Statement Rules, Chapter 200, Title 11, Department of Health, State of Hawaii. The proposed applicant action is a class of action, pursuant to Section 11-200-6, EIS Rules, since a portion of the improvements involve the use of County lands and work within the shoreline setback area, pursuant to Section 205-31, HRS. The applicant has been duly authorized by the County of Maui to apply for the governmental permits and approvals required for the proposed action. The proposed action is situated entirely within the County's Special Management Area, pursuant to Chapter 205-A, HRS, and the SMA Rules and Regulations, County of Maui, and requires a Special Management Area Use Permit. The Maui County Planning

Dr. John Lewin  
March 16, 1987  
Page 2

Commission is the authority to approve the SMA Use Permit. A portion of the proposed action involves work within the shoreline setback area (e.g. landscape planting) and requires a shoreline setback approval, pursuant to Section 13.e., Article III Shoreline Setback Rules and Regulations, County of Maui. The Planning Director is the authority to grant a shoreline setback approval.

2. On March 18, 1986, the Maui County Planning Commission reviewed a draft environmental assessment report for the proposed action and after due deliberation voted to authorize the filing of a Negative Declaration, as its Notice of Determination for the proposed action.

3. By letter dated April 10, 1986, the Planning Commission filed with the Office of Environmental Quality Control ("OEQC") its Notice of Determination of a Negative Declaration and four (4) copies of its environmental assessment report dated April 8, 1986.

4. On July 22, 1986, the Planning Commission reconsidered its original Notice of Determination at the request of the County's Deputy Corporation Counsel, based on a review of a settlement agreement executed between Hui Alanui O Makena et al, Seibu Hawaii Inc. (also referred to as Applicant or Seibu Tetsudo K. K.), and the County of Maui in the matter of various related civil actions pending in the Second Circuit Court, State of Hawaii. In this settlement agreement filed in the Second Circuit Court on July 14, 1986, the applicant agreed to prepare an environmental impact statement, in accordance with Chapter 343, HRS, and the EIS Rules; also, the Plaintiffs or Appellants in Civil Nos. 85-0053, 85-0187 and 86-0237 agreed to withdraw and dismiss all claims pursuant to Chapter 343, HRS, asserted in those civil actions. After due deliberation, the Planning Commission voted to (1) withdraw its original Notice of Determination of a Negative Declaration and (2) file an Environmental Impact Statement Preparation Notice as its amended Notice of Determination in the above matter.

5. On December 22, 1986, the "Draft Environmental Impact Statement ("EIS") for Makena-Keoneoio Road Cul-De-Sacs Plan, Makena, Island of Maui, Hawaii" was filed with the OEQC, pursuant to the requirements of Chapter 343, HRS, and the Environmental Impact Statement Rules.

6. The Draft EIS was published in the OEQC Bulletin on December 23, 1986.

7. The deadline for comments on the Draft EIS and the end of the 30-day public review period was January 22, 1987.

8. The Final EIS was duly filed with the Planning Department, County of Maui, on February 5, 1987 and within fourteen (14) days from the deadline for public comment, pursuant to Section 11-200-22, EIS Rules.

9. The Planning Commission duly acted on the Final EIS at its meeting of February 20, 1987, and within sixty (60) days from the date of filing of the Draft EIS, pursuant to Section 11-200-23(f), EIS Rules. The 60-day deadline was February 23, 1987.

### Consultation

1. The Draft EIS was duly distributed to eleven (11) State agencies; three (3) units within the University of Hawaii; six (6) Federal agencies; three (3) newspapers; five (5) County agencies, in addition to the Planning Department; three (3) non-governmental agencies; twelve (12) public libraries; and nine (9) individuals or organizations requesting to be consulted.

2. Comments on the Draft EIS were received from eight (8) State agencies; four (4) departments or units within the University of Hawaii; two (2) Federal agencies; five (5) County agencies; and nine (9) private organizations or individuals. Copies of these comments are contained in the Final EIS along with written responses prepared by the applicant's planning consultant, Environmental Communications, Inc. ("ECI").

### Substantive Aspects of the Final EIS

1. The project plans and scope of work presented in the Final EIS are not materially different from plans contained in the environmental assessment report dated April 8, 1986, previously reviewed by the Planning Commission.

2. In addition to the proposed plan, the Final EIS considered seven (7) alternative actions, as summarized below:

<u>Alternative</u>	<u>Cost</u>	<u>Reasons for Rejection</u>
a. Overpass	\$180,000	Aesthetically inappropriate; continued vehicular traffic would produce noise, dust and vehicular emissions; conflicts with the design and landscape planting concept of the Maui Prince Hotel Master Plan

b. Underground Tunnel	\$22,695,000	Unacceptably high cost; resulting physical-environmental impacts (e.g. water table); drainage and flooding problems within the tunnel during heavy rains; adverse air quality and noise impacts
c. 56-Foot Right of Way	\$929,385	Adverse air quality and noise impacts on hotel and beach users; drainage and flooding problems during heavy rains
d. Pedestrian Underpass	\$350,920	Drainage and flooding problems during heavy rains
e. Cobblestone Roadway and Sidewalks	\$1,164,717	Adverse air quality and noise impacts occurring on hotel and beach users
f. Improved Roadway with Pedestrian Crossing Signals	\$675,175	Adverse air quality and noise impacts on hotel and beach users
g. "No Action"	---	Currently, there are impacts relative to air quality, dust and noise, which cannot be alleviated by landscape planting and watering down the road to control dust

3. The conclusions in the Final EIS do not materially change the conclusions contained in the environmental assessment report dated April 8, 1986 filed with the Planning Commission's original and amended Notice of Determination. Briefly, the conclusions in the Final EIS are, as follows:

a. The proposed action will not result in an irrevocable commitment or loss of any natural, historic, or archaeological resource.

b. The proposed action will not result in an irrevocable commitment or loss of any resource that has cultural significance or significant cultural value;

c. The proposed action will not involve a substantial degradation of environmental quality;

d. The proposed action will not affect a rare, threatened or endangered species of animal or plant life or associated habitat, or otherwise adversely affect an environmentally sensitive area;

e. The proposed action will not substantially alter natural land forms and existing public views to and along the shoreline;

f. The proposed action will provide public access to beach and coastal resources of the area;

g. The proposed action is consistent with the provisions of the Hawaii State Plan and Functional Plans and the County's General Plan, Kihei-Makena Community Plan, zoning and other applicable ordinances of the County of Maui;

h. The proposed action to close a section of the existing Lower Makena Road is substantially similar to and relevant to the development plan incorporated in the previously accepted Seibu Makena Master Plan EIS that was approved in conjunction with the filing of a general plan amendment in 1975 for the entire 1,000 acre Seibu resort development; and

i. The recently completed Makena Alanui Road between the Wailea Resort and the Seibu Resort properties currently provide improved public vehicular access to properties within this area, along with connections to the existing lower Makena Road. The proposed action to close a 1,100 foot section of the existing lower Makena Road will not result in the elimination of vehicular access to public-owned properties and other privately-owned properties in this area.

4. The Final EIS incorporates the following reports pertaining to the archaeological and cultural aspects of the proposed action that were prepared after the environmental assessment report dated April 8, 1986:

a. Letter dated December 9, 1986 from Ann Joesting, Bishop Museum, re: historical research for the Makena-Keoneoio Road in Makena, Maui.

b. "Background History of Alanui 'Aupuni, Honua'ula, Maui" dated January 10, 1987 and prepared by Marion Kelly for the Ohana O Makena.

c. Report dated February 2, 1987 from Aki Sinoto, Bishop Museum, re: field assessment of stone wall described in the Kelly report of January 10, 1987.

d. Letter dated February 2, 1987 from Edith McKinzie, Instructor, Hawaiian Studies, Honolulu Community College, re: comments on the Kelly report of January 10, 1987.

e. Letter dated February 3, 1987 from Aki Sinoto, Bishop Museum, re: response to comments on the Draft EIS.

5. The additional archaeological and cultural information, as noted in item 4 above, supports previous conclusions that (1) no surface or sub-surface physical remains of an ancient trail have been found within the boundaries of the Makena Road parcel; (2) a pre-historic coastal trail most likely existed within the general area of the proposed action, probably atop the adjacent sand dune, although no physical remains have been found; and (3) during historic times, with the introduction of draft animals and wheeled vehicles, a clearly established, fairly permanent, and stable access corridor became necessary, resulting in the shifting of the corridor inland of the sand dune to the general vicinity of the existing lower Makena Road. There is compelling evidence that compounded disturbances to the existing roadway have violated its locational and morphological integrity. Recognizing that the existing roadway may conceptually represent a right-of-access possibly dating to a prehistoric period and most likely to a historic period, the Planning Commission incorporated the following mitigative measure in the Final EIS: "That the existing section of the Makena Road between the proposed north and south cul-de-sacs shall be maintained as a public pedestrian right-of-way, in order to maintain the locational integrity of historic public access." It should again be noted that a public shoreline walkway will also be constructed atop the sand dune, as part of the proposed action.

6. The Final EIS acknowledges that given the relatively "rural" environment of the Makena area today, it is reasonable to assume that the existing Makena Prince Hotel complex and the proposed action will contribute to perceptual changes in the physical environment and uses of the area. However, the proposed action is consistent with the adopted Kihei-Makena Community Plan, which identifies land use, social, economic, and environmental policies appropriate for the Makena area and implements the broad policies set forth in the adopted General Plan of the County of Maui, pursuant to Ordinance No. 1052 (1980). The Final EIS also notes that, with the proposed action to close a 1,100 foot long section of the Makena Road, neighboring properties surrounding the proposed north and south cul-de-sacs will no longer be connected by a more direct and convenient vehicular access. Although the recently opened mauka Makena Alanui road and its lateral accesses to the existing lower Makena Road generally provide improved vehicular access in the Makena area and accommodate vehicular access to all abutting

private properties (other than that owned by the Applicant) and public-owned lands, this inconvenience to neighboring property owners or residents cannot be avoided.

7. The Final EIS also acknowledges that there are two pending legal actions, Ferreira v. Seibu, Civil No. 86-0364, and Hui Alanui O Makena v. County of Maui, Civil No. 85-0187, involving issues of ownership of the subject properties. The Final EIS notes that challenges to legal ownership of property are determined by an appropriate court of law and cannot be resolved or adjudicated within the context of an environmental impact statement.

8. The Final EIS contains the following information:
- a. A summary of the Final EIS;
  - b. A statement of the purpose and need for the action;
  - c. A project description and statement of objectives, including location, description, statement of objectives, funding and phasing and historic perspective;
  - d. Alternatives considered;
  - e. A description of the affected environment including geographical, hydrological, biological, archaeological and historical characteristics, surrounding land uses, related projects, and population and growth characteristics;
  - f. The relationship of the proposed action to State and County plans, policies and controls;
  - g. The anticipated impacts and mitigative measures;
  - h. The relationship of the proposed action, in terms of local short-term uses of the environment, enhancement of long-term productivity and irreversible/irretrievable commitments of resources;
  - i. Probable adverse environmental impacts which cannot be avoided;
  - j. Summary of unresolved issues;
  - k. A list of organizations and agencies consulted during the DEIS review period and responses to the review comments; and
  - l. Maps and plans and other technical data.

Conclusion

Based on the above, the Planning Commission concluded the following, pursuant to Section 11-200-23 of the EIS Rules:

1. Procedures for assessment, consultation process, a review responsive to comments, and the preparation and submission of the statement, have all been completed satisfactorily as specified in the EIS Rules;

2. Content requirements described in the EIS rules have been satisfied; and

3. Comments submitted during the review process have received responses satisfactory to the accepting authority, and have been incorporated or appended, at the discretion of the applicant to the statement.

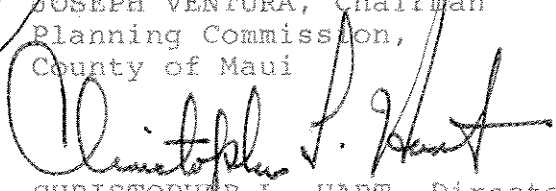
Accordingly, the Planning Commission voted to accept the above Final EIS and to incorporate the following mitigative measure: "That the existing section of the Makena Road between the proposed north and south cul-de-sacs shall be maintained as a public pedestrian right of way, in order to maintain the locational integrity of historic public access."

It should also be noted that the Accepting Authority specified in the Final EIS on p. I-2 should be corrected to read, "Planning Commission," and not the Planning Department and Mayor.

Should further clarification be necessary, please contact John Min of our office.

Very truly yours,

  
JOSEPH VENTURA, Chairman  
Planning Commission,  
County of Maui

  
CHRISTOPHER L. HART, Director  
Planning Department  
County of Maui

JM:wc

cc: Eric T. Maehara, Esq.  
Isaac Hall, Esq.  
Steven Garcia, Esq.  
Fred Rohlfing, Acting Corporation Counsel  
Judge John McConnell



Final Environmental Impact Statement

OEQC LIBRARY

# Makena-Keoneoio Road Cul-de-sacs Plan

Makena, Island of Maui, Hawaii

Environmental Communications, Inc.

FINAL ENVIRONMENTAL IMPACT STATEMENT

MAKENA-KEONEOIO ROAD  
CUL-DE-SACS PLAN

Makena, Maui, Hawaii

February 1987

Prepared by  
Environmental Communications, Inc.

  
\_\_\_\_\_  
Mr. F. J. Rodríguez  
Environmental Communications, Inc.

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APPENDIX

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I. SUMMARY

CHAPTER 343, HRS  
ENVIRONMENTAL IMPACT STATEMENT (EIS)

Action: Applicant

Project Name: Makena-Keoneoio Road Cul-de-sacs Plan

Project Description: The proposed action will consist of the closure of 1,100 feet of the Makena-Keoneoio Road and the construction of two (2) permanent cul-de-sacs at the north and south ends of the makai road parcel. These cul-de-sacs will be comprised of an asphalt turn around surface and concrete curbs, along with the provision of ten (10) paved and marked parking stalls in the public right-of-way immediately adjacent to the south cul-de-sac. The makai road parcel itself will be graded and landscaped. Further, a pedestrian footpath on the Applicant's property along the shoreline will be provided to connect the two (2) cul-de-sacs. The footpath will be six feet in width and approximately 1,300 feet in length. The proposed action does not include any earth work in or upon the sand dune which is situated between the shoreline and the makai road parcel.

Project Location: Makena-Keoneoio Road, Makena, Maui, Hawaii

Tax Map Keys: 2-1-05:86, 2-1-06:56, 57, and 59

Present Use: Existing road and right-of-way and vacant parcel.

State Land Use: Urban District

Community Plan  
Designation: Hotel, Public, and Cul-de-sac Use.

County Zoning: H-M Hotel District, Golfcourse and Open Space,  
and Cul-de-sac use.

Proposing Applicant: Mr. Eric T. Maehara, Esq.; Foley, Maehara,  
Judge, and Nip for Seibu Tetsudo K.K.

Landowner: TMK 2-1-06:56, 57 and 59, Seibu Tetsudo K.K.  
TMK 2-1-05:86, Seibu Tetsudo K.K.  
Makena-Keoneoio Road, County of Maui  
TMK 2-1-06: Lot 1-B (makai road parcel),  
Seibu Tetsudo K.K.

Accepting Authority: Planning Department and Mayor  
County of Maui  
200 S. High Street  
Wailuku, Maui, Hawaii 96793

Impacts: The proposed project was initiated by the appli-  
cant to allow unimpeded, direct access to the  
shoreline. This access, and the use of con-  
tiguous makai property, is considered essential  
in the operation of a world-class ocean front  
resort. Closure of the Makena Keoneoio Road  
fronting the Maui Prince Hotel would allow hotel  
guests and the general public direct access to  
the beach and at the same time, eliminate ad-  
verse air, noise, and visual impacts caused by  
vehicular traffic traversing the property. The  
general public would be provided convenient

parking and legal access at the proposed cul-de-sacs terminating the north and south ends of the subject property bounds.

Closure of the road would affect point to point access along the Makena-Keoneoio Road by detouring vehicular traffic to the Makena Alanui. Although legal pedestrian access to the shoreline along the section of the Makena-Keoneoio Road to be closed was limited, concern has been expressed over the loss of road side parking and the matter of practice illegal access through this section of road. Claims of loss of cultural practice and loss of use of a culturally significant site have also been made.

**Mitigation Measures:**

Closure of the subject road parcel will result in the loss of direct point to point access, however, the Makena Alanui does provide safe and reasonably efficient access around the Maui Prince Hotel site. Approximately 90% of the vehicular traffic traveling north and south of the project site use the Makena Alanui while the remaining 10% use the Makena-Keoneoio Road. Pedestrian access to the shoreline via the proposed cul-de-sacs is considered reasonable since legal direct access to the shoreline was previously limited.

**Alternatives Considered:**

Seven alternatives have been considered for the Makena-Keoneoio Road Cul-de-sacs Plan. Each of the alternatives would allow vehicular access over the existing right-of-way with improvements which would minimize traffic impacts on



the hotel grounds. Six alternatives would require extensive construction and replacement of the existing unpaved road. These alternatives are: a pedestrian overpass from the hotel site to the beach; an underground tunnel for vehicular traffic beneath the existing road; a 56-foot right-of-way which would lower the existing road to reduce its visibility; a pedestrian underpass; a cobblestone roadway with sidewalks; and an improved roadway with pedestrian crossing signals. A seventh alternative consists of no action.

**Unresolved Issues:**

At this time, there are no unresolved issue from the standpoint of potential physical environment impacts. The cultural impact of the proposed project on the existing site has been determined not to be significant, however, due to a lack of concurrence on this determination, this issue must remain under consideration as unresolved.

**Plans, Policies,  
Permits:**

The proposed project is consistent with State Land Use, Community Plan and County Zoning designations for the project site. A Special Management Area (SMA) Use Permit and a Shoreline Setback Approval will be required for the project.

## II. PURPOSE AND NEED FOR ACTION

This Environmental Impact Statement is prepared pursuant to Chapter 343 Hawaii Revised Statutes in accordance with Title 11, Department of Health, Chapter 200 Environmental Impact Statement Rules, 11-200-6 pertaining to the use of state or county lands. This document will also be used as an exhibit in the Shoreline Management Area Application which will follow the subject EIS.

The purpose of the proposed action is to terminate a 1,100' portions of the Makena-Keoneoio Road between the two (2) proposed cul-de-sacs. That segment of the road is presently privately owned by the landowner adjoining both sides of said road. The closure of the road would provide the landowner contiguity of property and the Maui Prince Hotel direct physical and visual access to the shoreline.

The portions of the proposed project which are subject to Chapter 343 HRS involve the Makena-Keoneoio Road which belongs to the County of Maui. This parcel, which would be utilized for two proposed cul-de-sacs is approximately designated on the Kihei-Makena Community Plan for cul-de-sac use; however, as a County owned property, the proposed project is subject to Chapter 343 HRS.

Upon acceptance of this document, a Shoreline Management Area Application will be filed with the County of Maui for portions of the project lying makai of the Makena-Keoneoio Road.

### III. PROJECT DESCRIPTION AND STATEMENT OF OBJECTIVES

#### A. Project Location

The proposed project is located on a portion of the original Makena-Keoneoio Road which is located in Makena, Maui (Figure 1). This parcel which was formerly owned by the County of Maui, has been transferred to the applicant. The site lies directly makai (west) of the Maui Prince Hotel.

The project is identified by the following tax map keys:

1. TMK 2-1-06:56, 57, and 59 (formerly a portion of TMK 2-1-06:59) - Proposed pedestrian footpath and landscape planting;
2. TMK 2-1-05:86 (formerly a portion of TMK 2-1-08:80) - Portion of the proposed north cul-de-sac;
3. TMK 2-1-06:56 (formerly a portion of TMK 2-1-06:59) - Portion of the proposed south cul-de-sac;
4. Makena-Keoneoio Road right-of-way - Proposed north cul-de-sac (portion) and south cul-de-sac (portion) and the ten (10) paved public parking stalls; and
5. TMK 2-1-06: Lot 1-B of the Seibu Makena Hotel Subdivision (File No. 2.1582) (also referred to as the "makai road parcel") - Proposed landscape planting.

Ownership of the subject parcels is, as follows:

1. TMK 2-1-06:56, 57 and 59 - Seibu Tetsudo K.K.



2. TMK 2-1-05:86 - Seibu Tetsudo K.K.
3. Makena-Keoneoio Road - County of Maui
4. TMK 2-1-06: Lot 1-B (makai road parcel) - Seibu Tetsudo K.K.

The proposed action will take place on both private and public lands. A portion of the north cul-de-sac will be constructed on TMK: 2-1-05:86, owned by the applicant. The remainder of the north cul-de-sac will be constructed within the Makena-Keoneoio Road public right-of-way. A portion of the south cul-de-sac will be constructed on TMK: 2-1-06:56, owned by the applicant. The remainder of the south cul-de-sac along with the ten (10) parking stalls will be constructed within the Makena-Keoneoio Road public right-of-way. Grading and landscape work on the makai road parcel will be done on lands owned by the applicant. The pedestrian footpath will be constructed on portions of TMK: 2-1-06:56, 57 and 59, all owned by the applicant.

B. Project Description

The proposed action involves the construction of a pedestrian footpath and landscape plantings mauka of the shoreline and the construction of two (2) permanent cul-de-sacs and a paved parking area with landscape plantings within portions of a makai road parcel and the existing Lower Makena-Keoneoio Road right-of-way (Figure 2). This action will allow the closure of 1,100 feet of the Makena-Keoneoio Road fronting the Maui Prince Hotel. The proposed footpath will be situated a minimum of 20 feet mauka of the shoreline (vegetation line) and measure 6-feet in width and approximately 1,300 feet in length. This footpath will be situated within the County's Special Management Area. The proposed construction of the footpath involves limited grading work upon the sand dune situated between the shoreline and a makai road parcel.



Landscaping along the beach walkway will consist of the infill planting of shrubs and ground cover similar to existing vegetation in the area (e.g. naupaka; beach morning glory) between the shoreline and proposed beach walkway. This landscape planting work is situated within the minimum 20-foot shoreline setback area applicable to this parcel. The remainder of the sand dune will be maintained with lawn grass and existing kiawe trees, some of which will be selectively thinned. The makai road parcel will be landscaped with lawn grass.

The proposed cul-de-sacs will be situated at the north and south ends of the makai road parcel within portions of privately-owned and public lands. This improvement will include an asphalt turn around surface and concrete curbs and landscape planting, along with ten (10) paved and marked stalls in the public right-of-way adjacent to the south cul-de-sac for public beach parking use. The cul-de-sacs and ten (10) parking stalls are situated within the County's Special Management Area but outside or mauka of the 20-foot shoreline setback area.

Physical alternatives resulting from the proposed cul-de-sacs and road closure will be limited to scarification and minimal grading. Landscaping will be utilized for visual enhancement and as a form of erosion mitigation.

The economic characteristics of the proposed project cannot be accurately assessed; however, the contiguous access afforded to the main Maui Prince Hotel is considered an asset which may have some secondary effect on the hotel's operation. No economic impacts are expected to occur on nearby residents and neighbors and any costs involved are likely to be social rather than economic.

The social environment will be affected as a result of the road closure. Parties which frequent the area and utilize the Makena-Keoneoio Road for point to point access will be impacted in the fact

that some readjustment will be required in the transition from Makena-Keoneoio Road use to Makena Alanui use. This change is limited to vehicular access since pedestrian easement will remain open and unchanged. A degree of pedestrian safety will be insured by the removal of vehicular traffic and noise and air quality will improve which is consistent in maintaining the open and peaceful nature of the area.

C. Statement of Objectives

1. To implement the masterplan for the Makena Resort and provisions of the adopted Kihei Community Plan, pursuant to Ordinance No. 1490/Bill No. 85 (1984), and its predecessor Kihei-Makena Development Plan, relative to the closure of a section of the former Makena-Keoneoio Road fronting the Maui Prince Hotel and;
2. To provide public access to the shoreline and beach resources of the area.
3. To maintain a contiguous area in continuity with the existing Maui Prince Hotel site and the shoreline.

D. Funding and Phasing

The total cost of the proposed action is \$57,200.00, all of which will be assumed by the developer. Although the proposed action involves portions of County land, the proposed improvements will not involve the use of County funds.

The proposed project will be constructed in one (1) continuous phase with an estimated completion time of 45 days.



E. Historic Perspective

References to the traditional Pūlani Highway do not include the general area of the subject project in the catalogue of specific sections of the road. No historic references to the construction period of the subject portion of the road are available, however, maps dating back to the 1880's indicate that a road in the project area was noted.

Information currently available does not support prehistoric use of the Makena-Keoneoio Road, however, substantial use in historic times is acknowledged. It should also be noted that it appears that the alignment of the road has undergone change throughout this period of time.

Archaeological studies of the subject area also indicate that evidence of a continuous trail system from prehistoric times was found on or under the subject parcel. It was concluded that: a) any previous trail or roadway had been built upon and obscured, b) that no formally constructed trail existed, and c) that the older trail probably traversed the beach.

Historical and archaeological concerns are addressed in more detail in Sections V.D. and VII.E. as well as in the appendices.

#### IV. ALTERNATIVES CONSIDERED

Three alternatives have been considered for the Makena-Keoneoio Road Cul-de-sacs Plan. Each of the alternates would allow vehicular access over the existing right-of-way with improvements which would minimize traffic impacts on the hotel grounds. All three alternatives would require extensive construction and replacement of the existing unpaved road.

Alternatives considered are described below:

##### Alternative No. 1 - Overpass

This alternative would consist of the construction of a concrete pedestrian overpass with a 7' 0" wide walkway over the existing roadway from the hotel site to the beach (Figure 3). The overpass would be located just south of the hotel swimming pool area and would be connected to the existing hotel sidewalk there. To meet County roadway design standards, there would be a minimum clearance of 14' - 6" from the bottom of the overpass which would be wide enough to accommodate a County standard 56-foot wide right-of-way. Approximate cost \$180,000.

This alternative was not accepted on the basis that from an aesthetic standpoint, the overpass would be inconsistent with the overall Maui Prince Hotel Master Plan, with particular impact on the landscaping and the structural design of the hotel building. County roadway design standards would require a minimum clearance of 14'6" and this design standard would conflict with the scale of the hotel. Continued vehicular traffic would further produce noise, fugitive dust and vehicular emissions in the shoreline area.

##### Alternative No. 2 - Underground Tunnel

The alternative involves reconstruction of the road underground in a



tunnel with clear dimensions of 18' - 0" in height and 56' - 0" in width (Figure 4). The tunnel would be constructed with reinforced concrete walls and slabs. The tunnel length would be approximately 1,100 feet and the floor slab would serve as the road surface. Associated work for this alternative would include electrical, ventilation and drainage improvements.

The tunnel would be constructed partially below and partially above the existing ground, with fill being placed over it (Figure 4). The earth fill would be shaped and contoured to match the existing sand dunes adjacent to the tunnel. Lowering of the tunnel too much would increase its construction cost because of the solid rock and ground water which would have to be dealt with. Approximate cost \$22,695,200.

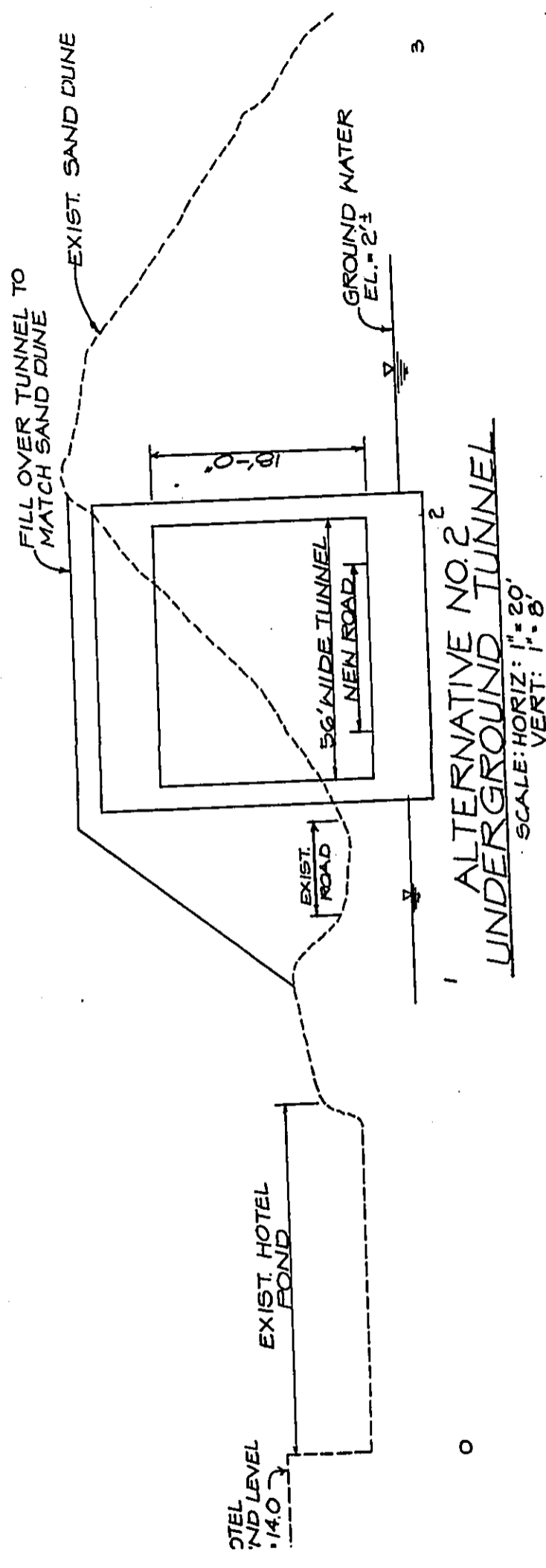
This alternative was not considered acceptable on the basis of cost and also the extensive physical impacts of drainage, air quality, and noise. The design of the tunnel would have to accommodate the water table in the Makena Road area and the impacts that could accrue to the off-shore waters from drainage and seasonal rains that could possibly cause flooding in the tunnel. A tunnel of this length will also cause noticeable air and noise impacts from the vehicular emissions and mufflers.

#### Alternative No. 3 - 56-Foot Right-of-Way

This alternative would lower the existing roadway to reduce its visibility from the hotel and to minimize the noise impacts of vehicles using the roadway (Figure 5). The roadway would be lowered to at least six feet lower than adjacent grounds. Extensive landscaping would be provided.

The roadway would be reconstructed to meet County of Maui standards with a 56-foot wide right-of-way consisting of a 36 feet wide A.C. pavement, concrete curbs and gutters, 6 feet wide concrete sidewalk, and related drainage facilities. Approximate cost \$929,385.

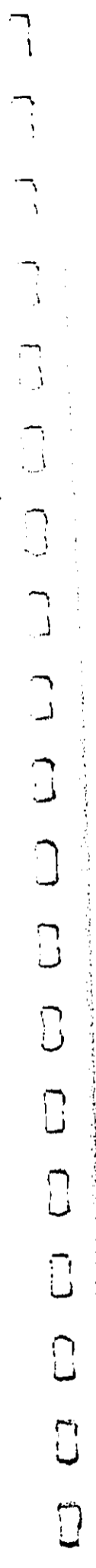
This alternative was not acceptable for similar reasons of air and noise



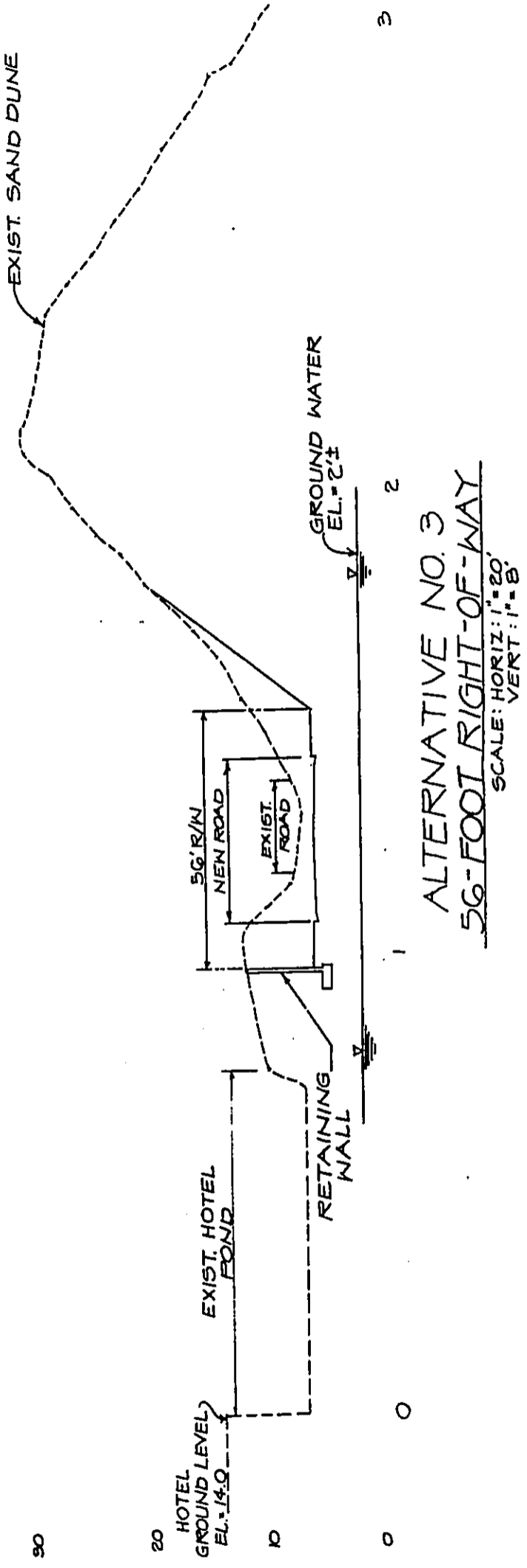
NOT TO SCALE  
**FIGURE 4**

**UNDERGROUND TUNNEL**

IV-4



10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30



NOT TO SCALE

FIGURE 5

IV-5

RIGHT-OF-WAY

quality impacts. While the depth of the excavation would not be as severe as the Tunnel alignment, the impacts due to drainage and near shore water runoff impacts could also be noticeable.

#### Alternative No. 4 - Pedestrian Underpass

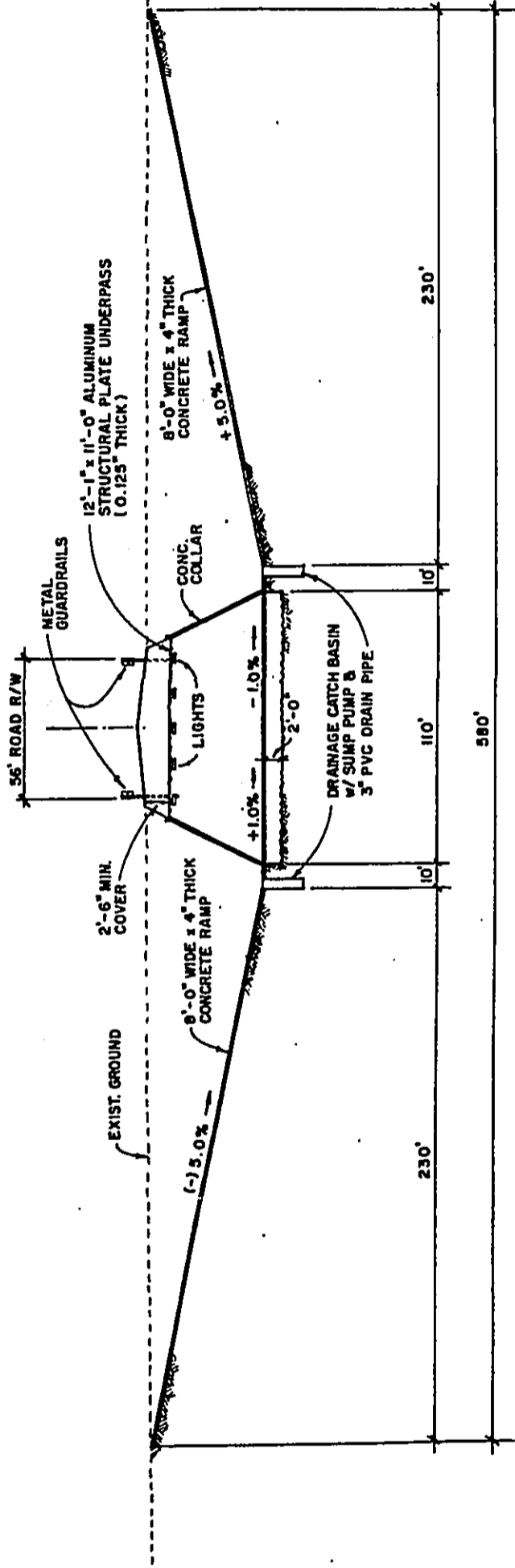
The pedestrian underpass alternative would involve the construction of a mauka-makai underpass below the existing right-of-way (Figure 6 & 7). The underpass structure would cover 110 feet; however, the entire length of the alternative, including access ramps on both sides, would involve approximately 580 feet. Metal guardrails will be placed along the right-of-way as a safety measure. Approximate cost \$350,920.

This alternative was similarly rejected, as were alternatives 2 and 3, because drainage during heavy rains presents a potential problem. The project site, which is located on the lowest spot of the Makena-Keoneoio Road, precludes the use of below grade structures due to susceptibility of flooding and attendant runoff disposal impacts on nearshore waters.

#### Alternative No. 5 - Cobble Stone Roadway and Sidewalks

This alternative consists of the improvement of the existing roadway to County standard with the addition of Cobble Stone pavers on the roadway and sidewalks. The roadway would be finished to a 56-foot right-of-way and would include appurtenant drainage and street lighting infrastructure. Approximate cost \$1,164,717.

This alternative was not considered acceptable due to air and noise impacts occurring on hotel and beach users. Traffic noise and airborne particulates currently present undesirable impacts on the existing environment and the addition of cobble stones, while more aesthetically pleasing, will do little to minimize these adverse impacts.



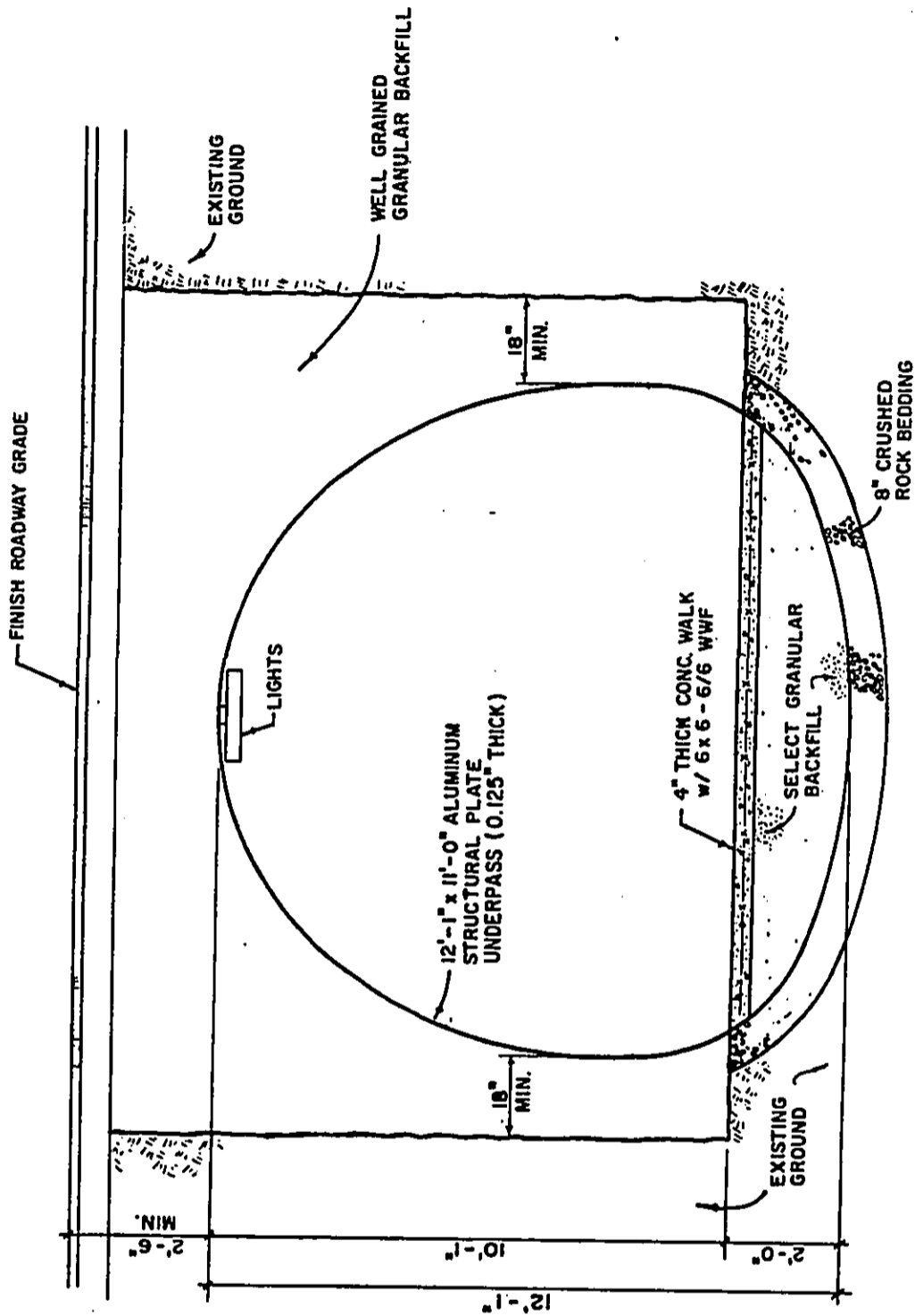
**PEDESTRIAN UNDERPASS PROFILE**

SCALE : 1" = 40' HORIZ.  
1" = 10' VERT.

NOT TO SCALE  
**FIGURE 6**

**PEDESTRIAN UNDERPASS PROFILE**





**PEDESTRIAN UNDERPASS SECTION**  
 SCALE: 1/2" = 1'-0"

NOT TO SCALE  
**FIGURE 7**

**PEDESTRIAN UNDERPASS SECTION**

Alternative No. 6 - Improved Roadway with Pedestrian Crossing Signals

This alternative would bring the existing section of the Makena-Keoneoio Road up to County standard and would include a pedestrian crossing traffic signal along with appurtenant drainage and street lighting infrastructure. Approximate cost \$675,175.

This alternative was rejected for reasons as mentioned in alternative No. 5

Alternative No. 7 - The "No Action" Alternative

In the present condition, the Makena Road creates noticeable impacts of air and noise impacts from the traffic that passes in front of the Maui Prince Hotel, affecting persons at the hotel and also others in the shoreline area. Efforts to landscape and keep the road watered down to alleviate the dust is minimal in its ability to mitigate this problem. Further, the traffic noise is also difficult to deal with in the present condition of the road. Paving or cobblestoning the road would do little to reduce this noise problem.

## V. THE ENVIRONMENTAL SETTING

### A. Geographical Characteristics

#### 1. Topography

The site of the proposed two (2) cul-de-sacs and public beach parking is situated on relatively flat land with gradual slope changes on the southern end of the area. The north cul-de-sac is approximately 4 feet above mean sea level while the south cul-de-sac is approximately 45 feet above mean sea level.

The proposed beach walkway will be situated on a sand dune formation.

The existing Lower Makena Road is cut into the mauka side of a large sand dune that ranges in height from 1 to 30 feet above mean sea level. The makai side of the dune slopes down to a coral sand beach; the mauka side slopes down to the road at a maximum slope of 20 to 25 degrees. Existing vegetation consists of large kiawe trees and shrubs and weeds. This sand dune serves to stabilize the beach area and is prone to erosion during periods of high surf conditions.

#### 2. Geology

The project site is situated near the southwestern rift zone of Haleakala and contains volcanic rocks and substrate of the Hana Volcanic Series which were produced by prehistoric aa and pahoehoe flows of basalt, picritic basalt, basaltic andesite and andesite (Stearns, 1946). Similar to other recent lava flows, the aa and pahoehoe substrate is relatively permeable.

### 3. Soils

There are two soil types in the project site (Soil Conservation Service, 1972). Along the shore, the soil type is identified as beaches; inland from the beaches, the soil is classified as Makena loam, stony complex, 3 to 15 percent slopes (MXC). The MXC soil type is described as having moderately rapid permeability (2.0 to 6.3 inches per hour) and high erodibility. The soil serves as good topsoil; however, it is not highly conducive for development purposes because of its erodibility and poor compaction characteristics.

### 4. Climate

The rainfall along the Makena shoreline average from 10 to 30 inches per year, with the greatest amount of rainfall occurring from the months of November through January.

The mean annual temperature for Maui near sea level, applicable to the site is 72° to 75° fahrenheit. Seasonal variation is approximately 5° to 8° different between the warmer months of August and September and cooler months of January to March. The wind direction is predominantly from the northeast quadrant (locally termed tradewinds). With the exception of summer, when winds reach velocities of 15 to 18 knots, winds are generally less than 10 knots.

## B. Hydrological Characteristics

### 1. Surface Water

There are no perennial streams or surface water supplies in the area due to the arid climate caused by the lack of orographic effect.

Although the area receives a low 20 to 30 inches of rainfall annually, there have been occasions when heavy rainfall is concentrated over a fairly short period. This previously caused flash flooding and runoff problems in the area.

2. Flood Insurance Study Designation

The project site lies within National Flood Insurance Program, Flood Insurance Rate Map Designation Zones A4 and C. Zone A4 is considered an area of 100-year flooding with determined base flood elevations and flood hazard factors. Zone C is considered an area of minimal flooding.

C. Biological Characteristics

1. Flora

The project site is located in an area designated as a beach zone which includes areas beyond the high-tide mark above the beach. This zone supports several species of indigenous plants common to most Pacific islands; namely, beach morning-glory, hau, scaevola, tree heliotrope and several introduced plants such as kiawe, slatbush, false mallow, sandbar and sow thistle. There are no known endemic or endangered species of plants within the project site.

2. Fauna

Birds more frequently seen in and inhabiting the area include the Common Noddy, Kolea or Pacific Golden Plover, Akekeke or Ruddy Turnstone, Wandering Tattler, Sanderling, Ring-Necked Pheasant, Indian Gray Francolin, Chukar Partridge, Rio-Grande Turkey, Spotted or Chinese Dove, Barred Dove or Zebra Dove, Barn Owl, Mockingbird, Common Mynah, Japanese White-Eye, House Finch or Linnet, Ricebird or Spotted Munia, House Sparrow, and the Cardinal.

The endemic Hawaiian bat might be found occasionally in the area. Introduced and common species of mammals found in the project area include the Roof rat or Black rat, Polynesian or Hawaiian rat, House mouse, and Small Indian Mongoose.

D. Archaeological and Historical Characteristics

1. Archaeological Characteristics

The State Parks Administrator, State Department of Land and Natural Resources, has advised that the Lower Makena Road and other areas of the project site do not involve historic properties that are listed on either the Hawaii or National Registers of Historic Places, or involve properties determined to be eligible for inclusion on the National or Hawaii Registers of Historic Places.

The Bishop Museum in a letter dated November 8, 1984 and February 2, 1987 has also indicated that no remains of a pre-historic road or trail have been located in the project area. A field study conducted by the museum also produced no archaeological evidence of a Hawaiian trail on, surrounding or beneath the section of the existing Lower Makena Road that is proposed for termination or within the adjacent sand dune area.

2. Historical Characteristics

An examination of documents by the Bishop Museum have not provided any substantial evidence of prehistoric use of the Makena-Keoneoio road in Makena, Maui. Specific references used in the search include various topographic maps, territorial survey maps, private land survey maps, aerial photographs, Land Court Awards, missionary and other early accounts, as well as various field notes and reports for previously conducted historical and archaeological research in this region of Maui.

References to the traditional Piilani Highway do not include this portion of the island in the catalogue of specific sections of the road, nor is there any reference to this portion when the road was constructed. In contrast to overland means of transportation, early accounts of missionaries and others report canoes were used as a means of transportation in this area.

Searches have been made of old maps to ascertain the historical usage of this portion of the road. The earliest reference to the next reference is an 1881 map showing an alignment, including this section, labeled "Kalepolepo Road." An 1885 map has this area labeled "road." A 1904 compilation of government maps shows a well-defined coastal alignment. The 1928 USGS map of the Makena quadrant shows a coastal alignment through this area. A 1950-51 USGS Aerial photo, Maui Series shows the coastal alignment is not well traveled. The 1954 USGS map for this same quadrant shows a coastal alignment but further inland. The 1983 USGS map shows the present alignment of the Makena Road. As indicated by these maps there has been a defined road in this area since possibly 1845.

The information obtained so far, while not supporting prehistoric use of the Makena-Keoneoio Road in this area, does indicate substantial use in historic times. However, it appears that the alignment of this road, has undergone change throughout this period of time.

In order to evaluate the significance of archaeological sites, the federal government has set forth the following criteria,<sup>1</sup> where a site should:

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<sup>1</sup> Federal Advisory Council on Historic Preservation has issued Guidelines for Consideration of Traditional Cultural Values in Historic Preservation Review (Draft/August 1, 1985).

- a. be associated with events that have made a significant contribution to the broad patterns of our history;
- b. be associated with the lives of persons significant in our past;
- c. embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. have yielded, or may be likely to yield, information important in prehistory or history.

This segment of the Makena-Keoneoio Road in Makena does not appear to fit any of these criteria. Most archaeological sites fit criterion D. However, this particular site has not yielded any information, and it is highly unlikely that it will yield any important information, due to the fact that its alignment has undergone considerable change during the course of its use.

It should be noted that a fifth criterion ("E") has been proposed, relating to the cultural value of the site to the ongoing society or cultural system. Since this criterion has not been adopted, the proposed project was not evaluated in that context.

E. Surrounding Land Uses

The project site is surrounded by the following land uses:

1. Area surrounding the proposed north cul-de-sac
  - a) North - existing Lower Makena Road and single family residences;



- b) East (mauka) - existing single family residences and undeveloped open area;
  - c) South - existing Lower Makena Road;
  - d) West (makai) - sand dune formation.
2. Area surrounding the proposed south cul-de-sac
- a) North - existing Lower Makena Road;
  - b) East (mauka) - horse stables;
  - c) South - existing Lower Makena Road;
  - d) West (makai) - sand dune formation.
3. Area surrounding the proposed pedestrian walkway on the sand dune
- a) North - existing single family residence;
  - b) East (mauka) - existing Lower Makena Road and the Maui Prince Hotel.
  - c) South - undeveloped lands and portion of the Makena golfcourse;
  - d) West (makai) - shoreline.

F. Related Projects

No related public or private projects are expected from the implementation of the proposed Cul-de-sacs Plan. The proposed project will transpire as a single and complete operation.



## VI. RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

The following agency actions are applicable to the proposed project and related improvements:

- A. The proposed construction of the pedestrian footpath and installation of landscape planting is subject to the following agency actions:
  - 1. Special Management Area (SMA) Use Permit, in accordance with Section 2-11 of Article II, SMA Rules and Regulations of the County of Maui.
  - 2. Shoreline Setback Approval, in accordance with Section 13.e of Article III, Shoreline Setback Rules and Regulations of the County of Maui (NOTE: This action applies to proposed landscape planting between the shoreline and requires Planning Directors approval).
  
- B. The proposed construction of the two (2) permanent cul-de-sacs and ten (10) paved parking stalls are subject to the following agency actions:
  - 1. Special Management (SMA) Use Permit, in accordance with Section 2-11 of Article II, SMA Rules and Regulations of the County of Maui.
  - 2. Application for Permit to Perform Work Upon County Highway, in accordance with Chapter 12.04, Maui County Code.
  
- C. The land use designations for project site are delineated, as follows in the adopted Kihei-Makena Community Plan, pursuant to Ordinance No. 1490 (1984):
  - 1. The area involving the proposed north and south cul-de-sacs are so delineated on the community plan land use map.

2. The area mauka of the shoreline between the bulbs of the proposed north and south cul-de-sacs and including the area of the proposed public parking stalls and the section of the Lower Makena Road proposed for closure are delineated for "Hotel" use in the community plan land use map.

3. A portion of the area near the north and of the proposed beach walkway is designated for "Public" use in the community plan land use map.

4. The area proposed for the beach walkway and landscape planting atop the sand dune are designated for "Hotel" use in the community plan map.

D. The proposed project is considered to be in compliance with the Hawaii State Plan and the State Functional Plans. The plans with the most significance to the proposed project are the State Recreation Plan, the State Tourism Plan, and the State Transportation Plan.

SEC. 226-8 Objectives and policies for the economy-visitor industry. The project area is designated for hotel, cul-de-sac, and public uses under current State and County land use regulations. The project under consideration will prove to be beneficial to the Maui Prince Hotel and consequently, the economy of the State's visitor industry. Although growth in the industry is desirable and the project's applicant has attempted to maintain an open channel in the planning process, conflicting interest between the developer and some community groups prevent concurrence on the actual value of the project to the community and the visitor industry.

SEC. 226-11 Objectives and policies for the physical environment-land-based, shoreline, and marine resources.

The beach fronting the project area is acknowledged as a valuable resource; and access to this resource will be maintained with the subject project. Although vehicular access to the beach will be limited, continuity between the road parcel and the surrounding grounds will be enhanced with improved landscaping and maintenance. The shoreline will not be affected by the proposed project and the surrounding physical environment will not be adversely affected and, in fact, may be enhanced as a result of the elimination of vehicular traffic.

SEC. 226-12 Objective and policies for the physical environment-scenic, natural beauty, and historic resources.

Potential conflicts with this objective may exist since the proposed project will improve the aesthetics of the area at the expense of an area of alleged cultural value.

SEC. 226-17 Objectives and policies for facility systems-transportation.

The proposed project will not have significant impact on transportation considerations as a result of the cul-de-sacs/road closure plan. Access along the Makena Alanui is significantly better than the Makena-Keoneio Road if measured by current governmental Standards. The impacts from the loss of direct point to point access will only affect a few residences located between the cul-de-sacs and the Makena Alanui. This impact is considered offset by the improved access along the Makena Alanui which serves approximately 90% of the current through traffic.

SEC. 226-25 Objectives and policies for socio-cultural advancement culture.

Historic use of the road parcel is acknowledged as is its possible cultural value; however, the site is not considered to be "culturally significant." The significance of the site is currently unresolved.

SEC. 226-103 Economic priority guidelines (b) Priority guidelines to promote the economic health and quality of the visitor industry.

The subject project has been thoughtfully planned and it is felt that all concerns regarding the project have been thoughtfully considered. The Cul-de-sacs Plan would allow open shoreline access to both hotel visitors and public residents; however, vehicular access between the cul-de-sacs would be eliminated. The project, which is properly setback from the shoreline, will allow good shoreline access; however, the loss of vehicular use along the parcel is noted as an offsetting impact.

SEC. 226-104 The proposed project may have some indirect effect on the areas economic growth by increasing the desirability of the Maui Prince Hotel. Regional growth in the future may occur as a result of additional resort growth. Access in the region is facilitated by the new Makena Alanui which serves as the major arterial. In this capacity, the Makena Alanui will divert most traffic away from the Makena-Keoneoio Road. This allows good shoreline access through the Cul-de-sacs Plan and the maintenance of a preserved, open environment without the concern of additional through traffic on the Makena-Keoneoio Road.

1. Conformance with the State Recreation Plan will be provided by improved access to the shoreline and the installation of public convenience facilities. Previously, access to the shoreline fronting the Maui Prince Hotel was restricted by fencing and lack of designated parking areas.

2. The objectives of the State Tourism Plan will be facilitated by the proposed project through the creation of unimpeded access from the hotel to the shoreline, the mitigation of fugitive dust, noise, and allowing visual continuity of the landscaped area. These areal considerations are considered important in establishing a first class resort.
  3. The State Transportation Plan objectives state that the transportation needs of the State should promote the efficient, economical, safe, and convenient movement of people and goods. These objectives are considered to be addressed by the proposed project which will facilitate safe and efficient pedestrian travel to the shoreline. Vehicular traffic is also improved through use of the Makena-Alanui which provides safe and efficient transport between the project termini.
- E. The General Plan of the County of Maui outlines objectives and policies similar to the State Plan. Sections relevant to the proposed project include: population, land use and the environments; economic activity; utility and facility systems; and human services.

#### Population, Land Use, and the Environment

No adverse impacts are expected on the physical environment. Scenic amenities and the physical environment will benefit from the proposed project while convenient access and parking to the beach will be maintained.

Traditional lifestyles for a few may be altered by the road closure; however, convenient access will be available via the Makena Alanui. No impacts are expected on fragile environmental resources.

#### Economic Activity

The proposed project is expected to indirectly enhance the economic

activity of the visitor industry by creating a more desirable environment for the hotel and resort.

#### Utility and Facility Systems

The subject project will support a transportation system which will enable people and goods to move safely, efficiently and economically. This will be promoted through the use of the Makena Alanui. The Makena-Keoneoio Road is currently in substandard conditions.

#### Human Services

The Cul-de-sacs Plan includes the use of improved public parking and restroom facilities which are in accordance with the objective of high-quality recreational facilities. Access to the beach is available to all and a wide range of recreation opportunities will not be limited.



## VII. ANTICIPATED IMPACTS AND MITIGATIVE MEASURES

Impacts of the proposed project can be viewed in the short-and long-term. Short-term impacts, beneficial and adverse, generally result from construction-related activities. Consequently, these impacts are of short-term duration and should last no longer than the duration of the construction. Long-term impacts, beneficial and adverse, result from the implementation and operation of the proposed project.

As previously noted, the proposed action will involve construction or improvements within a portion of County lands, namely the Makena-Keoneoio Road right-of-way (also referred to as the Lower Makena Road), and within a portion of the 20-foot shoreline setback area. However, for purposes of evaluating potential project impacts, this Environmental Impact Statement will address the cumulative impacts of the project or that of the total project, as previously described, and not just the portion of the project area, subject to the provisions of Chapter 343, HRS.

### A. Impact on Topographical Characteristics

Topographic alterations will be limited to construction of the cul-de-sacs and minor landscaping of the makai road parcel owned by the developer. Landscaping on the makai road parcel will consist of scarification of the existing road and regrassing. The construction of the proposed gravel beach walkway and landscape planting will not involve any extensive earthwork (e.g. grading) on the sand dune.

Appropriate measures shall be implemented during project construction to minimize the short-term impacts of the project relative to soil erosion from wind and rain and increased ambient noise levels from construction equipment.

B. Impact on Hydrological Characteristics

Physical alterations to the site are relatively minor and no impacts are expected on the hydrological characteristics in the area. Rainfall in the area is sparse, however, impacts occurring from occasional heavy rains should be adequately accommodated by drainage improvements outside of the project site.

C. Impacts on Biological Characteristics

Impacts on biological characteristics of the site will be limited to clearing of scrub along the road parcel and the cul-de-sac areas. No rare or endangered species of flora and fauna or associated major habitats are expected to be impacted by the action.

D. Impact on Archaeological Sites

1. In a letter dated October 15, 1985 from the State Parks Administrator, Department of Land and Natural Resources, it was advised that the makai road parcel does not involve historic properties that are listed on the Hawaii or National Registers of Historic Places or that have been determined to be eligible for inclusion on the Hawaii or National Registers of Historic Places.
2. In a letter dated November 8, 1984 from the Department of Anthropology, Bishop Museum, it was stated that no remains of a road or trail have been located in the subject area in any of the previous archaeological surveys. The letter also notes, however, that a coastal trail system most likely traversed this area and that it may be possible that the remains of this trail were destroyed or obscured by the construction of the Lower Makena Road. It is also noted that it may be possible that the trail known as Piilani, Hoapili, or the "King's Highway" continued through this area towards Kihei.

Currently, the only intact segments of this trail occur along a 13.5 mile stretch between La Perouse Bay and Manawainui Gulch. The letter also notes that the difference in terrain and topography may account for the lack of any formally constructed trail along the subject area. It was recommended that an archaeologist be present to monitor construction work within the makai road parcel, as a mitigative measure.

3. The applicant has submitted other information on archaeological and historical investigations of the project site and Makena area in a report entitled, Supplemental Archaeological and Historical Studies at Makena, Makawao, Maui Part I Archaeological Reconnaissance and Limited Sub-Surface Testing Notes on Makena (hereinafter "Supplemental Archaeological and Historic Study") dated March 1985 and prepared by Stephen D. Clark (Part I) and Marion Kelly (Part II) of the Department of Anthropology, Bernice Pauahi Bishop Museum for Seibu Tetsudo K.K.
4. According to Part I of the Supplemental Archaeological and Historic Study, the purpose of the study was to conduct an archaeological assessment of a portion of the existing Makena-Keoneio Road and surrounding area for evidence of a Hawaiian trail. A brief literature search revealed that numerous archaeological surveys have been conducted in the Makena area, including reconnaissance surveys and excavations with documentation of prehistoric and historic occupation of this area. The current study included a reconnaissance survey and sub-surface testing and excavation of the makai road parcel and surrounding area. The results of this current study indicate that there is no archaeological evidence of the existence of a Hawaiian trail on, around or under this section of the Lower Makena Road related to this proposed action. The sand dune contained scattered aa basalt cobbles and boulders on the surface, but no alignments were visible there or on the mauka

side of the adjacent makai road parcel. The report notes that based on the extensive prehistoric and historic archaeological remains along the Makena coast, a trail(s) must have existed to facilitate the movement of people and goods along the coast. Based on a study of trails on the island of Hawaii (Apple 1965), it is believed that a trail system in the Makena area could have evolved from a foot path to a horse path and eventually into a vehicular road. Information on the history of the Makena area suggests that its economic development (agriculture and cattle ranching) demanded better transportation routes after the period of European contact. The report also notes that even if the Makena-Keoneoio Road did not exist today, it would be difficult to find evidence (structural remains) of a Hawaiian trail in the sandy beach and dune areas, since such trails were generally not defined structurally.

A qualified archaeologist will be retained to appropriately monitor construction work. In the event any unanticipated archaeological, historic or cultural remains, sites, artifacts or resources are discovered during project construction, the consulting archaeologist shall cause work to stop and duly notify the State Historic Office, Department of Land and Natural Resources, State of Hawaii and the Department of Planning, County of Maui.

E. Impact on Cultural Resources

The following section is presented as compiled and evaluated by the County of Maui in a preceding Environmental Assessment for the subject project.

1. According to Part II, Historical Notes on Makena, in the Supplemental Archaeological and Historic Study, the historic study reveals that the Makena area, in general, maintains a rich cultural heritage, Hawaiian tradition, archaeological sites and

history. This study reveals that in the precontact period (before 1778) and into the post contact period, Makena was primarily a fishing community supplying fish and other products of the sea to residents of a wide geographical area, including the uplands of Ulupalakua. Perhaps as early as 1837, Makena became a cultural center with a church and a commercial center when supplies were brought in by ship for residents of the area and for residents of Ulupalakua, where a sugar plantation was established in 1841. Until the early 1900s, there are accounts that residents of Makena and Ulupalakua gathered on a weekly basis to share or exchange food products and other goods. Two (2) landings provided ocean transportation services in the Makena area, namely Torbert's Landing (now known as the "Old Makena Landing") and the Aupuni Landing (formerly at the site of the existing Keawalai Church). The Old Makena Landing, which is currently in ruins, was severely damaged by storm waves and abandoned in 1921.

2. Also, Part II of the Supplemental Archaeological and Historic Study provides information regarding Hawaiian trails in the Makena area. In general, during the precontact period (before 1778) walking trails (ala hele) connected residents of one coastal hamlet to another and the inhabitants of coastal hamlets to inland hamlets. Some trails were primarily for social and economic communication, and others primarily for fishing and gathering resources from the sea. These trails took many forms but tended to be less defined over sand dunes than over expanses of aa lava. Inland trails located on sand dunes, such as those between Makena and Kihei were not usually paved or constructed of waterworn stones, such as those over areas of aa lava. These inland trails on sand dunes were probably paths worn by the traffic on innumerable generations of inhabitants to maintain contact with each other for social and economic purposes. In general, the Hawaiian cultural values of cooperating and sharing were established during the

thousand or more years of occupation of the Hawaiian Islands by the first Polynesians. After the introduction of the private property concept in the mid-1800s, many trails were blocked or fenced and access to them otherwise diverted.

3. Also, Part II of the Supplemental Archaeological and Historic Study provides information on roads in the Makena area. The earliest maps of the Makena area that have been located indicate the existence of a Government Road (Aupuni Road) along the Kihei-Makena coast (Torbert Map 1845?) and Alexander Map (1866-1897). The alignment of this government road generally follows that of the existing Makena-Keoneio Road in the vicinity of the project area under review.
4. Also, in reference to Part II of the Supplemental Archaeological and Historic Study, it is recommended that a more in-depth cultural history of the Makena area be prepared (Appendix A), since the subject was only able to highlight some of the history of the Makena area. It is noted that such an in-depth written history would contribute substantially to understanding the relationship between the people and their resources at Makena in transitional Hawaii or that period between the curtailing of the Hawaiian subsistence economy and the expansion of the western market economy.
5. Also, according to an affidavit dated September 20, 1985 filed by Marion Kelly in re: Hui Alanui O Makena et al, Plaintiffs vs. County of Maui et al, Defendants in Civil No. 85-1087(3) in the Circuit Court of the Second Circuit, State of Hawaii, Ms. Kelly further states that "it is highly probable that further research may reveal that the subject roadway continues to be an integral part of the cultural heritage of the Makena community and should be preserved and protected." (Emphasis added) She also recommends that the additional research on the cultural history of the Makena area and its residents be

undertaken, prior to the initiation of any construction work within the makai roadway parcel. In terms of her affidavit and letter dated March 10, 1986, Ms. Kelly does not provide any specific information to support the basis for her conclusion that it is highly probable that further research may reveal that the Makena-Keoneoio Road continues to be an integral part of the cultural heritage of Makena.

6. As previously noted, the Seibu Makena Master Plan EIS accepted by the Planning Commission in 1975, as part of the Kihei General Plan Amendment, contains information describing and evaluating the impacts of the overall Seibu Resort development, including but not limited to cultural characteristics.
  
7. Relative to the issue of history and culture, the State Parks Administrator, Department of Land and Natural Resources, in a memorandum dated December 5, 1984, recommended that a thorough cultural study be undertaken, since the existing Makena appeared to be vital for the established fishing community of Makena, based on informant interviews with Makena residents. It was further recommended that this study include the following:
  - a) A thorough archival search to include maps, photographs and land documentation;
  
  - b) A collection of informant interviews to substantiate the cultural significance of the roadway; and
  
  - c) A study to examine the relationship of the Kiha-a-Piilani Trail, of which the existing Makena Road and section proposed for closure was a part of, and the significance of this trail in the overall context of Hawaiian history

and culture, in terms of the integrity of cultural use over time.

8. In order to further evaluate aspects of archaeological and cultural value, as noted in the State Parks Administrator's memorandum, Seibu Tetsudo K.K. commissioned with the Bishop Museum to undertake the study, which was previously discussed and identified as the Supplemental Archaeological and Historical Study.
9. In a broad sense, a "cultural resource" may encompass one or a combination of values associated with historic properties. The Federal Register provides the following criteria for "Criteria Significance" in 36 CFR Part 800:

The quality of significance in American History, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or



D. That have yielded, or may be likely to yield, information important in pre-history or history.

10. A fifth criterion for identifying "traditional cultural values, evaluating historic properties, considering the effects of proposed actions, evaluating alternatives, and establishing mitigative measures" is presently in draft form. It has not been formally adopted at this time, but offers guidelines that generally specify that consultation with communities, groups, and knowledgeable individuals be undertaken. These consultations should be with those people who may ascribe or be expert in the ascription of, traditional cultural value.

Finally, the guidelines specify that Federal review procedures do not require "the preservation of historic properties or the values they represent, but only their consideration in planning. Thus, the recognition of a cultural value in a property does not give the group to which the property is valuable a veto over its incompatible use." (Emphasis added)

11. At its meeting of March 18, 1986, the Planning Commission received a letter dated March 16, 1986 with an attached summary report from Marion Kelly, who is an anthropologist. Her written statement is a summary of findings and conclusions, based on her current research on Makena Road, undertaken subsequent to her report contained in the Supplemental Archaeological and Historic Study, as previously discussed. In her summary report, Ms. Kelly notes that the high chief, Piilani, has been identified as the person responsible for initiating the construction of a trail system that encircled the island of Maui. Ms. Kelly notes that Martha Fleming, a Maui historian, attributed

much of the building of the Maui trail system to Kiha-a-Piilani, son of Piilani, and dated the road to "about the year, 1516." According to Ms. Kelly's report, the reason for the establishment of the trail system by Piilani and its continued maintenance into the 19th century by Hoapili related to the development of Maui as a politically united geographic entity. The trail system provided the people of Maui with improved access to the cultural and political centers of the island and provided a means for Piilani and his supporting chiefs to protect people living in the farthest reaches of the chiefdom, thus, representing an integral aspect in the eventual unification of Maui under a single chief and the ultimate establishment of a unified kingdom of the Hawaiian Islands. According to Ms. Kelly's report, sections of "The Piilani Highway," "The Piilani Trail," "The Kings Highway" or "the Hoapili Trail" exist today between Keoneoio and Nuu, which is located near La Perouse Bay south of the project site and Puu Olai. Ms. Kelly's report also notes that this section of the trail was formerly designated on the State Register of Historic Places in the 1970's and assigned a rating of "valuable significance." In 1978, this site was proposed for nomination on the National Register of Historic Places. In 1980, due to an Attorney General's opinion, all sites listed on the State Register of Historic Places including the existing section of the Piilani trail near La Perouse Bay, were removed from the Hawaii Register of Historic Places, due to a procedural error relating to the notification of property owners. In her report, Ms. Kelly states that, "A trail system such as Maui had is a highly important part of Maui's history. Wherever it went and whatever its condition today, it should be preserved as an important window into Maui's past history. That its use changed over time, or that its character was altered

as the needs of the population changed, should have no bearing on its present value, except perhaps to reconfirm its original purpose and value to the original Hawaiian communities that it once served." Ms. Kelly also notes, "Modern use of the present road through the Makena community maintains one of the most important cultural elements in Hawaiian society: accessibility... The mauka-makai access component of Hawaiian society reinforces this value. The ililele concept also reinforces the importance of access to all the resources of the land and sea. Meaningful access today is vehicle access, at least in areas where access has meant vehicle access for fifty years or more." Ms. Kelly also notes that there is a precedent for preserving and designating trails on the National Register of Historic Sites, such as the case of the De Anza Trail in California, a portion of which is a two-lane black-top road. Ms. Kelly believes that the Piilani Trail is more important than the De Anza Trail and concludes that the proposed action to close the 1,100 foot section of the Lower Makena Road will have "a significant negative effect on Hawaiian cultural values and on Hawaiian cultural identity."

12. At its meeting of March 18, 1986, the Planning Commission received a letter dated March 17, 1986 from Edward Joesting, who is a historian. In his letter, Mr. Joesting cites an account by historian, Abraham Fornander, that Kiha-a-Piilani in the course of his reign "improved and caused to be paved the difficult and often dangerous roads over the Palis of Kaupo, Hana, and Koolau." According to Mr. Joesting, Fornander made reference to roads only in the areas of Hana, Koolau and Kaupo and not in any other district. Mr. Joesting also notes that the Atlas of Hawaii identifies Piilani's Highway

as being a part of an upper trail which descends through Ulupalakua, joining the coastal road in Kaupo. He points out that this would indicate that the Piilani Highway extended into the Makawao District of Maui along an upper trail and was not part of the seaside road running through Makena. Mr. Joesting also notes that while Margaret Fleming in her pamphlet, "Old Trails of Maui," indicated that the Kiha-a-Piilani Trail extended around the entire island of Maui, her conclusion is not borne out by earlier historical accounts. Mr. Joesting also notes that prior archaeological excavations within the project site and adjacent sand dune have yielded no evidence of the remains of a Hawaiian trail. He points out that it thus appears likely that the ancient path through Makena was largely for the convenience of its local population. He also notes that according to Dr. E.S. Craighill Handy, Makena was important in pre-history times for its fishing. It also noted that Dr. Handy believed that the population of Makena during pre-history times was greater than in later times, though no specific population figures were cited. Mr. Joesting cites an account in the journal of La Perouse, who was the first Westerner to land on Maui in 1786, in which La Perouse observed that as he sailed westward along the coast from Kipahulu to the area now known as La Perouse Bay, there was a noticeable decrease in the population, with villages consisting of "only ten or twelve widely separated huts - a great contrast to the country which was being left behind." Mr. Joesting also notes that transportation around the Hawaiian Islands and along the leeward sides in particular, was not limited to walking, that it was common to use canoes, and that during normal calm weather, travel by canoe was an easier and often preferred means of transportation. Mr Joesting also notes that an examination of the reports of the Road Supervisors for the

island of Maui indicates that the roads of Makena were of little significance in the mid-1800's, since there is no mention of any road work being done in Makena in the twenty year period between 1851 and 1871. Mr. Joesting also notes that Makena gained importance with the establishment and growth of the Ulupalakua Ranch which started as a sugar plantation in 1841. Shortly thereafter, a road to Makena was built or improved. Because Ulupalakua needed to ship out its sugar and produce and later to transport its cattle, Makena developed as an inter-island port and remained as such until the 1920s.

13. In his testimony presented to the Planning Commission on March 18, 1986 and in his affidavit dated January 7, 1986, Charles Keau stated that based on his experience in archaeological work in the Wailea-Makena area, the Piilani Road probably existed within the general alignment of the existing Lower Makena Road rather than along the upper trail to Ulupalakua, as noted by Mr. Joesting. Mr. Keau noted that his conclusion is based on the proximity of the Lower Makena Road to most of the known heiau in the area which were generally situated just mauka of a trail or road.
  
14. At its meeting of March 18, 1986, the Planning Commission also heard testimony from Rubellite Johnson, an assistant associate professor of Hawaiian at the University of Hawaii. Mrs. Johnson also noted that accounts by native historians, such as Kamakau and Malo, indicate that Kiha-a-Piilani, the son of King Piilani, was responsible for the construction of highways in Hana, Koolau and Kaupo but no mention has been made of his role in constructing a sea coast highway, paved trail, or other

trail in Makena. She also noted that based on archaeological test excavations within the project area, there is no evidence of any remains of an ancient Hawaiian trail. Mrs. Johnson also commented that she believes that cultural resources, in general, should be viewed within a broader cultural context, in terms of their contribution to the social and economic well-being of present and future generations of residents and not simply as features of the past to be preserved for their own sake.

15. At its meeting of March 18, 1986, the Planning Commission also heard testimony from Kahu Kealanahele, who is a Christian minister and a kahuna with a Ph.D. in Theology and Hawaiianology. Dr. Kealanahele presented some background on concepts of Hawaiian religion and its spiritual basis. He noted that Hawaiian culture is based fundamentally on a spiritual system and that remains of historically important Hawaiian sites, such as pohaku (e.g. rocks or stones), are watched over by a spiritual force. Dr. Kealanahele noted that it is his belief, based on his visits to the project site along Lower Makena Road, that this site does not exhibit the spiritual aspects of an important historical site.
16. In reviewing the affidavits filed and testimony presented by various individuals, it is recognized that there is a sentiment that the existing Lower Makena Road has cultural value, as a reflection of heritage, lifestyle and beliefs. Also, it has been noted in archaeological reports that although there is no physical evidence of any remains of an ancient Hawaiian trail within the area of the proposed action, namely the makai road parcel or adjacent sand dune, a coastal trail system most likely traversed this general area to facilitate the movement of people and goods along the coast. In summary, based on information

herein, it can therefore be reasonably concluded that the existing Lower Makena Road has cultural value.

17. However, although this section of the road has cultural value, it cannot be concluded that this portion of the road has cultural significance or significant cultural value for the following reasons:

- a) The proposed action to close a section of the existing Lower Makena Road for public vehicular access is substantially similar to and relevant to the previously accepted Seibu Makena Master Plan EIS, which evaluated the overall impact of the Seibu resort development on the Makena area and surrounding Kihei community. In particular, this EIS did not indicate nor was it an issue in the public review of this EIS that the section of the Lower Makena Road under consideration had cultural significance or significant cultural value.
- b) The proposed action to close a section of the existing Lower Makena Road is specifically identified as such in the land use map and written policies of the adopted Kihei Community Plan. Other written policies in this plan do not indicate or specify that this section of the Lower Makena Road is considered to be of cultural significance or significant cultural value.
- c) The site of the proposed action does not contain historic properties that are listed on either the Hawaii or National Registers of Historic Places or that have been determined to be eligible for inclusion on either the Hawaii or National Registers of Historic Places. In her summary report dated March 16, 1986,

Marion Kelly refers to the former designation of a section of "The Piilani Trail" on the Hawaii Register of Historic Places. However, this section of the trail is located near La Perouse Bay between Keoneoio and Nuu which is outside of the project area and south of Puu Olai.

- d) According to the archaeological report of test excavations within the makai road parcel and adjacent sand dune, there is no physical evidence of the remains of an ancient trail within this area.
- e) Considerable testimony both oral and written, was received from and/or presented by residents and other knowledgeable persons "who may ascribe or be expert in the ascription of traditional cultural value." Based on the testimony received from or presented by these various persons, it cannot be concluded that the section of the Lower Makena Road under consideration has significant value as a historic site or that this portion of the road is in fact part of "The Piilani Trail," as opposed to part of another ancient or historic trail or road that served to facilitate the transportation of goods and people in the Makena and outlying coastal areas.

In summary, based on the aforementioned, it can be reasonably concluded that this section of the Lower Makena Road has cultural value; it cannot, however, be concluded that this section of the road has cultural significance or significant cultural value.

18. The Bishop Museum report dated December 9, 1986, was conducted to meet certain requirements that would fulfill previously incomplete analyses of this section of



Makena Road. Subsequent work by the Bishop Museum was summarized as follows:

The Museum's evaluation is specifically focused within the 1,100 ft. by 40 ft. boundaries of the road segment parcel and seeks to substantiate the presence or absence of long term morphological and locational integrity for this access-corridor. Previous subsurface investigations revealed no evidence of an underlying roadbed or other cultural features and concluded that: a) any previous trail or roadway had been built upon and obscured, b) that no formally constructed trail existed, and c) that the older trail traversed the beach. The geography of the area coupled with knowledge of similar areas on other islands, such as North Kona tends to support the third possibility that prehistoric access-corridors, limited to pedestrian travel, traversed the beach or the dune top from where the neighboring landmarks and the ocean were clearly visible. No formally established corridor was necessary in the sand areas. However, with the introduction of draft animals and especially wheeled vehicles during the historic period, clearly established, fairly permanent, and stable access corridors became necessary. In the subject area, this more than likely meant the inland shifting of the corridor, off of the sand, and behind the dune. Evidence is available that attests to compounded disturbances to the existing roadway violating its locational as well as morphological integrity. The access-corridor can be viewed either as a conceptual right-of-access, as some of the comments have indicated or simply as the physical entity extant within the subject parcel. The Museum is taking the latter position and evaluating the existing roadway segment as lacking the necessary integrity for consideration under the Federal criteria. In this regard, there are several factors that need clarification: 1) the parcel is presently

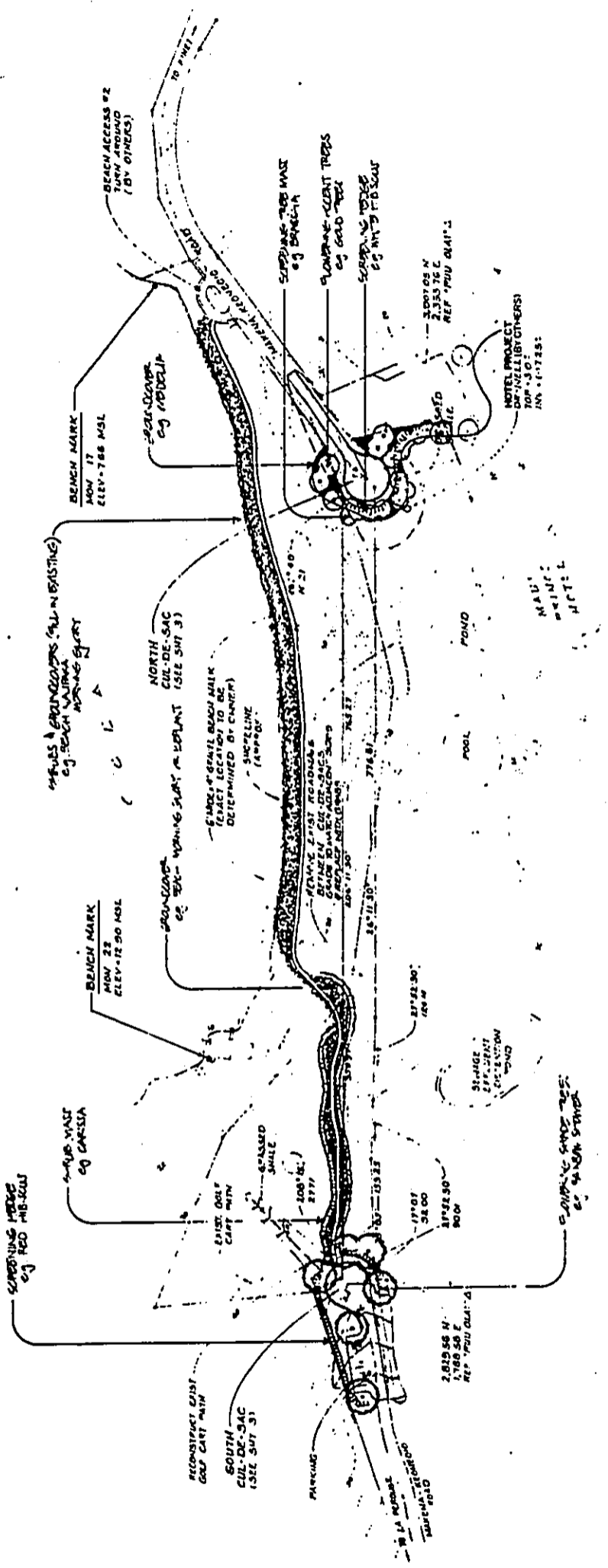
under private ownership, 2) neither the determination of eligibility nor inclusion in the National Register guarantees nor necessitates preservation, only mitigation of adverse effect as applicable, and 3) in this instance, covering the roadway with fill would not constitute an adverse effect.

In response to the comments regarding the cultural significance issue, we feel that we have adequately addressed this aspect. We have a major difficulty with the concept of continuous integrity of the trail system from prehistoric times till the present as put forth by several of the letters we have reviewed. Therefore, based on careful evaluation we conclude that, although cultural value may be inferred, the subject section of roadway does not have cultural significance or significant cultural value.

F. Impact on Public Shoreline Access

1. The construction of the proposed beach walkway will provide improved access along the entire stretch of the adjacent sandy beach between the Makena-Keoneoio Road and the proposed south cul-de-sac and thereby improve public access to and support public use of this beach resource and off-shore waters for recreational and fishing purposes (Figure 8).
2. The existing public beach access to the shoreline is situated on the north side of the sand beach area. As part of prior SMA Permit approvals, the developer was required to provide this beach access, with an adjacent vehicular turn-around along the Makena-Keoneoio Road and 25 paved public parking stalls and a restroom facility situated mauka of the nearby Keawalai Church. These improvements have been completed.
3. The proposed action will provide a shoreline walkway atop the

XEROX COPY



MAKENA - REONEDIO ROAD  
PLAN  
SCALE 1"=80'  
NORTH

NOT TO SCALE

# PRELIMINARY LANDSCAPE PLAN      FIGURE 8

sand dune, which is along the section of the existing Makena-Keoneoio Road that will be closed, and in this sense will maintain, a coastal trail that is believed to have existed during either prehistoric or historic periods.

The applicant will execute an agreement with the County of Maui to assume the responsibility for the maintenance of the existing public beach access, public beach walkways and public parking area at the south cul-de-sac and maintenance of the landscaped area mauka of the shoreline.

G. Impact on Vehicular Access

1. The proposed cul-de-sacs will eliminate or restrict public vehicular access along a 1,100 foot long section of the existing Lower Makena Road. However, an alternate access road, the Makena Alanui has been dedicated to the County and is currently available for public use. There are existing lateral roadway connections between the Makena Alanui and Lower Makena Road to provide vehicular access to all Makena abutting private properties and public-owned properties within the area. As such, the proposed cul-de-sacs will not preclude or prevent vehicular access to surrounding properties in the area.
2. The Makena Alanui from Wailea to Makena is a 60-foot wide right-of-way and a two-lane undivided road, as compared with the existing Makena-Keoneoio Road which varies in width from 10 to 20 feet and is in a generally substandard condition. As such, the Makena Alanui provides improved vehicular access to the Makena area over that of the existing Makena-Keoneoio Road.
3. With the proposed project and closure of a 1,100 foot long section of the Lower Makena Road, neighboring properties surrounding the proposed north and south cul-de-sacs will no

longer be connected by a more direct and convenient vehicular access. Although the mauka Makena Alanui and its lateral accesses to the existing Lower Makena Road will generally provide improved vehicular access in the Makena area and allow vehicular access to all abutting private lands (other than that owned by the applicant) and public-owned lands, this inconvenience to neighboring property owners or residents cannot be avoided.

4. As previously noted, the earliest available maps of the Makena area indicate that a government coastal road existed along the Makena coast generally following the alignment of the existing Makena-Keoneoio Road. Also, as previously noted, the makai road parcel does not contain historic properties that are listed on either the Hawaii or National Register of Historic Places or that have been determined to be eligible for inclusion on the National Register of Historic Places.
5. Informal traffic counts have indicated that the Makena Alanui supports approximately 90% of the through traffic while the old Makena-Keoneoio Road carries approximately 10% of the through traffic. The County of Maui has required the installation of traffic directional signs along the Makena-Keoneoio Road to indicate through access available on the Makena Alanui.

Traffic counts were conducted by Seibu-Hawaii on the Makena-Alanui and Makena-Keoneoio Roads in both north and south bound directions for the dates and time periods listed below. These counts indicate the total number of trips generated in both directions and the trips being re-directed to Makena-Alanui Road since the completion of that bypass road.

<u>Roadway</u>	<u>Time Period</u>	<u>Northbound</u>	<u>Southbound</u>	<u>Date</u>
Makena-Alanui	9:00 a.m. to 4:30 p.m.	249	203	1/4/87 Sunday
Makena-Keoneoio	Same	33	28	
Makena-Alanui	9:00 a.m. to 4:00 p.m.	133	159	1/7/87 Wednesday
Makena-Keoneoio	Same	26	28	
Makena-Alanui	7:30 a.m. to 7:00 p.m.	627	666	1/15/87 Thursday
Makena-Keoneoio	Same	126	126	
Makena-Alanui	6:00 a.m. to 6:00 p.m.	610	608	1/25/87 Sunday
Makena-Keoneoio	Same	125	90	
Makena-Alanui	6:00 a.m. to 6:00 p.m.	653	635	1/26/87 Monday
Makena-Keoneoio	Same	107	98	
<u>Total Trips</u>				
Makena-Alanui		2264	2271	
Makena-Keoneoio		412	369	
Total Trips		2676	2640	

#### H. Impact on View Planes

Presently, there are limited view vistas or corridors from the makai road parcel due to the presence of large sand dune between the Lower Makena Road and the shoreline. The proposed action will leave the makai road as an open space landscaped area without any structures. Further, the realignment of traffic along the mauka Makena Alanui will provide pedestrians and vehicle occupants with view vistas of the shoreline and the offshore areas, although at a greater distance than that along the Lower Makena Road.

#### I. Impact on the Sand Dune Formation

1. It is anticipated that there will be minimal adverse impacts on this resource. As previously noted, the construction of the proposed shoreline walkway will not involve any extensive

earthwork (e.g. grading, grubbing or cut and fill) within the sand dune. Also, the landscape planting plan for the area of the sand dune will involve infill planting of existing vegetative species, the planting of grass and selective thinning of existing trees. The landscape planting will lessen any erosion of the sand dune and thus stabilize this formation.

2. With the improvement of public beach access to this beach and operation of the Maui Prince Hotel, it is reasonable to assume that there will be increased public use of this area.

No building improvements are proposed to be constructed on or immediately adjacent to the sand dune. The Maui Prince Hotel complex is setback approximately 300 feet mauka from the shoreline and the sand beach area. With proper maintenance and restrictions on the encroachment of buildings or structures within the sandy beach area or dune formation, increased public use of the area can be accommodated with minimal degradation of the shoreline environment. The proposed 1,300 foot long unpaved beach walkway will provide improved pedestrian access within the area and also discourage people from walking over beach vegetation. This walkway would have negligible impacts on beach erosion or coastal processes (e.g. movement of sand along the shoreline), since this structure is not designed to deflect wave action, as in the case of a seawall revetment, and therefore affect the transport of sand. The existing sand dune formation will remain intact as a coastal resource.

J. Social Aspects

The proposed project implements adopted County policies relative to the development of the Makena area, in particular that of the adopted Kihei-Makena Community Plan. Given the relatively "rural" environment of the Makena area today, it is reasonable to assume

that the hotel and the proposed project contribute to perceptual changes in the physical environment and uses of the area. However, as previously noted, the proposed project is consistent with the adopted Kihei-Makena Community Plan, which identifies land use, social, economic, and environmental policies appropriate for the Makena area and implements the broad policies set forth in the adopted General Plan of the County of Maui, pursuant to Ordinance No. 1052 (1980).

K. Impact on the Shoreline Setback Area

1. Pursuant to Section 6.C. of the Shoreline Setback Rules and Regulations, the parcels, identified by TMK 2-1-05:57 and 59, proposed for portions of the unpaved beach walkway and landscape planting improvements qualify for a 20-foot shoreline setback, because the buildable area of the parcels are reduced to less than 50 percent of the parcel area after applying the 40-foot shoreline setback and other State and County requirements.
2. The construction of the gravel shoreline walkway is not expected to alter the natural character of the existing shoreline. It should be noted that, pursuant to Section 13.3. of the County's Shoreline Setback Rules and Regulations, landscape planting is permitted within the shoreline setback area, subject to approval by the Planning Director.

The makai edge of the shoreline walkway will be constructed no closer than twenty (20) feet mauka of the certified shoreline.

L. Impact on Drainage and the Flood Hazard District

1. Based on comments from the Department of Public Works ("DPW"), it is noted that the agency will require the submittal of a detailed drainage plan, as part of its subsequent review



of construction plans. According to DPW, given the nature of the proposed project, it is not expected that the project will result in significant impacts relative to drainage or flooding within the surrounding area.

2. Also, according to the DPW, the proposed project is a permitted development, pursuant to Chapter 19.32, Maui County Code relating to flood hazard districts.

M. Design Requirements

The DPW comments also specify various design requirements (e.g. installation of sidewalks; handicapped ramps etc.) that apply to the proposed project. According to the DPW, these requirements should be incorporated in the detailed plans required in terms of subsequent construction approvals.

N. Construction-Related Impacts

During construction, it is anticipated that the project will contribute, to short-term adverse impacts associated with dust, soil erosion, noise and traffic-related impacts. These impacts can be mitigated by implementing appropriate mitigation measures during construction.

VIII. THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY AND IRREVERSIBLE/IRRETRIEVABLE COMMITMENTS OF RESOURCES

The proposed project would remove the subject portion of the Makena-Keoneoio Road from existing vehicular use. This loss would not affect pedestrian access, however, it would terminate what is considered a portion of a continuous coastal access route. The portion of road under consideration has been determined to have possible cultural value, however it is not considered culturally significant.

It is anticipated that the construction of the proposed project will commit the necessary construction materials and human resources (in the form of planning, designing, engineering, construction labor, landscaping, and personnel for maintenance functions). No construction materials are likely to be reused. Labor expended for this development is not retrievable. However, labor will be compensated during the various stages of the project by the developer, commercial businesses, and the buildings's management.

The appearance of the project site will be altered from its arid, undeveloped appearance to that of an integrated landscaped, open space. The development will be highly visible as an open space integrated with the surrounding areas.

Air and noise quality will be improved by this proposed project. While ambient air and noise quality in the area is relatively good, the proposed development will eliminate vehicular access through the project area, resulting in no vehicular pollution and fugitive dust.

The project development will result in a commitment of land for a long-term period. Once open space use is established, it is unlikely that

the land will be reverted to other development in the long-term future. Commitment of land for this purpose will likely foreclose certain future use options of the land.

The project development will, in the short- and long-term result in resort and recreational access uses which will likely benefit residents, resort guests, the landowner and private businesses. This benefit may also be viewed as a cultural loss to some, however, this issue cannot be valuated and determined definitively.

IX. ANY PROBABLE ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

The following adverse environmental effects (both short- and long-term) cannot be avoided.

- (1) Vehicular access between the two cul-de-sacs on the existing road will be lost. This will prevent road side parking on the existing roadway, however, parking will be provided at the cul-de-sacs. This access has been redirected on the Makena Alanui. Pedestrian access along the Makena-Keoneoio Road will be redirected to a nearshore applicant provided pathway.
- (2) The site-clearing and construction work will result in temporary fugitive dust, some disruption to traffic, and noise.
- (3) While the proposed project will redirect some traffic from a continuous coastal access routes, the historical significance of the subject parcel is an unresolved issue. Claims of the site's historic significance have been taken into consideration and an attempt at evaluation has been provided in the text of this document and in the appendicies. While there is no absolute concurrence of the significance of the site, it should be noted that if the site is taken out of the existing use, cultural value will remain in the acknowledgement that the roadway was part of a larger regional system.

X. SUMMARY OF UNRESOLVED ISSUES

At this time, there are no unresolved issues from the standpoint of potential physical impacts. A question of the cultural impact of the proposed action has been raised; however, no concurrence has been obtained on the actual value of the site in question. It should be noted that the Bishop Museum has concluded that the site is not significant and supports this determination. Alternatives to the proposed action were developed but were found to be less desirable than the subject project.

XEROX COPY



# B I S H O P M U S E U M

1525 BERNICE STREET • P.O. BOX 19000-A • HONOLULU, HAWAII • 96817 0916 • (808) 847-3511

DATED: FEBRUARY 2, 1987  
MEMO TO: FRED RODRIGUEZ, ENVIRONMENTAL COMMUNICATIONS, INC.  
FROM: AKI SINOTO, DEPT. ANTHROPOLOGY, BISHOP MUSEUM  
RE: FIELD ASSESSMENT MAKENA ROAD

On Friday, Jan. 30, 1987, Dr. Paul Cleghorn and myself from the Dept. of Anthropology conducted an on-site assessment of the remains of the stone wall described in Kelly's 1987 report. Mr. Roy Figueroa, of Seibu Hawaii, Inc., met us at the airport and showed us the area.

Generally, the character of the surface remains appears as described in the report. Some pertinent additional current observations not included in the Kelly report, are as follows:

- 1) further disturbance must have occurred following the bulldozing, since at present, the volume of stones near the area does not represent enough to have constituted a wall 4-500 ft. in length,
- 2) based on the nature of the existing remains, it was not possible to accurately determine what the original location and orientation of the wall alignment were, although the existing rubble occurs in sand from 5 to 15 a makai of the existing roadway,
- 3) the Kelly report did not specify whether the wall continued beyond the McPhee driveway, to the south where no current indications are present, and
- 4) the only substantial rubble alignment occurs northward from the McPhee driveway where it joins a relatively intact wall alignment that runs seaward along the driveway edge, however this disturbance appears to be of more recent origin as evidenced by the debris and fine dirt intermixed with the stones.

The following conclusions and interpretations are based on the observed remains as well as the existing topographical conditions.

- 1) a wall of presently indeterminate function--property boundary, animal enclosure/enclosure, or sand dune retaining/barrier--may have existed somewhere between 1-15 a makai of the present roadway,
- 2) the existing walls and structures in the area may have utilized the stones dislodged from the wall, resulting in the paucity of rubble observed,

- 3) the prehistoric traveller would most certainly have walked on the beach or atop the dune from where the neighboring landmarks, Molokini Island, Maluaka and Nahuna Points, and the ocean are clearly visible.
- 4) The necessity for a permanent, well established and protected roadway would have moved the access corridor mauka of the dune during the historic period only after the introduction of wheeled vehicles.
- 5) A lack of locational integrity is indicated for the specified segment of roadway that parallels the dune area. The bulldozing conducted by the military to widen the road as described in the Kelly report is an example. It appears that until recently the access-corridor has been shifted in accordance to the needs of the user.

If you have any further questions, please contact either Dr. Paul Cleghorn or myself at 848-4110.

XI. AGENCIES AND ORGANIZATIONS CONSULTED FOR THE MAKENA-  
KEONEOIO ROAD CUL-DE-SACS PLAN DRAFT EIS

<u>ORGANIZATION/AGENCIES</u>	<u>Date of Comment</u>	<u>Date Comment Received</u>	<u>Date of Response</u>
<u>State</u>			
OEQC	-----	-----	-----
Department of Agriculture	1/19/87	1/22/87	NRN
Department of Accounting & General Services	12/30/86	1/02/87	NRN
Department of Defense	12/30/86	1/02/87	NRN
Department of Health	1/07/87	1/13/87	2/06/87
Department of Land & Natural Resources	1/22/87	1/24/87	2/06/87
Department of Planning & Economic Development	1/20/87	1/23/87	2/06/87
Hawaii Housing Authority	1/07/87	1/12/87	NRN
Department of Transportation	1/29/87	2/03/87	NRN
<u>University of Hawaii</u>			
Department of Anthropology	1/19/87	1/24/87	2/06/87
Environmental Center	1/22/87	1/23/87	2/06/87
Department of History	1/21/87	1/23/87	2/06/87
Marine Programs	-----	-----	-----
Water Resources Research Center	1/22/87	1/24/87	NRN
<u>Federal</u>			
Army-DAFE (Facilities Eng. -USASCH)	-----	-----	-----
Department of the Navy	12/23/86	12/29/86	NRN
Soil Conservation Service	1/13/87	1/19/87	NRN
U.S. Army Corps of Engineers	-----	-----	-----
U.S. Coast Guard	-----	-----	-----
U.S. Fish and Wildlife Service	-----	-----	-----
U.S. Geological Survey	-----	-----	-----
<u>County of Maui</u>			
Department of Parks and Recreation	1/22/87	1/24/87	NRN
Department of Public Works	1/12/87	1/15/87	2/06/87
Department of Water Supply	12/29/86	1/12/87	NRN
Economic Development Agency	12/24/86	12/29/86	NRN
Maui Community College Library	-----	-----	-----
Planning Department	1/22/87	2/03/87	2/06/87



Agencies and Organizations Consulted  
(Continued)

<u>PRIVATE ORGANIZATIONS</u>	<u>Date of Comment</u>	<u>Date Comment Received</u>	<u>Date of Response</u>
American Lung Association	-----	-----	-----
Hawaiian Electric Company	-----	-----	-----
Kihei Community Library	-----	-----	-----
Maui Historical Society	-----	-----	-----
Hui Alanui O Makena	1/21/87	1/24/87	2/06/87
" " " "	1/22/87	1/24/87	2/06/87
Office of Hawaiian Affairs	1/22/87	1/24/87	2/06/87
Sierra Club, Maui Group	1/22/87	1/23/87	2/06/87
The Protect Kaho'olawe Ohana	-----	-----	-----
Society for Maui Archaeology	-----	-----	-----
Kanaio Community Association	-----	-----	-----
Elaine Wender	-----	-----	-----
Ms. Inez MacPhee Ashdown	-----	-----	-----
Elvira C. Bryant	12/24/86	1/22/87	2/06/87
J. Christierson	12/26/86	1/22/87	2/06/87
Mr. & Mrs. James N. Dezendorf	1/08/87	1/22/87	2/06/87
Mr. & Mrs. Christopher Cockett	1/29/87	1/31/87	2/06/87
Native Hawaiian Legal Corporation	1/21/87	1/24/87	2/06/87

NRN: NO RESPONSE NEEDED

XII. ORGANIZATIONS AND AGENCIES CONSULTED/EIS PREPARATION NOTICE  
COMMENTS

<u>Organizations/Individuals</u>	<u>Date of Comment</u>	<u>Date Comment Received</u>	<u>Date of Response</u>
Maui Historical Society	9/26/86	9/29/86	--
Hui Alanui O Makena	9/19/86	9/23/86	9/23/86 - 12/12/86
Sierra Club	9/19/86	9/23/86	9/23/86
Protect Kahoolawe	9/20/86	9/23/86	9/23/86
Inez Macphee Ashdown	9/19/86	9/22/86	9/23/86
Leslie Ann Bruce	9/19/86	9/22/86	9/23/86
Kanaio Community Association	9/18/86	9/22/86	9/23/86
Elaine Wender	9/03/86	9/04/86	9/04/86

XEROX COPY

I wish to be a  
consulted party in  
the EIS process for  
Malena-Keoneoia Rd  
cul-de-sacs Plan  
Malena, Maui. Please  
send me a copy of  
The Environmental  
Assessment and EIS  
prep. notice immediately  
by air first class mail,  
and copies of the  
draft & final EIS  
when available  
Mahalo

Flaine Wender  
SR 93  
HA'IKU, HI 96708

September 18, 1986

Dear Environmental Communications, Inc.,

Please find enclosed a copy of a letter sent to the Fort Street  
Hall address; this copy is being sent to your post office box  
number to ensure that you receive it by the September 22, 1986  
deadline.

Sincerely,  
Francis Santiago

SEP 22 1986

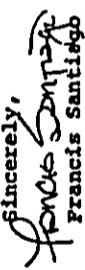
2045 South Kihei Road  
Kihei, Maui, Hawaii 96753  
September 18, 1986

Environmental Communications Inc.  
1146 Fort Street Mall, Suite 200  
Honolulu, Hawaii 96813

Dear Environmental Communications Inc.,

Kanaio Community Association requests that it be made a consulting party to the Environmental Impact Statement that will be prepared on Seibu Hawaii, Inc.'s proposed project to construct culs-de-sac on a portion of Makena Road in Honua'ula, Maui. This request is made on a timely basis; the notice published in the Office of Environmental Quality Control Bulletin set September 22, 1986 as the cut off date for requests to become a consulting party.

Please send all necessary documents to the address listed above, including the Environmental Assessment that was prepared for the Makena Road culs-de-sac and a copy of the draft of the Environmental Impact Statement when it is ready for review.

Sincerely,  
  
Francis Santiago  
Senior Vice President  
Kanaio Community Association

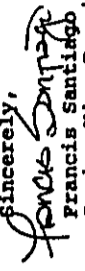
2045 South Kihei Road  
Kihei, Maui, Hawaii 96753  
September 18, 1986

Environmental Communications Inc.  
1146 Fort Street Mall, Suite 200  
Honolulu, Hawaii 96813

Dear Environmental Communications Inc.,

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Please send all necessary documents to the address listed above, including the Environmental Assessment that was prepared for the Makena Road culs-de-sac and a copy of the draft of the Environmental Impact Statement when it is ready for review.

Sincerely,  
  
Francis Santiago  
Senior Vice President  
Kanaio Community Association

SEP 22 1986

XEROX COPY

Society for Maui Archaeology  
P.O. Box 3  
Paia, Maui,  
HI 96779

September 19, 1986

Environmental Communications Inc.  
P.O. Box 536  
Honolulu, HI 96809

Dear Sirs:

This is to request that I be made a consulting party on the Seibu Environmental Impact Statement on the proposed construction of cul de sacs on the Makana Road.

I would appreciate being sent a copy of the current environmental assessment and a copy of the first draft of the Environmental Impact Statement that is being drafted by your organization. Kindly send me all additional documents relating to the Makana Road.

Your service is greatly appreciated.

Very truly yours,

*Lesley Ann Bruce*  
Lesley Ann Bruce

SEP 22 1986

P.O. Box 918  
Wailuku, Maui, HI 96793  
September 19, 1986

Environmental Communications Inc.  
P.O. Box 536  
Honolulu, HI 96809

Dear Sirs:

I would appreciate being made a consulting party on the Seibu Environmental Impact Statement relating to the Malena Road and proposed construction of cul de sacs.

Thank you very much.

Yours truly,

*Inez MacPhee Ashdown*  
Inez MacPhee Ashdown

SEP 22 1986

Sierra Club  
P.O. Box 694  
Makawao, Hawaii  
96768

Environmental Communications, Inc.  
P.O. Box 536  
Honolulu, Hawaii 96809

September 19, 1986

Dear Sirs,

The Maui Group of the Sierra Club would like to be made a consulting party to the Environmental Impact Statement that will be prepared by your office on Seibu Hawaii, Inc.'s proposed project to construct cul-de-sacs on a portion of the Makana-Keoneo Road on the island of Maui. Sierra Club's Maui Group has followed the developments concerning this section of the Makana-Keoneo Road for the past two years and feels that it is in a favorable position to comment on the environmental impacts that will be caused by the proposed project.

Please send all necessary documents to the address listed above, including the Environmental Assessment that was prepared for the project and a copy of the Draft Environmental Impact Statement when it has been prepared and is ready for review.

Sincerely,  
*Mary Evanson*  
Mary Evanson  
Chairperson  
Sierra Club, Maui Group  
Hawaii Chapter

SEP 23 1986



## PROTECT KAHO'OLAWE 'OHANA

September 20, 1986

HAWAII  
11 Koa Lane  
Maui, Hawaii 96720

P.O. Box 409  
Maui, Hawaii 96712  
P.O. Box 983  
Maui, Hawaii 96743

P.O. Box 833  
Maui, Hawaii

MAUI

P.O. Box 287  
Maui, Hawaii 96713

P.O. Box 254  
Maui, Hawaii 96713

MOLOKAI

P.O. Box H  
Kamuela, Hawaii 96748

LANAI

P.O. Box 44  
Lanai, Hawaii 96768

OAHU

790 Leeward Street #14-H  
Honolulu, Hawaii 96820

41-175 A Aiea Road  
Honolulu, Hawaii 96744

65-134 Old Parakee Road  
Waianai, Hawaii 96792

MAUI

P.O. Box 368  
Honolulu, Hawaii 96716  
523 Kamehale Street  
Maui, Hawaii 96745

ENVIRONMENTAL COMMUNICATIONS, INC.  
P.O. Box 536  
Honolulu, O'ahu, Hawaii 96809

Re: Seibu-Hawaii Proposal to Construct cul-de-sacs on the Makana-Keone Oio Road

Dear Sirs:

This is to inform you that the Protect Kaho'olawe 'Ohana islands-wide organization wish to be a consulted party in your preparation of an environmental impact statement on Seibu-Hawaii, Inc.'s proposal to construct cul-de-sacs on portions of the Makana-Keone Oio Road, Makana, Maui.

Please forward a copy of your environmental assessment, and when prepared, your draft environmental impact statement to:

THE PROTECT KAHO'OLAWE 'OHANA  
POST OFFICE BOX H  
KAURAKAKAI, MOLOKA'I, HAWAII 96748

Sincerely,  
*Noa Emmett Aluli*  
Noa Emmett Aluli  
(For the Protect Kaho'olawe 'Ohana)

c.c. Office of Environmental Quality Control  
Hui Alanui O Makana

SEP 23 1986

ALOHA 'AMA

HUI ALANUI O MAKENA  
200 East Kuaaha Road  
Haiku, Hawaii 96708  
September 19, 1986

Environmental Communications, Inc.

P.O. Box 536  
Honolulu, Hawaii 96809

Re: Request to be a Consulting Party

Dear Sirs,

Hui Alanui o Makena requests that it be made a consulting party in the preparation of the Environmental Impact Statement (EIS), which is being prepared through your office, on Seibu Hawaii, Inc.'s (Seibu) proposed project to construct cul-de-sacs on a portion of the Makena-Keoneoio Road. Seibu and the County of Maui have made every effort to focus solely on the purported benefits that will be obtained if a 1,100 foot section of the road is allowed to be closed. The EIS will be adequate only if it takes a hard look at all of the negative impacts that would flow from the proposed project.

The members of Hui Alanui o Makena are kama'aina of Makena and members of the native Hawaiian community, who are actively engaged in the study, protection and preservation of Hawaiian history and culture and who use the Makena-Honuauia area for traditional and customary practices related to fishing, shoreline gathering, recreation and other activities. The Makena-Keoneoio (Makena) Road and the access, including vehicular, that it provides is an integral and irreplaceable part of Hawaiian culture, and allows for the full and continued exercise of traditional and customary rights.

Our members are in the best position to consult with you on the disastrous impacts which flow from the proposed closing of a section of the road, and we would be happy to provide testimony and documents that will make these impacts clear.

We have the following comments on the environmental impacts of the project to help shape and give direction to the Draft EIS and we offer suggestions as to the data which needs to be collected, the research which should be undertaken and the studies which should be prepared in order to complete a competent and thorough analysis of the full range of environmental impacts that the project will generate:

1. Statement of Purpose and Need for the Project.

Documents submitted thus far define the purpose of Seibu's project as effectuating the Kihei-Makena Plan. This is a self-serving statement which does not truly identify the purpose of

the project. The most accurate statement for the purposes of environmental review is that the cul-de-sacing of the road will terminate the right of the public to travel in cars or walk along the coastline on the Makena Road in front of the Maui Prince Hotel. This should be the starting point of the EIS.

The need for the project must be accurately stated. Seibu claims that in order for the Maui Prince Hotel to be a "first class hotel" it must provide a private, exclusive area for its guests between the hotel and Naupaka Beach. Seibu further claims that the existence of a public road in this area jeopardizes its particular private economic interest.

It is important to acknowledge the true purpose and need for the project so that the adverse consequences can be properly balanced with this purpose and need in the EIS.

2. Environmental Setting/Existing Situation.

The EIS must describe what the area affected by the project is like before actions are taken to close the road. This would mean discussing the environmental impacts on the whole Makena-Honuauia area, the lifestyles of those living in the area and the use of the area by residents and native Hawaiians in particular. All coastal resources must be identified.

Since termination of public uses of the area are proposed, the EIS must thoroughly investigate historical -- including prehistorical, current and potential use(s) of the area with particular attention to the role of the Makena Road in the life of the community over time.

It will be necessary to do a thorough study of the historical and cultural importance of the roadway. Attention must be paid to the location of the road along the coast; its function in pre-historic and historic times; its use within the context of the Hawaiian land tenure system; its linking of ahupua'as, communities, and religious and cultural sites; its facilitation of traditional and customary native Hawaiian uses; the association of the roadway with important figures in Hawaiian history; its importance as a primary access route from which other access radiates ensuring more comprehensive access to coastal resources; the continuity of all of these uses over time; and the necessary evolution and development of meaningful access, contemporary with the times, from pedestrian to vehicular.

A traffic study and functional beach access study need to be prepared to determine the extent to which Maui residents require and prefer access along the old coastal roads, in this case the Makena Road, and the extent to which parking stalls and pedestrian pathways are adequate mitigations for the restriction of access caused by coastal road closures.

SEP 23 1986

Finally, the EIS must address land ownership in the area. It should investigate Seibu's title to Grant 835 and the problem concerning the loss of ceded lands on both sides of the road.

### 3. Related Projects and Cumulative Impacts.

For centuries, this thoroughfare has permitted travel along the coastline around the entire island. The proposed closure and relocation of a portion of Makena Road is related to previous closures of the coastal road(s) on Maui, as well as contemplated closures which must be studied. Coastal road closures have occurred in Kaunapali and Wailea, and the closing of another section of the Makena Road at Palauea is being considered (County commitments are being given by the Mayor and Planning Department personnel to a private developer at Palauea). Another related road closing is that of the Ulupalakua to Makena Landing Road.

In addition, related projects which should be studied are the construction of the Makena Alanui Road as a replacement for the Makena Road and other projects detailed in the Master Plan for Seibu's Makena resort; particularly as they disrupt existing systems of access in the area, make the area unrecognizable to the community and have, as a purpose, the removal of local residents from the area.

The development of a State park at Makena also should be studied in view of the provision for public uses there after curtailments of these uses in Wailea, Palauea and at Seibu's resort.

These related projects must be reviewed for their social and cumulative impacts and for their inter-relationship with Seibu's proposed closure of a 1,100 foot section of Makena Road.

Finally, this project should be viewed as part of the larger effort to close a portion of the road. The Special Management Area (SMA) permit to construct cul-de-sacs on the road is one of a series of actions necessary to close the road. The whole series of actions must be reviewed from the approval of the land exchange between the State of Hawaii and Seibu in 1984; the subdivision of the roadway by the County of Maui; the abandonment and disposition of the road by the Maui County Council and the deed of the 1,100 foot section of the road by Mayor Tavares. When the construction of the cul-de-sacs is part of a series of related government actions, all of the actions must be reviewed as a whole.

### 4. Relation to Plans.

The project must be reviewed in terms of other appropriate land use plans and not just in terms of the Kihei-Makena Community Plan. A review of the following plans should take place, with particular attention to the provisions that relate to the protection of coastal, historic, cultural and religious resources,

and provisions that relate to coastal and shoreline access and ways in which the interests of communities affected by development can be protected: State Plans and Functional Plans in Historic Preservation, Recreation, Transportation and Tourism; County Plans for Cultural Resources Management and Shoreline Access; and the Coastal Zone Management Plan.

### 5. Significant Adverse Impacts.

The EIS must address the consequences of the project and its impacts on the environment in the broadest sense. Impacts must be identified, then it must be determined if they are adverse, irreversible and significant. Considerable guidance is given in the applicable regulations concerning these determinations. We only note some of these regulations, which the Environmental Council has already agreed are significant when it reviewed the Environmental Assessment (EA) for the project.

(a) Commitment to loss or destruction of a historic, cultural and religious resource. Any thorough and professional study of the road will acknowledge its importance in Hawaiian history and culture. We strongly advise that the scope of the review not be limited to the 1,100 foot segment of the road. The road must be considered in its whole context, as part of the ancient coastal route that circled the island of Maui. The fact that some sections of the road have been closed in the past does not diminish the importance of sections that are still open, rather it increases the importance of the remaining portions.

The road has evolved over time and has always afforded full access as required by the times, which has been essential in making the appropriate transitions from pedestrian to horse, carriage and wagon cart and, finally, to four-wheeled vehicular access. The latter form of access is the most appropriate access for our time. Hui Alanui o Makena would like to maintain continuous, unrestricted, meaningful access along Makena Road, and is not in favor of a restricted version plucked from the past.

(b) Curtailing the range of beneficial uses of the area. Current uses of the roadway by the public are unrestricted; the full range of beneficial uses is still possible. The EIS must address the impacts which would flow from the curtailment of these uses.

The EIS must study whether the mauka Makena Alanui Road replaces the coastal road and provides all of the benefits that use of the Makena Road provides.

### 6. Study of Unavoidable Impacts.

The EIS must acknowledge that what is proposed is a permanent,



irreversible closing of a section of Makena Road. The EIS should include an appropriate analysis of unavoidable impacts and identify the governmental interests that offset all unavoidable impacts.

7. Study and Analysis of Alternatives.

All known and reasonable alternatives must be studied:

(a) No action. The alternative of keeping the road open should be studied thoroughly. If this will harm Seibu, some competent, hard evidence should be required to substantiate in exactly what ways and to what extent Seibu will be hurt by keeping the road open.

(b) Alternatives achieving the same goal. Similar benefits could be achieved if Seibu constructed either a tunnel, the top of which could be landscaped to provide the ambience of exclusivity or an overpass or bridge(s) could be constructed to provide private and exclusive access from the hotel to the beach. In this way the road could remain open and Seibu could satisfy its desire for exclusivity and privacy.

Maintaining and improving the road, as an alternative to closing it, should also be explored. The road could be paved with cobblestones to give it an antique and finished look and would be an asset to the resort. Along with appropriate landscaping, the cobbling or stone paving of the road would add to the attractiveness of the area. In addition, the cobbled surface would limit the speed at which vehicles could travel over it.

Other ways in which vehicular traffic could be limited made safer include the construction of speed bumps, the posting of signs limiting vehicular speed and the prohibiting of commercial vehicles.

(c) Alternatives regarding vehicular and pedestrian access. The EIS should study alternate connecting routes between the mauka road and Makena Road. If the 1,100 foot section of Makena Road is closed off to vehicular traffic, a study should be made which considers connecting routes that travel directly mauka from the cul-de-sac to the Makena Alanui Road. As it is now planned, if the road is closed off, anyone travelling on Makena Road will have to double back some distance from either cul-de-sac before being able to loop up to the Makena Alanui Road and around the hotel.

Different combinations of all of the alternatives suggested above should be analyzed to determine which would entail the fewest adverse impacts so that the decision-maker can choose the best alternative(s).

8. Mitigation Measures.

In suggesting mitigation measures, it should be remembered that the whole point of an environmental impact analysis is to reduce significant, unavoidable impacts to insignificant levels. It should be clearly noted that the members of our group and many other residents of Maui do not consider either the mauka alignment of the Makena Alanui Road or the construction of a footpath as appropriate, adequate or acceptable mitigating measures, since neither of the two, alone or in combination, provide the full range of benefits that have been afforded by the coastal road for centuries.

We want to work closely with you to help develop an EIS, which fully addresses and analyzes all of the environmental impacts that will be generated by Seibu's proposed project. We look forward to the preparation of an EIS which is in accordance with the EIS regulations of the State of Hawaii.

Mālama Mākena,

*Dana Naone Hall*  
DANA NAONE HALL

*I. G. H. H.*  
ISAAC HALL

# CORRECTION

THE PRECEDING DOCUMENT(S) HAS  
BEEN REPHOTOGRAPHED TO ASSURE  
LEGIBILITY  
SEE FRAME(S)  
IMMEDIATELY FOLLOWING

irreversible closing of a section of Makena Road. The EIS should include an appropriate analysis of unavoidable impacts and identify the governmental interests that offset all unavoidable impacts.

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Different combinations of all of the alternatives suggested above should be analyzed to determine which would entail the fewest adverse impacts so that the decision-maker can choose the best alternative(s).

8. Mitigation Measures.

In suggesting mitigation measures, it should be remembered that the whole point of an environmental impact analysis is to reduce significant, unavoidable impacts to insignificant levels. It should be clearly noted that the members of our group and many other residents of Maui do not consider either the mauka alignment of the Makena Alanui Road or the construction of a footpath as appropriate, adequate or acceptable mitigating measures, since neither of the two, alone or in combination, provide the full range of benefits that have been afforded by the coastal road for centuries.

We want to work closely with you to help develop an EIS, which fully addresses and analyzes all of the environmental impacts that will be generated by Seibu's proposed project. We look forward to the preparation of an EIS which is in accordance with the EIS regulations of the State of Hawaii.

Makana Makena,

*Dana Naone*

DANA NAONE HALL

*I. Keating*

ISAC HALL

Dana Hall, Isaac Hall  
December 12, 1986  
Page 2

We feel that in the context of the proposed project, we will provide a sufficient discussion of these points. The Bishop Museum has reviewed the prior comments and position statements you have expressed, and the various depositions taken from other citizens with similar concerns. Their work is a vital part of the Draft EIS and has also been done within the framework of the proposed project's scope.

Traffic has not been analyzed in formal traffic study but there have been physical counts of vehicles traversing the road fronting the hotel and the references are contained in the draft EIS. Land ownership in the proposed project area, particularly with regard to Selbu's title to Grant 835 and loss of ceded lands on both sides of the road were not discussed in the context of your comments since Tax Map Keys are provided which advise ownership as recorded by Maui County and the State of Hawaii.

3. **Related Projects and Cumulative Impacts.**  
We must again beg to disagree with your stated concerns of related projects and cumulative impacts on the basis that we are discussing the proposed project under the section 11-200-6 Applicant Actions(b), (1), (A) the use of state or county lands. Your references to other or previous or potential future closures of the coastal roads on Maui beyond the knowledge or control of the applicant, exceeds the scope of work for this proposed project and draft EIS. Government's ability to provide improvements for the total community is not discussed in the draft EIS.

4. **Relation to Plans.**  
Relation to the various State and County Plans were reviewed and the relationship to these Plans will be discussed to the degree of their relevancy to the proposed project.

5. **Significant Adverse Impacts**  
The Draft EIS will address the adverse impacts that would accrue as a result of the proposed project, both from a physical impact and cultural impact standpoint. The review will be in the context of the proposed project and will limit itself in that regard.

(a) Commitment to Loss or Destruction of a Historic, Cultural and Religious Resource.

This evaluation will be provided in the draft EIS by the Bishop Museum study which will be summarized and also provided in its entirety as an Appendix A. The determination of the significant value of the proposed project's impact on the Makana-Keoneolo Road will be considered in this study.

(b) Curtailing the Range of Beneficial uses of the Area.

The draft EIS describes the proposed project's impacts in terms of

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

MEMORANDUM

TO: Dana Raone Hall, Isaac Hall  
FROM: F. J. Rodrigues  
DATE: December 12, 1986  
SUBJECT: Response to Comments Received During Consultation Period for Proposed Selbu Hawaii, Inc. Cul-de-sac Project, Makana-Keoneolo Road

Your comments on the above project were received in our office on September 23, 1986 and our responses are provided in the following. We regret the delay in responding to your comments but development of technical data was necessary before we could respond substantively.

It should be noted here that the preparation of the EIS Preparation Notice was done primarily by the County of Maui, Department of Planning, using material we had previously developed in the Environmental Assessment/Negative Declaration. We have limited our Draft EIS to the same scope of data development and review material.

In our responses to your detailed comments, we will respond to the best of our ability and within the context of the EIS Preparation Notice. Beyond that point, we cannot respond on the basis that the comments expressed in your September 19, 1986 letter may go beyond the scope of the document.

1. **Statement of Purpose and Need for the Project.**  
As stated in prior documents and the Draft EIS, implementation of the provisions of the adopted Kihel Community Plan by this proposed project is the stated objective. Further, the Maui Prince Hotel is providing the improvements and will fulfill its responsibility in the exchange of lands between Maui County and Selbu Hawaii, Inc. In this regard, the benefits will accrue to Selbu Hawaii, Inc. in having direct access to the shoreline.
2. **Environmental Setting/Existing Situation**  
We have in accordance with the prescribed Rules and Regulations as promulgated by Title 11, Department of Health, Chapter 200 Environmental Impact Statement Rules, 11-200-6 pertaining to the use of State or County lands, divided the impacts to the area affected in two categories: physical impacts and archaeological/cultural impacts. Your concerns as expressed in your letter, concern themselves with the cultural impacts on the lifestyles of those living in the area and the use of the area by residents and native Hawaiians in particular.

XEROX COPY

Dana Hall, Isaac Hall  
December 12, 1986  
Page 3

continued access to the shoreline and also the realigned use or access by vehicle via the Makana-Alanui. Also, the intent of the cul-de-sacs is also catalogued for review and determination of significant impact.

6. Study of Unavoidable Impacts  
The proposed project description is as stated in prior documents, the design and construction of cul-de-sacs at the north and south ends of Makana Road. The purpose of these cul-de-sacs is to provide vehicular access at each end of Makana Road with parking so that pedestrians can at their option, reach the shoreline. The Makana Alanui bypasses the Maui Prince Hotel frontage of Makana Road, and completes the closure and taking of the 1100' portion. The cul-de-sacs will provide for previously uninterrupted traffic to stop, park, and walk to the beach frontage.
7. Study and Analysis of Alternatives.  
A section of alternatives including the No Action alternative will be provided in the draft EIS. In accordance with the EIS Rules and Regulations, these alternatives will be discussed and analyzed as to their impacts and acceptability.
8. Mitigation Measures.  
The draft EIS will address those mitigative measures considered essential to the proposed project and the anticipated impacts that could result from their implementation. Again, the proposed project limits discussion to the project description and its probable impacts.

In closing, we would hope that the goals and objectives of your group would dwell on the limitations of the proposed project; the development of the EIS will follow the guidelines as provided by the Maui County Environmental Assessment and discuss these aspects fully.

Thank you for your comments and again, our apologies in responding at this late date.

Very truly yours,

F. J. Rodriguez

FJR:ls



Maui Historical Society

P. O. Box 1018 • Waikuku, Hawaii 96793

Hale Hahaione - 1841

Sept. 26, 1986

Environmental Communications Inc.  
P.O. Box 536  
Honolulu, Hawaii 96809

Dear Sirs:

It has come to our attention that it would be possible to receive copies of the Environmental Impact Statement concerning the proposed construction of the cul-de-sac on the Makana Road in Maui. We would be most interested in the information for our membership and board members.

Please advise us if there are any other publications or printed information on the subject and area as it becomes available.

Thank you for your kind consideration.

Aicha Pumehana,

Tamara Horcajo  
Administrator

TH dbp

SEP 29 1986

XEROX COPY

JOHN IAIHEE  
CHAIRMAN



SUZANNE D. PETERSON  
CHAIRPERSON, BOARD OF AGRICULTURE  
TADASHI TOJO  
DEPUTY TO THE CHAIRPERSON

State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 So. King Street  
Honolulu, Hawaii 96814-2512

Mailing Address:  
P. O. Box 22159  
Honolulu, Hawaii 96822-0159

January 19, 1987

MEMORANDUM

To: Mr. Christopher L. Hart, Planning Director  
Planning Department  
County of Maui

Subject: Draft Environmental Impact Statement (DEIS) for  
Makana-Keoneoio Road Cul-De-Sacs Plan  
TMK: 2-1-05: 86  
Acres: 2-1-06: 57 & 59 Makana, Maui

The Department of Agriculture has reviewed the subject application and offers the following comments.

The proposed roadway cul-de-sacs are on lands within the State Land Use Urban District. Inasmuch as this proposed project should have no effect on agriculture, we have no further comments to offer.

Thank you for the opportunity to comment.

A handwritten signature in cursive script, appearing to read "Suzanne D. Peterson".

SUZANNE D. PETERSON  
Chairperson, Board of Agriculture

cc: Mr. F. J. Rodriguez, Environmental Communications, Inc. ✓  
OEQC

NO RESPONSE NEEDED

JAN 22 1987

John Waihee  
LEAHE S. MATSUBARA  
DIRECTOR OF HEALTH



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3178  
HONOLULU, HAWAII 96813

January 7, 1987

LEAHE S. MATSUBARA  
DIRECTOR OF HEALTH

IN REPLY, PLEASE REFER TO:  
EPI-50



# University of Hawaii at Manoa

Water Resources Research Center  
Holmes Hall 203 • 2540 Dole Street  
Honolulu, Hawaii 96822

22 January 1987

MEMORANDUM

To: Mr. Christopher L. Hart, Planning Director  
Planning Department, County of Maui

From: Director of Health

Subject: Draft Environmental Impact Statement (EIS) for Makana-Keoneolo Road Cul-  
De-Sacs Plan, Makana, Maui

Thank you for allowing us to review and comment on the subject Draft EIS. On the basis that the project will comply with all applicable Administrative Rules, please be informed that we do not have any objections to this project.

We realize that the statements are general in nature due to preliminary plans being the sole source of discussion. We, therefore, reserve the right to impose future environmental restrictions on the project at the time final plans are submitted to this office for review.

cc: Mr. F. J. Rodriguez ✓

NO RESPONSE NEEDED

JAN 13 1987

LEALIE S. MATSUBARA

Mr. Christopher L. Hart  
Planning Director  
County of Maui Planning Department  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Mr. Hart:

SUBJECT: Draft Environmental Impact Statement, Makana-Keoneolo  
Road Cul-de-sacs Plan

We have reviewed the subject DEIS and have no comment to offer. Thank you for the opportunity to comment. This material was reviewed by WRRRC personnel.

Sincerely,

Edwin T. Murabayashi  
EIS Coordinator

ETM:jm

cc: F.J. Rodriguez, Environ, Inc.

NO RESPONSE NEEDED

JAN 24 1987

AN EQUAL OPPORTUNITY EMPLOYER



JOHN WATHEE  
Specialist in Charge



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
P. O. BOX 521  
HONOLULU, HAWAII 96809

JAN 22 1987

DOC. NO.: 23688

WILLIAM M. PATY  
Specialist in Charge  
LIBERT K. LANEGHAN  
Specialist in Charge

DEVELOPMENT  
PLANNING  
REGULATORY  
AGRICULTURE  
CONSERVATION AND  
RECREATION  
CONTRACTS  
CONSTRUCTION  
FORESTRY AND WILDLIFE  
LAND MANAGEMENT  
STATE PLANS  
WATER AND LAND DEVELOPMENT

Honorable Christopher L. Hart - 2 - DOC. NO.: 23688

Honorable Christopher L. Hart, Director  
Planning Department  
County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Mr. Hart:

SUBJECT: Review of Draft Environmental Impact Statement  
(EIS) for the Makena-Keoneoio Road Cul-de-Sacs Plan,  
Makena, Maui (December 1986)  
THKs: 2-1-05: 86, 2-1-06: 56, 57, and 59

We have reviewed the Draft EIS for the subject proposal and wish  
to offer the following comments:

Water and Land Development Concerns

Information provided in the Draft EIS indicate that the  
proposed project is expected to maintain and improve public  
shoreline access. Precautions should be taken during  
landscaping and construction activities so that toxic  
chemicals and debris do not excessively enter coastal waters.

Historic Sites Concerns

The Bishop Museum in a letter dated December 9, 1986 stated  
that, "In order to evaluate the significance of  
archaeological sites the Federal government has set forth the  
following criteria . . . P. 7). The discussion goes on to  
elaborate on a section of National Register criteria, but  
however, omits the first paragraph of this criteria. The  
first paragraph as stated in the Draft EIS (p. VII-8) and the  
Federal Register/Vol. 46, Nr. 220/Monday, November 16,  
1981/Rules and Regulations p. 58189, section 60.4 (enclosure  
number 1) reads: "The quality of significance in American  
history, architecture, archaeology, engineering and culture  
is present in districts, sites, buildings, structures and  
objects that possess integrity of location, design, setting,  
materials, workmanship, feeling and association. . . . This  
paragraph includes culture as an area of concern when  
evaluating the significance of a historic site.

The Museum goes on its December 9, 1986 letter to conclude  
that, "It should be noted that a fifth criterion ("F") has  
been proposed, relating to the cultural value of the site of  
the ongoing society or cultural system. Since this criterion  
has not yet been adopted, we hesitate to evaluate it (the  
road) in this context." (p. 7)

National Register Bulletin #16 when discussing Federal  
criteria states that "A site is the location of a significant  
event, a prehistoric or historic occupation or activity, or a  
building or structure, whether standing, ruined, or vanished,  
where the location itself possesses historic, cultural, or  
archaeological value regardless of the value of any existing  
structure." (p. 41) (enclosure number 2).

As mentioned in the draft EIS document (p. VII-7), in a  
memorandum dated December 5, 1984, the Department of Land and  
Natural Resources recommended that an in-depth cultural study  
be undertaken based on a thorough archival search and  
collection of informant interviews. In response to this  
recommendation, the applicant hired the Bishop Museum to  
undertake the study. The results of this study are included  
in this Draft EIS as Appendix A (Ann Joesting, Historical  
search for the Makena-Keoneoio road in Makena, Maui).

Ms. Joesting's study relied only on the oral testimonies  
presented by four residents at a Maui Planning Commission  
meeting on March 18, 1986. What prevented the study from  
interviewing area residents (including those who did not  
present oral testimonies)? The report mentions only one land  
grant (Appendix 2 of the report); however, an 1866 map  
(enclosure number 3) shows numerous land grants along the  
mauka and makai sides of the Makena-Keoneoio Road which  
should also be looked into.

Section E of this EIS (p. VII-16, section e) states, "In  
summary, based on the aforementioned, it can be reasonably  
concluded that this section of the Lower Makena Road has  
cultural value; it cannot, however, be concluded that this  
section of the road has cultural significance or significant  
cultural value." We realize that it is a difficult task to  
verify intangible cultural characteristics. However, the EIS  
should make every reasonable effort to address this matter,  
including the question of cultural significance.

JAN 24 1987



Honorable Christopher L. Hart

- 3 -

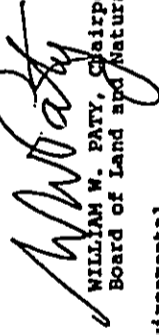
DOC. NO.: 2368B

Recreation Concerns

There are no known public park concerns. We note public shoreline pedestrian access is being provided along the entire beach and public parking and restroom facilities are also provided.

Thank you for consulting us.

Very truly yours,



WILLIAM W. PATY, Chairperson  
Board of Land and Natural Resources

cc: Mr. F. J. Rodriguez, Environmental  
Communications, Inc.

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

F. J. RODRIGUEZ,  
PRESIDENT

February 6, 1987

Mr. William W. Paty, Chairman  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Dear Mr. Paty:

We have received the comments dated January 22, 1987 on the Draft Environmental Impact Statement (DEIS) for the Makana-Keoneolo Road Cul-de-sacs Plan. The comments have been provided to the applicant and the retained consultants and we respond in the following:

1. Water and Land Development Concerns

All shoreline improvements being designed are to be submitted to the Maui County Planning Director for review and approval prior to construction. Further, there are specific concerns and requirements from the Public Works Department and also the Department of Parks & Recreation that will be coordinated under the Planning Director's review. These will include mitigation measures designed to maintain the integrity of the sand dune formation which is regarded as a coastal zone resource, and the beach frontage with the offshore waters are also to be preserved and protected from debris and toxic materials.

2. Historic Sites Concerns - Bishop Museum

The Bishop Museum reviewed the comments provided by the DLNR and their responses are as follows: "Our evaluation of significance stems from the second half of the quoted prefatory paragraph which reads: . . . that possess integrity of location, design, setting, etc. . . . We feel that the current roadway lacks the necessary integrity as it applies to the four criteria." There is an erroneous misunderstanding on the part of the DLNR in that the Ann Joesting study, (Appendix A) is assumed to be the study recommended in the December 5, 1984 memorandum. This is not the case since the Stephan D. Clark and Marion Kelly report of March, 1985 is the work that was commissioned by Selbu as a response to December 5, 1984 DLNR memorandum. The Joesting work contained in the DEIS, is supplemental to the Clark & Kelly work as an attempt to gather new documentary data. This resulted in no substantial new data.

Ms. Joesting did not conduct any further or new interviews at her discretion since she felt that adequate historical period data had been gathered for the subject area.

Mr. William W. Baty  
February 6, 1987  
Page 2

The numerous land grants along the mauka and makai sides of the Makana-Keoneolo Road were examined and the map is included in her work; the fact that most of them are not in the affected area was the principal reason for their not presented in detail.

Finally, the statement contained in Section E that concludes "this section of the road has cultural value; it cannot, however, be concluded that this section of the road has cultural significance or significant cultural value," is supported by the facts that neither the March, 1985 report nor the current Joesting report are isolated one-time attempts at archaeological and historic research. Both studies benefit from the background of more than a decade of involvement in extensive as well as intensive investigations of the Wailea/Makana area by the Museum. In the immediate vicinity of the subject area, six major archaeological investigations have been completed. As stated earlier, the subject segment of existing roadway, lacks the morphological and locational integrity exhibited by the other sites in the vicinity.

3. Recreation Concerns

All access to the beach frontage will be provided in accordance with the County regulations governing unrestricted beach access to the public. The only restriction will be vehicular access on the 1100' portion of the Makana-Keoneolo Road.

Thank you for your comments and continuing concern.

Very truly yours,

F. J. Rodriguez

FJR:ls

Enclosure #1

Federal Register / Vol. 48, No. 220 / Monday, November 18, 1981 / Rules and Regulations 30129

(a) State Historic Preservation Program. The State Historic Preservation Program is the program established by each State and approved by the Secretary of Interior for the purpose of carrying out the provisions of the National Historic Preservation Act of 1966, as amended, and related laws and regulations. Such program shall be approved by the Secretary before the State may nominate properties to the National Register. Any State Historic Preservation Program in effect under prior authority of law before December 12, 1980, shall be treated as an approved program until the Secretary approves a program submitted by the State for purposes of the Amendments or December 12, 1980, unless the Secretary chooses to rescind such approval because of program deficiencies.

(b) State Review Board. The State Review Board is a body whose members represent the professional fields of American history, architectural history, historic architecture, prehistoric and historic archaeology, and other professional disciplines and may include citizens members. In States with approved State historic preservation programs the State Review Board reviews and approves National Register nominations concerning whether or not they meet the criteria for evaluation prior to their referral to the NPS. (c) Structure. A structure is a work outside of an independent and organized organization. Constructed by man, it is often an engineering project large in scale.

Example: Stratton Covered Railroad Bridge (Swanton, VT); Old Post Loma Lighthouse (San Diego, CA); North Point Water Tower (Milwaukee, WI); Robert Radio Telescope (Green Bay, WI).

(4) Thematic Group Format submission. A Thematic Group Format submission for nominating properties to the National Register is one which includes a focal group of resources related to one another in a clearly distinguishable way. They may be related to a single historic person, event or developmental force; of one building type or use, or designed by a single architect; of a single archaeological site or related to a particular set of archaeological research problems. (f) To nominate. To nominate is to propose that a district, site, building, structure, or object be listed in the National Register of Historic Places by preparing a nomination form, with accompanying maps and photographs which adequately document the

property and are technically and professionally correct and sufficient.

1 604. Criteria for evaluation. The criteria applied to evaluate properties (other than areas of the National Park System and National Historic Landmarks) for the National Register are listed below. These criteria are regarded in a manner to provide for a wide diversity of resources. The following criteria shall be used in evaluating properties for nomination to the National Register, by NPS in reviewing nominations, and for evaluating National Register eligibility of properties. Guidance in applying the criteria is further discussed in the "How To" publications, Standards & Guidelines sheets and Keeper's opinions of the National Register. Such materials are available upon request.

Nominating criteria for evaluation. The quality of significance in American history, architecture, archeology, engineering, landscape architecture, and objects that possess historic significance, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and (4) that are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or (d) that have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily common criteria, heretofore, or great historical significance, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily associated with nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria set forth and within the following categories: (1) A religious property deriving primary significance from architectural or artistic achievements or historical importance or scientific value; (2) A building or structure reserved from its original location but which is significant primarily for architectural value, or which is the historic structure most importantly associated with a historic person or event or figure of outstanding importance if there is an appropriate site or building directly associated with his production life; (3) A cemetery which derives its primary significance from graves of persons of transcendent importance, free of any

deductive design features, or from association with historic events or persons. (c) A reconstructed building when accurately executed in a substantial manner as part of a restoration project, and when no other building or structure with the same location has survived, or (d) A property primarily commemorative in intent (e.g., sign, obelisk, or symbol) which has achieved significance or exceptional significance or (4) A property achieving significance within the past 50 years if it is of exceptional importance. This exception is described further in NPS "How To" #2, entitled "How to Evaluate and Nominate Properties National Register Properties That Have Achieved Significance Within the Last 50 Years" which is available from the National Register of Historic Places Division, National Park Service, United States Department of the Interior, Washington, D.C. 20540.

1 605. Nominating forms and information submission. (a) All nominations to the National Register are to be made on standard National Register forms. These forms are provided upon request to the State Historic Preservation Officer, participating Federal agencies and others by the NPS. For archival reasons, no other forms, photocopied or otherwise, will be accepted. (b) The information collection requirements contained in this part have been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 1024-0078. The information is being collected as part of the compilation of properties to the National Register. The information will be used to evaluate the eligibility of properties for inclusion in the National Register under established criteria. The obligation to respond is required to obtain a benefit.

1 606. Nominations by the State Historic Preservation Officer under approved State Historic Preservation programs. (a) The State Historic Preservation Officer is responsible for identifying and nominating eligible properties to the National Register. Nominations forms are prepared under the supervision of the State Historic Preservation Officer. The State Historic Preservation Officer establishes statewide priorities for preparation and submission of nominations for all properties meeting National Register criteria for evaluation within the State. All nominations from the State shall be submitted in accordance with the State priorities, which shall be consistent with an approved State historic preservation plan. (b) The State shall consult with local authorities in the nomination process

and information submission. (c) All combinations to the National Register are to be made on standard National Register forms. These forms are provided upon request to the State Historic Preservation Officer, participating Federal agencies and others by the NPS. For archival reasons, no other forms, photocopied or otherwise, will be accepted. (d) The information collection requirements contained in this part have been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 1024-0078. The information is being collected as part of the compilation of properties to the National Register. The information will be used to evaluate the eligibility of properties for inclusion in the National Register under established criteria. The obligation to respond is required to obtain a benefit.

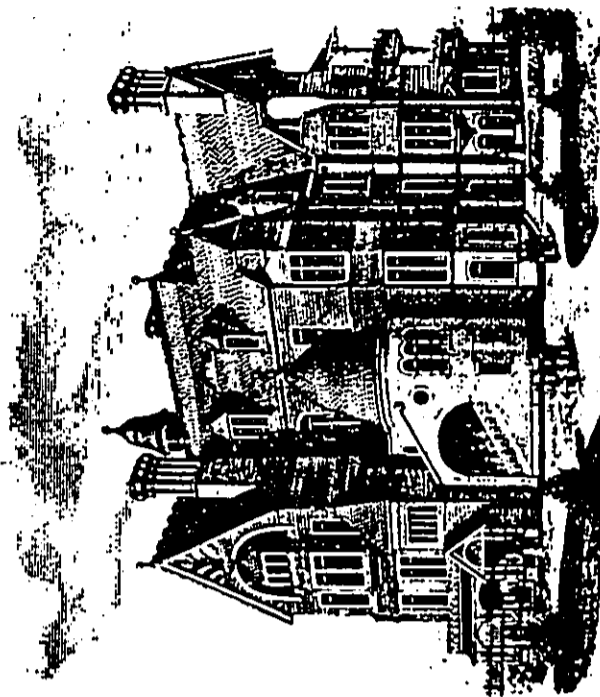
Enclosure #2

NATIONAL REGISTER BULLETIN

Technical information on comprehensive planning, survey of cultural resources, and registration in the National Register of Historic Places.

U.S. Department of the Interior National Park Service Interagency Resources Division

GUIDELINES FOR COMPLETING NATIONAL REGISTER OF HISTORIC PLACES FORMS



SEPTEMBER 30, 1986

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Enclosure #3

1983

MEMORANDUM

TO: Susumu Ono, Chairperson

FROM: Ralston H. Nagata, State Parks Administrator

SUBJECT: Field Inspection Report  
Seibu - Makana Road  
Kihei, Makana, Maui  
THK: 2-1-08:78, 79, 80 and 81

At the department's request, Wendell Kam, Staff Archaeologist, and Nathan Napoka, State Parks Historian, travelled to Maui on November 16, 1984, to conduct a field inspection of the subject road to determine whether any cultural resources are present on that section of the road which currently is under consideration for re-routing. As a result of their inspection and subsequent research our office believes that this segment of the road does not appear to meet the criteria for listing in the Hawaii and National Registers of Historic Places. However, we offer the following comments and recommendations:

Archaeology:

The inspection revealed an absence of any archaeological surface features and/or artifacts (i.e. physical evidence) which would relate the subject section of road to the Hoapili Trail. As the Hoapili Trail emerges from the Makana-Kihei Road, this relationship suggests that the road may have been constructed over the trail or sections of it. Existing surface physical evidence does not support nor deny this implication.

History and Culture:

A preliminary examination of existing and easily accessible archival data along with preliminary conversations with native Hawaiian informant Helen Peters a long-time resident of the Makana area indicates that a thorough cultural study should be undertaken, as this access route appears to be a vital one for the established fishing community of Makana. It should be mentioned that Mrs. Peters' son is among the parties that requested a contested case hearing from the department regarding the proposed land transaction.

A definitive statement on the historic-cultural significance would have to depend upon the outcome of a study that should include: (1) a thorough archival search to include maps, photographs and land documentation and (2) a collection of informant interviews to substantiate the cultural significance of the roadway. Bishop Museum files contain at least two extended interviews of early (circa 1900) Hawaiian occupants from this area. Native Hawaiians that are still alive should

Category of Property. Mark "X" in the box that indicates the kind of property being documented. Mark only one box. To determine the appropriate category, refer to the definitions given below for the kinds of historic properties that may be listed in the National Register. Base the category of a property on its function or character at the time it achieved significance, rather than a more recent one. For example, a monumental ornate water tower no longer functioning but maintained for aesthetic purposes should be classified as a "structure" not an "object."

**Building** A building, such as a house, barn, church, hotel, or similar construction, is created to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

"Building" may refer to a small group of buildings consisting of a main building and subsidiary buildings that are functionally and historically related. If one or more of the buildings does not contribute to the significance of the property or has lost its historic integrity or if the group also includes any objects, sites, or structures, the property must be classified as a "district" in order to distinguish between contributing and noncontributing resources.

**Examples:** single buildings such as a courthouse, city hall, social hall, commercial building, library, factory, mill, train depot, fort, residence, hotel, theater, school, store, and church, or small groups of historically and functionally related buildings such as a courthouse and jail, house and barn, mansion and carriage house, church and rectory, and farmhouse and related outbuildings.

**District** A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

A district may also comprise individual elements that although linked by association or function were separated geographically during the period of significance, as a district of discontinuous archeological sites or a canal system where manmade segments are interconnected by natural bodies of water. The concept of a discontinuous district applies only where visual continuity is not necessary to convey the historic interrelationship of a group of related resources.

**Examples:** college campuses; central business districts; residential areas; commercial areas; industrial complexes; civic centers; rural villages; canal systems; collections of habitation and limited activity sites; irrigation systems; large estates, farms, ranches, or plantations; transportation networks; and large landscaped parks.

**Site** A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure.

**Examples:** habitation sites, funerary sites, rock shelters, village sites, hunting and fishing sites, ceremonial sites, petroglyphs, rock carvings, battlefields, ruins of historic buildings and structures, campsites, ruins of industrial works, sites of treaty signings, trails, shipwrecks, cemeteries, designed landscapes, and natural features, such as springs and rock formations, and landscapes having cultural significance.

XEROX COPY

Enclosure #3

1383

MEMORANDUM

TO: Susumu Ono, Chairperson  
 FROM: Raleston H. Nagata, State Parks Administrator  
 SUBJECT: Field Inspection Report  
 Seibu - Makena Road  
 Kihei, Makena, Maui  
 TNK: 2-1-08:78, 79, 80 and 81

At the department's request, Wendell Kam, Staff Archaeologist, and Nathan Napoka, State Parks Historian, travelled to Maui on November 16, 1984, to conduct a field inspection of the subject road to determine whether any cultural resources are present on that section of the road which currently is under consideration for re-routing. As a result of their inspection and subsequent research our office believes that this segment of the road does not appear to meet the criteria for listing in the Hawaii and National Registers of Historic Places. However, we offer the following comments and recommendations:

Archaeology:

The inspection revealed an absence of any archaeological surface features and/or artifacts (i.e. physical evidence) which would relate the subject section of road to the Hoapili Trail. As the Hoapili Trail emerges from the Makena-Kihei Road, this relationship suggests that the road may have been constructed over the trail or sections of it. Existing surface physical evidence does not support nor deny this implication.

History and Culture:

A preliminary examination of existing and easily accessible archival data along with preliminary conversations with native Hawaiian informant Helen Peters a long-time resident of the Makena area indicates that a thorough cultural study should be undertaken, as this access route appears to be a vital one for the established fishing community of Makena. It should be mentioned that Mrs. Peters' son is among the parties that requested a contested case hearing from the department regarding the proposed land transaction.

A definitive statement on the historic-cultural significance would have to depend upon the outcome of a study that should include: (1) a thorough archival search to include maps, photographs and land documentation and (2) a collection of informant interviews to substantiate the cultural significance of the roadway. Bishop Museum files contain at least two extended interviews of early (circa 1900) Hawaiian occupants from this area. Native Hawaiians that are still alive should

Category of Property: Mark "M" in the box that indicates the kind of property being documented. Mark only one box. To determine the appropriate category, refer to the definitions given below for the kinds of historic properties that may be listed in the National Register. Base the category of a property on its function or character at the time it achieved significance, rather than a more recent one. For example, a monumental ornate water tower no longer functioning but maintained for aesthetic purposes should be classified as a "structure" not an "object."

Building: A building, such as a house, barn, church, hotel, or similar construction, is created to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

"Building" may refer to a small group of buildings consisting of a main building and subsidiary buildings that are functionally and historically related. If one or more of the buildings does not contribute to the significance of the property or has lost its historic integrity or if the group also includes any objects, sites, or structures, the property must be classified as a "district" in order to distinguish between contributing and noncontributing resources.

Examples: single buildings such as a courthouse, city hall, social hall, commercial building, library, factory, mill, train depot, fort, residence, hotel, theater, school, store, and church, or small groups of historically and functionally related buildings such as a courthouse and jail, house and barn, mansion and carriage house, church and rectory, and farmhouse and related outbuildings.

District: A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

A district may also comprise individual elements that although linked by association or function were separated geographically during the period of significance, as a district of discontinuous archaeological sites or a canal system where manmade segments are interconnected by natural bodies of water. The concept of a discontinuous district applies only where visual continuity is not necessary to convey the historic interrelationship of a group of related resources.

Examples: college campuses; central business districts; residential areas; commercial areas; industrial complexes; civic centers; rural villages; canal systems; collections of habitation and limited activity sites; irrigation systems; large estates, farms, ranches, or plantations; transportation networks; and large landscaped parks.

Site: A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structures.

Examples: habitation sites, funerary sites, rock shelters, village sites, hunting and fishing sites, ceremonial sites, petroglyphs, rock carvings, battlefields, ruins of historic buildings and structures, campsites, ruins of industrial works, sites of treaty signings, trails, shipwrecks, cemeteries, designed landscapes, and natural features, such as springs and rock formations, and landscapes having cultural significance.

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also be interviewed to examine a continuity of use during the twentieth century.

We attach three maps that were found in the State Survey office. These maps clearly show the access route existed as early as 1866. Two inventoried sites lie in close proximity to the subject road section. These two sites' inventory forms are enclosed. These sites are: (1) Keawala Church #50-14-1584 and (2) Makena Landing #50-14-1585. Both sites should be included in a historic-cultural study of this area.

We also enclose an overview of the Kiha-a-Pilani Trail, of which the subject roadway was a section. This overview is a supplement to a report, "Mailela: Waters of Pleasure for the Children of Kama" by Dorothe B. Barrere, June 1975, Bishop Museum. This report (#75-3) gives a good overview of the trail's significance to early Hawaii. An in depth study should examine this particular section of the trail and evaluate its significance in the overall context of Hawaiian history and culture. A determination of cultural use over time as well as its relationship to Makena's historic-cultural past would assist in evaluating whether this site has maintained integrity of cultural use over time.

RALSTON H. NAGATA



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ADRIAN WAINI  
ROGER A. UYERLING  
MURRAY E. TOWNILL  
DANIELA TUA STANLON  
BRIAN MERTZ  
MARTIN MERTZ

DEPARTMENT OF PLANNING  
AND ECONOMIC DEVELOPMENT

STATE OF HAWAII  
DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT  
200 S. HIGH STREET  
MAILING ADDRESS: PO BOX 2258 HONOLULU HAWAII 96820-0258

DESIGN  
PLANNING DIVISION  
TECHNICAL DIVISION  
POLICY DIVISION  
RESEARCH AND ECONOMIC ANALYSIS DIVISION  
COMMUNITY SERVICES DIVISION  
ADMINISTRATIVE DIVISION

Ref. No. P-5760

January 20, 1987

The Honorable Christopher L. Hart  
Planning Director  
County of Maui  
200 S. High Street  
Mailuku, Hawaii 96793  
Dear Mr. Hart:

Subject: Draft Environmental Impact Statement for Makana-Keoneoio  
Road Cul-de-sacs Plan, Makana, Maui

We have reviewed the subject Draft Environmental Impact Statement (DEIS) and have the following comments.

Project Location Map and Site Plan

The DEIS's Figure 1 (Location Map) and Figure 2 (Cul-de-sacs) are inadequate and do not provide the information referenced to in the text. The DEIS should provide this information in map form to identify the location of both existing and proposed physical features. The information to be provided includes: 1) location of the proposed parking lot, 2) location of the existing hotel relative to the beach and existing road, 3) location of the existing alternate access road, 4) location of the beach relative to the 40-foot shoreline setback area and the existing sand dune, and 5) location of the State Urban District boundaries for the subject parcel.

A separate site plan depicting the proposed landscaping and use areas would also be of assistance to determine pedestrian traffic patterns after the proposed closure of the Makana-Keoneoio Road occurs.

Traffic Impacts

The DEIS, page VII-19, states that "informal traffic counts have indicated that the Makana Alanui supports approximately 90 percent of the through traffic while the old Makana-Keoneoio Road carries approximately 10 percent of the through traffic." These percentages are of little use without knowing the total number of trips involved. If traffic volumes are high, a

The Honorable Christopher L. Hart  
Page 2  
January 20, 1987

10 percent reduction in flow can be very significant. It is also important to evaluate the increase in travel distance required to circumvent the existing road via the Makana Alanui. A sizeable increase in traveling time and distance may not be in the best interest of the general population.

The number of redirected trips and the distance involved should be provided in the Final EIS.

Land Exchange

Page III-5 of the subject document states that a legal land exchange was completed in December 1984 between the State Department of Land and Natural Resources (DLNR) and the applicant to acquire land at the R Beach area of Makana, Maui for a State Park (House Concurrent Resolution No. 147, 1981 Session). Included in this exchange was a portion of the Makana-Keoneoio Road. The DEIS goes on to state in the same paragraph on page III-6, that "The taking of the Makana Road parcel is the final action of the Makana Alanui Realignment project." This would appear to indicate that the land exchange and the Makana Alanui Realignment project are parts of the same project.

The Final EIS should provide a copy of the House Concurrent Resolution No. 147, 1981 Session, or the pertinent section relative to this project, so that the actual wording and intent of the legislation can be ascertained, in relation to both the land exchange or road realignment project.

Open Space Resources

The proposed project is situated between the Maui Prince Hotel and the shoreline. Our concern is that an increase in foot traffic to the beach from the proposed pathway may result in the destruction of strand vegetation, thus destabilizing the underlying berm and allowing erosion by wind and wave. Similar changes could be caused by construction-related damage to vegetation or by the proposed removal of trees from the beach. Accordingly, the capacity of the beach to bear traffic without impact should be assessed, the extent to which the proposed activity will allow erosion to occur should be estimated, mitigation should be proposed, and an inland alignment for the pathway should be examined.

Hawaii State Plan

The Final EIS should address the project's relationship to Hawaii State Plan objectives and policies, in particular, Economy (Section 226-8(b)(2) and (4), HRS), and Priority Guidelines, Economy (Section 226-103(b)(2), HRS), in terms of the project's sensitivity to neighboring communities. It should also assess the objectives and policies - Physical Environment (Section 226-11, HRS) for any potential impacts to shoreline and land-based resources.

JAN 23 1987

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The Honorable Christopher L. Hart  
Page 3  
January 20, 1987

Thank you for this opportunity to comment.

Sincerely,

*Murray E. Townd*  
for Roger A. Diving

cc: Mr. F. J. Rodriguez,  
Environmental Communications, Inc.  
Office of Environmental Quality Control





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ENVIRONMENTAL  
COMMUNICATIONS  
INC.

F. J. RODRIGUEZ,  
PRESIDENT

February 6, 1987

Mr. Roger A. Ulveling, Director  
Department of Planning and  
Economic Development  
P.O. Box 2359  
Honolulu, Hawaii 96804

Dear Mr. Ulveling:

We are in receipt of your department's comments dated January 20, 1987 on the Draft Environmental Impact Statement (DEIS) for the proposed Makena-Keoneolo Road Cul-de-sacs Plan. These comments have been provided to the applicant and consultant civil engineering firm, Richard M. Sato & Associates and we respond in the following:

1. Project Location Map and Site Plan

Both maps in question Figures 1 & 2 are being revised by the applicant and will be included in the Final Environmental Impact Statement (FEIS). If it is available at the time of the FEIS printing, the landscaping plan will be made available. At the present time, the landscaping plan is in a preliminary review stage and is being discussed with the County of Maui Parks & Recreation staff. During the SMP review process, the full plan is expected to be completed and available for review.

2. Traffic Impacts

Traffic counts were conducted from 6:00 a.m. to 6:00 p.m. on Sunday and Monday, January 25 and 26, 1987. These counts indicate that the current number of trips being generated and the trips being redirected via the Makena Alanui Road. The total number of traffic trips that were counted on January 25 & 26 are provided herewith on page VII-22 and will be included in the FEIS.

3. Land Exchange

There is a misunderstanding on the actual dates cited in our reference on page III-5 on the land exchange that has been completed between Selbu Hawaii, Inc. and Maui County. Our reference indicated that in December 1984, an Environmental Assessment was prepared to document the legal exchange of lands between Selbu Hawaii, Inc. and the State Department of Land and Natural Resources (DLNR). Also included was the portion of Makena Road that is the subject of this DEIS.

Mr. Roger A. Ulveling  
February 6, 1987  
Page 2

4. Open Space Resources

There are specific mitigative measures being proposed by Maui County to reduce the impacts to the Coastal Zone and these measures have been reviewed with the applicant, Selbu Hawaii, Inc. who will develop the final landscaping plans that will be reviewed and approved by the County Planning Director prior to construction. One of the more significant improvements being proposed is a gravel walkway that will be stabilized by compacted cinders. The walkway will be 6'0" wide with cinders which will be treated as a coastal resource to the Sand Dune formation form. There will be no extensive grading, grubbing, or removal of sand from this area, and no buildings will be permitted on this sand dune formation.

Finally, all construction plans will be submitted to the County Planning Director for his review and approval so that compliance with the Kihai/Makena Community Plan Policies as adopted will be observed.

5. Hawaii State Plan

The design, construction and maintenance of the Cul-de-sacs Plan for the Makena-Keoneolo Road will provide the Maui Prince Hotel the opportunity to "ensure that visitor industry activities are in keeping with the social, economic, and physical needs and aspirations of Hawaii's people." (Sec. 226-8(b)(2)).

There is opposition to the Plan from concerned citizens on the closure of the Road section and on this basis, "Encourage cooperation between the public and private sectors in developing and maintaining well designed, adequately serviced visitor industry and related developments which are sensitive to neighboring communities and activities" (Sec. 226-8(b)(4)) is not being achieved. Sec. 226-103(b)(2) is split in compliance since the voiced opposition to the closure of the Road section negates the physical planning adequacy of the shoreline setbacks and beach access. Section 226-11 is complied with on all applicable shoreline based criteria.

Thank you for your continuing concern.

Very truly yours,

*F. J. Rodriguez*

F. J. Rodriguez

FJR:ls  
Attach.

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(P)2152.6

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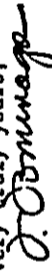
Mr. Christopher L. Hart  
Director  
Planning Department  
County of Maui  
200 South High Street  
Wailuku, Maui, HI 96793

Dear Mr. Hart:

Subject: Draft Environmental Impact Statement  
Makana-Reoneoio Road Cul-De-Sacs Plan

We have reviewed the subject document and have no  
comments to offer.

Very truly yours,



TEUANE TOMIHAGA  
State Public Works Engineer

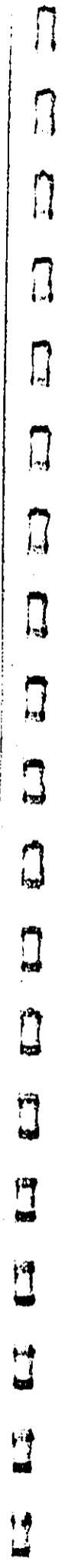
/jnt  
cc: Mr. F. J. Rodriguez

NO RESPONSE NEEDED

JAN 02 1987



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PLANNING DEPARTMENT  
COUNTY OF HAWAII  
200 SOUTH HIGH STREET  
HONOLULU, HAWAII 96816-4435

DEC 31 1986

HIEING

Mr. Christopher L. Hart, Planning Director  
County of Maui Planning Department  
200 South High Street  
Maui, Hawaii 96793


Dear Mr. Hart:

Hakana-Keonefo Road Cul-De-Sacs Plan  
Hakana, Maui

Thank you for providing us the opportunity to review the above subject project.

We have no comments to offer at this time regarding this project.

Yours truly,

  
Jerry H. Ikauda  
Major, Hawaii Air  
National Guard  
Contr & Engr Officer

cc: Environmental Communications, Inc.

NO RESPONSE NEEDED

JAN 02 1987

XEROX COPY

John D. Waihee  
XXXXXX



STATE OF HAWAII  
DEPARTMENT OF SOCIAL SERVICES AND HOUSING  
HAWAII HOUSING AUTHORITY  
P. O. BOX 17887  
HONOLULU, HAWAII 96817

RUSSELL N. FUKUMOTO  
Executive Director

IN REPLY REFER

TO:  
87:PLNG/81

January 7, 1987

Mr. Christopher L. Hart, Planning Director  
County of Maui Planning Department  
200 South High Street  
Wailuku, Hawaii 96793

Dear Mr. Hart:

Re: Draft Environmental Impact Statement  
on Makana-Keoneoio Road Cul-De-Sacs Plan

Thank you for the opportunity to review the draft  
Environmental Impact Statement.

The Hawaii Housing Authority has no comments to make on the  
proposed project.

Sincerely,

Original Signed By

RUSSELL N. FUKUMOTO  
Executive Director

cc: Mr. F. J. Rodriguez  
Environmental Communications, Inc.

NO RESPONSE NEEDED

JAN 12 1987

STP 8.1823

January 29, 1987

Mr. Christopher Hart, Director  
Planning Department  
County of Maui  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Mr. Hart:

Draft Environmental Impact Statement  
Makana-Keoneoio Road Cul-De-Sacs Plan

We have reviewed the subject draft EIS and have no objections  
to the proposed cul-de-sacs at Makana, Maui.

Thank you for this opportunity to provide comments on this  
matter.

Very truly yours,

Edward Y. Hirata  
Director of Transportation

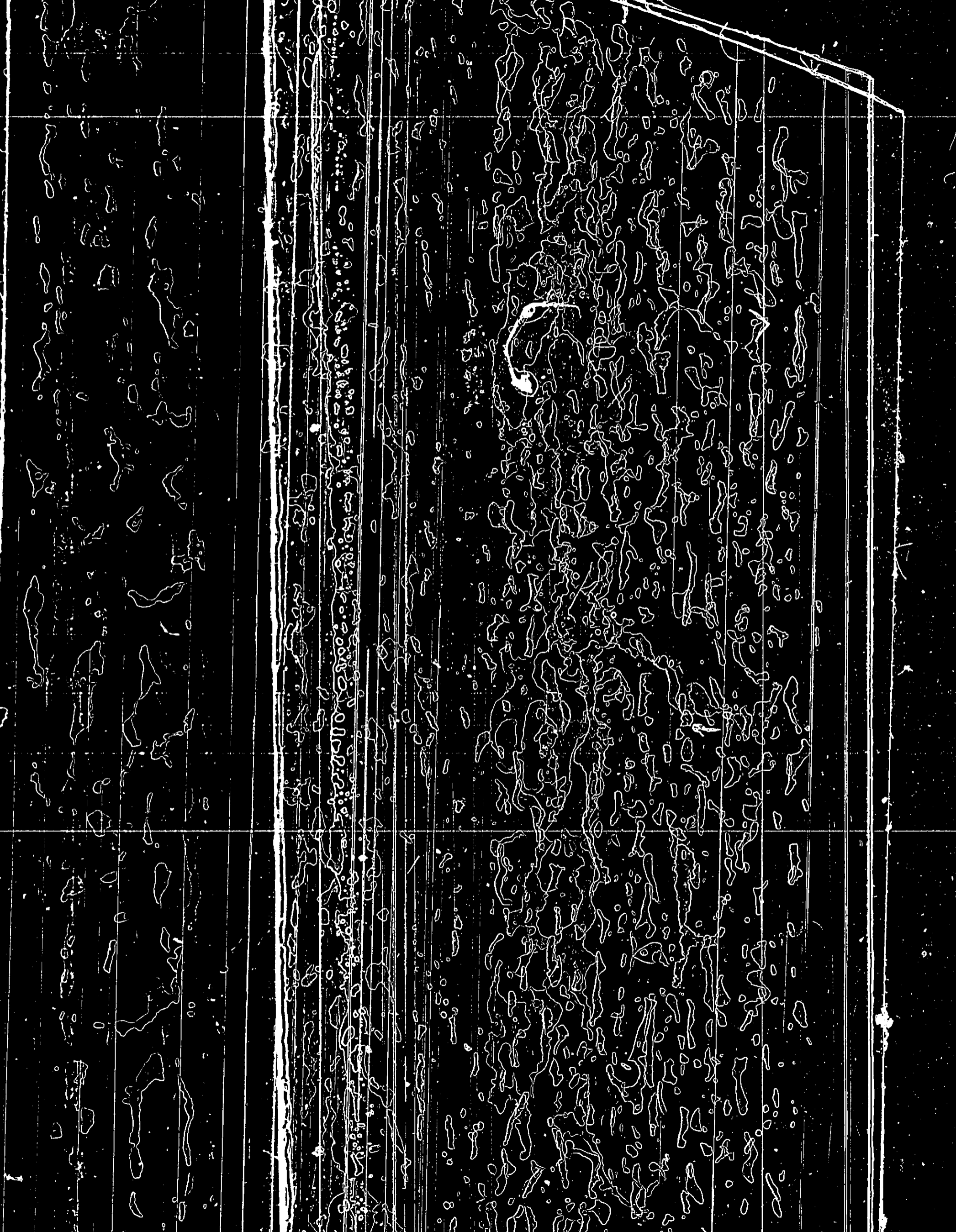
AK AS:kok

cc: F.J. Rodriguez, Env. Communications

HWY-P, HAR-EP, STP(dt)

NO RESPONSE NEEDED

FEB 3 1987



# CORRECTION

THE PRECEDING DOCUMENT(S) HAS  
BEEN REPHOTOGRAPHED TO ASSURE  
LEGIBILITY  
SEE FRAME(S)  
IMMEDIATELY FOLLOWING

John D. Waihee  
Executive Director



STATE OF HAWAII  
DEPARTMENT OF SOCIAL SERVICES AND HOUSING  
HAWAII HOUSING AUTHORITY  
P. O. BOX 17887  
HONOLULU, HAWAII 96817

RUSSELL N. FURUKOTO  
EXECUTIVE DIRECTOR

IN REPLY REFER

TO:

87:PLNG/81

STP 8.1823

January 29, 1987

January 7, 1987

Mr. Christopher L. Hart, Planning Director  
County of Maui Planning Department  
200 South High Street  
Wailuku, Hawaii 96793

Dear Mr. Hart:

Re: Draft Environmental Impact Statement  
on Makena-Keoneoio Road Cul-De-Sacs Plan

Thank you for the opportunity to review the draft  
Environmental Impact Statement.

The Hawaii Housing Authority has no comments to make on the  
proposed project.

Sincerely,

Original Signed By

RUSSELL N. FURUKOTO  
Executive Director

cc: Mr. F. J. Rodriguez  
Environmental Communications, Inc.

NO RESPONSE NEEDED

JAN 12 1987

Mr. Christopher Hart, Director  
Planning Department  
County of Maui  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Mr. Hart:

Draft Environmental Impact Statement  
Makena-Keoneoio Road Cul-De-Sacs Plan

We have reviewed the subject draft EIS and have no objections  
to the proposed cul-de-sacs at Makena, Maui.

Thank you for this opportunity to provide comments on this  
matter.

Very truly yours,

Edward Y. Hirata  
Director of Transportation

AS:kok

cc: F.J. Rodriguez, Env. Communications

HWY-P, HAR-EP, STP(dt)

NO RESPONSE NEEDED

FEB 3 1987



# University of Hawaii at Manoa

Department of Anthropology  
Porteus Hall 340 • 2124 Mailo Way  
Honolulu, Hawaii 96822

19 January 1987

Mr. Christopher L. Hart  
Planning Director  
County of Maui Planning Department  
200 South High Street  
Hailuku, Hawaii 96793

RE: Makena-Keoneolo Road Cul-de-sacs Plan Draft EIS

Dear Mr. Hart:

I am a cultural anthropologist and I did fieldwork on the windward side of Maui in the mid-1970s. I have also worked extensively with Hawaiian ethnohistorical materials and have published a book and several articles on Hawaiian land and community life in both the modern and early postcontact periods. Although I have not been to Makena recently, I visited the area a few times in 1975 and spent a weekend hiking from Makena onto the coastal lava flows toward Kanaio. I am therefore somewhat familiar with the area.

I am commenting on the above draft EIS because I am concerned with the preservation of Hawaiian culture and community life on Maui. The small Hawaiian community around Makena represents perhaps the last example of the leeward Hawaiian lifestyle on Maui, since the rest of the dry side of East Maui is largely depopulated. It should be noted that in pre-European times the leeward subsistence lifestyle, based primarily on fishing, was complementary to windward wetland taro cultivation and was no less an integral component of Hawaiian society. Under the circumstances, I feel that resorts in this area should err on the side of caution when planning "unavoidable impacts" on the Hawaiian community.

In my opinion the draft EIS errs by taking a too narrow view of cultural significance. The historical methodology, as documented in Appendix A, essentially treats the affected section of the road as an isolated artifact, divorced from its historical and spatial context. The report finds that the affected portion of the Makena Road includes no significant archaeological structures, and is therefore without significance. The position is also taken that if the road cannot be definitively proven to be a link of the prehistoric "Kihapai'iani highway" that circled Maui in the days of the chieftainship, then it can be assumed to have no significance. This finding seems disingenuous, since for

Linnekin to Hart

-2-

1/19/87

a preliterate society such identifications are extremely difficult to prove, particularly in this coastal dune area where paving stones would not have been used. As stated by informants in the Joesting to Rodriguez letter of December 9, 1986, the Makena road has long been used by Hawaiians for access to fishing areas. In the area accessible only by foot trail on the Kaupo side of Makena, there are numerous stone structures (including fishing shrines) and a well defined trail of water-worn paving stones. There is also an important complex of loko pu'uone, a fishpond type of limited distribution in the islands. I acknowledge that this is outside the bounds of the area covered by the draft EIS, but the Makena Road derives cultural significance as a historic--and most likely, prehistoric--access to this settlement area. It is questionable whether the road is important because of the presence or absence of sites within the affected section, or because of the access that it affords. The Hawaiians' testimony suggests that the issue for them is the preservation of the right of access.

I have taken too much of your time, but I teach courses that deal with modern ethnic conflicts in the islands and I would like to make one further point. I see a real danger in the trend for "world class" resorts to be built in rural areas that, although now sparsely populated, are identified as "Hawaiian places"--places of peace, where people can view the landscape as it once was and conduct traditional subsistence and medicinal practices. It is precisely in areas such as Makena, I feel, that developers should strive to show respect for local Hawaiians and take measures to mitigate the resort's impact. The developer's insistence on closing a section of the Makena Road--rather than implementing one of the planned alternatives--seems rather arbitrary. I find it hard to believe that people will not come to the resort if there is a road between the hotel and the beach. While the draft EIS may observe the strict letter of the law in defining cultural significance, the closure of the Makena Road can only serve to exacerbate local/tourist and Hawaiian/haole tensions in this area.

Thank you for your attention.

Sincerely,

Jocelyn Linnekin  
Assistant Professor of Anthropology

cc: Mr. P. J. Rodriguez ✓  
Ms. Dana Maone Hall

JAN 24 1987

AN EQUAL OPPORTUNITY EMPLOYER



ENVIRONMENTAL  
COMMUNICATIONS  
INC.

F. J. RODRIGUEZ  
PRESIDENT

February 6, 1987

Dr. Jocelyn Linnekin  
Assistant Professor of Anthropology  
Department of Anthropology  
University of Hawaii at Manoa  
Porteus Hall 346  
2424 Malle Way  
Honolulu, Hawaii 96822

Dear Dr. Linnekin:

We have received your comments on the Makana-Kooneolo Road Cul-de-sacs Plan Draft Environmental Impact Statement (DEIS) as provided to Maui County. The Bishop Museum has assisted in the review of your comments and has provided their assistance in responding.

There is general agreement on the necessity of the contextual perspective when dealing with the subject roadway; however, the reviewer (Linnekin) should also agree that a certain amount of specificity is vital when only an 1100' section of a roadway is being addressed. The reviewer should also be aware that the Joesting study (Appendix A) is a supplement to the Clark & Kelly report of March, 1985. Generally, the study attempts to draw a clear distinction between the physical, tangible evidence of a formalized and established trail with some original integrity within a specified area, versus the concept of a perpetual access corridor that transcends transformations of morphological and locational integrity.

We thank you for your comments and continuing concern.

Very truly yours,

*F. J. Rodriguez*

F. J. Rodriguez

FJR:ls



University of Hawaii at Manoa

Environmental Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 948-7381

January 22, 1987
RE:0457

Mr. Christopher L. Hart, Planning Director
Planning Department
County of Maui
200 South High Street
Wailuku, Hawaii 96793

Dear Mr. Hart:

Draft Environmental Impact Statement
Makana-Keoneoio Road Cul-De-Sacs Plan
Makana, Maui

The above cited document addresses the environmental impacts relative to the closing of a 1,100 feet of existing shoreline frontage, dirt road and the construction of two paved cul-de-sacs in Makana, Maui. The review was prepared with the assistance of Jon Hatsuoka, Social Work; Bion Griffin, Anthropology; and Michael Tokushige, Environmental Center.

Purpose. Page II-1

The purpose of the project, i.e. closure of an existing shoreline access road, used by the local community, to provide exclusive beach front property to the Maui Prince Hotel should be clearly stated.

Project Description. Page III-3

The brief description in the three paragraphs on pages III 3-4 does not adequately describe the project. It is not clear from the information given whether the pathway will connect the two cul-de-sacs, if the pathway will be paved or be maintained as a dirt path, or whether there will be paths connecting the hotel to the proposed path and if these hotel paths would continue on to the beach.

Complicating this matter further is the lack of clarity in Figure 2, (page III-4). Many of the smaller notes, numbers and writings inside the shaded cul-de-sacs are completely illegible. In addition the proposed pathway is not identified on the map nor is the location of the Maui Prince Hotel clearly shown in relation to the proposed action. The Vicinity Map is too small to be legible and should be replaced in the Final EIS with an enlarged, full page, version.

JAN 23 1987

AN EQUAL OPPORTUNITY EMPLOYER

Mr. Christopher L. Hart

-2-

January 21, 1987

Alternatives Considered. Page IV-6

Alternative number 4 the "No Action" alternative indicates that in its present condition, Makana Road creates noticeable impacts of air and noise to the Maui Prince Hotel. Considering that the hotel is set back 300 feet from the shoreline, significant impacts from noise and dust are surprising. On the other hand, if there is so much traffic that air pollutants (dust) and noise are indeed problems needing mitigation (road closure in this case), then the impacts of closing a road so frequently frequently used suggests that such closure would have significant impacts to local users. Some quantitative data as to the usage of this road i.e., number of vehicles per each hour over a 24 hour period should be provided.

Other Alternatives

Cobblestoning of the Makana-Keoneoio road and the addition of speed bumps and stop signs at appropriate cross walk-beach access points should assure safe passage to the beach by hotel guests as well as allow for modest local traffic. As long as the mauka bypass road, Makana Alanui, is maintained, it is probable that the major through traffic will circumvent the beach road so that noise and dust impacts would be reduced if not eliminated. Maintaining a minimum width, cobblestoned beach road, however, will assure the desired local access capability while providing a functional and aesthetically pleasing, road-pathway along the beach. We believe that this dual road alternative should be more fully considered.

Anticipated Impacts and Mitigative Measures. Page VII-1

Headings for all sub-sections except for section J 'social aspects' page VII-20, are preceded by the words "Impact on." This section does not address the issue at hand, namely, the social ramifications of the closure of the Makana Beach Road. There is no mention as to the potential impacts to the local residents' way of life, or the number of people that would be affected by such action. It is evident that the people of this area feel very strongly about the proposed action as reflected in the letters submitted during the consultation stage. As presently drafted, these social concerns are insufficiently and inadequately addressed. The social aspects of this proposed action should be further developed if the Final EIS is to be considered adequate.

The cultural study recommended by the State Parks Administrator, Department of Land and Natural Resources, memorandum dated December 5, 1984 is not adequately developed. The criteria recommended for the study are listed on page VII-7 of the Draft EIS. These recommendations include informant interviews to substantiate the cultural significance of the roadway, thorough archival search and an examination "of the relationship of the Kiha-a-pillani Trail, of which the existing Makana Road and a section proposed for closure was a part of, and the significance of this

Mr. Christopher L. Hart

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January 21, 1987

ENVIRONMENTAL COMMUNICATIONS INC.

F. J. RODRIGUEZ PRESIDENT

February 6, 1987

trail in the overall context of Hawaiian history and culture... (Note in particular that the State Parks Administrator, DILNR, referred to this road as a part of the 'Iha-a-Pili' trail.)

The State Parks Administrator set up certain criteria (page VII-7,8) as guide lines for the Historical report, however, the report provided is superficial and inadequate and shows little attention to such recommendations. It is difficult to judge the thoroughness of the archival work but failure to give evidence of consulting the many Hawaiian language sources, especially newspapers, suggests that the work is seriously deficient. The basic concept of the trail's importance is completely ignored, nor have the mid-nineteenth century Mahele land testimonies been explored. Given the apparent lack of archival research, the basis for the assumption that all maps pertinent to the area have been located seems unsupported. Furthermore, on a two day site visit, the author of the report was given names of local residents to interview, but declined to do so "... since their depositions were already available..." (Appendix A page 2). No evidence is presented that inspection of the depositions was undertaken. Notes taken from a meeting of the Maui Planning Commission were apparently deemed to suffice, but since no interviews were conducted there is no supporting evidence for this conclusion. We should add that the work of Ms. Marion Kelly which is referred to in the text of the Draft EIS, seems far more thorough and complete than that presented in Appendix A. More effort of the caliber of the Kelly work should be conducted to assure an adequate basis for final decision making on this project.

We appreciate the opportunity to comment on this DEIS and look forward to your response.

Yours truly,

Jacqueline M. Miller, Acting Associate Director

cc: OEQC Environmental Communications, Inc. Jon Matsuoka Bion Griffin Michael Tokushige

Ms. Jacqueline M. Miller Acting Associate Director Environmental Center University of Hawaii at Manoa Crawford 317 2550 Campus Road Honolulu, Hawaii 96822

Dear Ms. Miller:

We are in receipt of your office's comments dated January 22, 1987 on the proposed improvements for the Makena-Keoneolo Cul-de-sacs Plan, Draft EIS. The comments have been provided to the applicant and Bishop Museum consultants and we respond in the following:

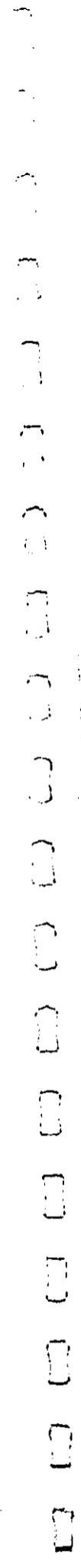
1. Purpose, Page II-1

The ability of the Environmental Center to read into the description of Purpose as stated on pp. II-1 as "to provide exclusive beach front property to the Maui Prince Hotel" is erroneous. There is no exclusivity involved insofar as beach access is concerned but there will be restricted vehicular access on the existing Makena-Keoneolo Road. Seibu has already developed, made available to the public and is in the process of dedicating to the County, a public beach access in the area which comprises a convenient drop-off point at Maluaka or Naupaka Beach, twenty-five (25) parking stalls and a comfort station containing restrooms and shower facilities. Due to the narrow width of the beach parcel and the presence of a sand dune on said parcel and the unavailability of contiguous land owned by Seibu, the parking and comfort station are located approximately 400' north of the beach drop-off point. In addition to this public beach access, Seibu will construct a fixed foot path on the makai side of the sand dune parallel to and approximately 20' from the vegetation line open to the public. This walkway will connect the public beach access drop-off point at the north end of Maluaka Beach to the cul-de-sac at the south end of Maluaka Beach. In addition, Seibu will be providing an additional ten parking stalls at the south cul-de-sac.

Existing vehicular traffic is to be rerouted to the newly built Makena Alanui and the proposed Cul-de-sacs Plan will be implemented.

2. Project Description, Page III-3

In response to your inquiries with regard to the project description, please be advised that the pedestrian walkway along the shoreline will connect the south cul-de-sac with the beach access drop off point slightly north of the



Ms. Jacquelin N. Miller  
February 6, 1987  
Page 2

north cul-de-sac at the north end of Maluaka (sometimes called Naupaka) Beach. The pathway will be paved. There will be at least one and possibly two paths from the hotel area heading makai to the proposed pedestrian pathway. It is not anticipated that these pathways will be paved beyond the pedestrian pathway running parallel with the shoreline.

Figure 2 is to be revised and replaced in the FEIS; we regret any inconvenience the prior maps may have caused.

3. Alternatives Considered, Page IV-6

While the hotel itself is set back 300' from the shoreline, the hotel is as shown in Figure 4 approximately 120' from the road. Traffic counts contained on page VII-19 herein, would indicate that majority of traffic heading north-south in this area is rerouted along Makana Alanui. However, there remains some traffic along the Makana-Keoneolo Road. The draft environmental impact statement merely stated the environmental impacts, including automobile emissions, fugitive dust and noise which this traffic generates in the area, affect both the Maui Prince Hotel and other users of the shoreline area.

4. Other Alternatives

Other alternatives considered by the applicant in the draft environmental impact statement were a pedestrian overpass, a vehicular tunnel and the possibility of improving the portion of the Makana-Keoneolo Road fronting the Maui Prince Hotel by bringing the same up to county standards for 56' right-of-way and reducing the elevation of said roadway in order to mitigate noise and visual impacts. In addition, in response to other comments received, the alternative of providing a pedestrian underpass beneath the Makana-Keoneolo Road and the construction of a county standard road together with a traffic control signal have been provided in the response to these comments. The last proposal would be in line with your suggestion that the Makana-Keoneolo Road be cobblestoned with the addition of speed bumps and stop signs.

5. Anticipated Impacts and Mitigative Measures, Pg. VII-1

The social impacts that are inherent in the closure of the Makana-Keoneolo Road has not been addressed as a specific issue of social concern. There is a specific group of concerned citizens that have allegedly been impacted and their cause has been the subject of a civil action (Civil No. 85-0187(3)). Further development of the social aspects of the proposed closure will follow but are not available at this time.

The Bishop Museum, who is presently under contract to the applicant, has performed numerous archaeological and cultural studies in the Makana area. Many of these studies have been performed in the past ten (10) years as the consultant of record for the applicant.

Ms. Jacquelin N. Miller  
February 6, 1986  
Page 3

The latest of these studies was the supplemental archaeological and historic studies at Makana, Makawao, Maui, dated March 1985 by Clark and Kelly and the cultural historic study and report by the Bishop Museum, dated December 9, 1986 by Anne Joesting. In addition, we have had the opportunity to review and respond to a further background history of Alanui Aupuni, Honouliuli, Maui, dated January 10, 1987, by Kelly. Said latter study and the response thereto are contained in Appendix A.

Thank you for your continuing concern.

Very truly yours,

F. J. Rodriguez

FJR:ls



## University of Hawaii at Mānoa

Department of History  
Sakamaki Hall A200 • 2530 Dole Street  
Honolulu, Hawaii 96822

21 January 1987

Mr. Christopher L. Hart  
Planning Director  
County of Maui Planning Department  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Mr. Hart,

I write to comment on one section of the EIS report entitled Makana - Keoneio Cui-De-Sacs Plan. In particular I refer to the Bishop Museum historical research report of December 9, 1986 written by Ms. Ann Joesting.

I read with some amusement Ms. Joesting's amateurish analysis of the historical material she presented, which gave copious evidence for pre-historic use of the present Mākana-Keone'ō'io road and from which she concludes just the opposite. As a Pacific/Hawaiian historian who has written a dissertation on the Māhele chiefs of the 1840s, I find Ms. Joesting's report faulty in a number of areas.

First, I find her lack of bibliography rather curious. What missionary journals did she read? Did she read all of them? Did she do a newspaper search in the English and Hawaiian language papers? How many ship journals did she consult? Which of the innumerable land records, government documents and court cases did she review? No historian, or even any thinking adult should accept such a report without a bibliography.

Secondly, she presumes that the historical evidence (written records) and oral testimonies included in her report do not reveal any information about the pre-historic period. However, in Hawai'i the pre-historic period (that time before written records were kept), refers to Hawai'i before Cook's arrival, which little more than 200 years ago. That is a relatively short period of time in the light of human history, especially to the Hawaiian people who have lived in these islands for 2,000 years and until recently could recite the relevant genealogies for that period of time. Are we to ignore the 1800 years of Hawaiian history before Cook because some Westerner did not write about it?

Pacific historians have long recognized how invaluable oral traditions are to the history of preliterate societies. It is data that must be checked against physical remains and archaeological sites for precise dating, but it is,

nonetheless, precious and extremely relevant.

Edward Chang, for instance, who was born in 1906 (Joesting 1986:3), speaks of his grandparents who called the Mākana-Keone'ō'io road an alanui kahiko, or an ancient road. It is a typical Hawaiian road because it connects the people of the uplands with the people of the sea. This enabled people to exchange fish and poi more readily. And in Hawaiian, kahiko frequently refers to events 4 generations (at least 100 years) prior to the present.

Chang's grandparents were probably born circa 1840-1860. If this road, referred to by Chang as Hoopili's trail, was ancient in 1840, it would be reasonable to assume that it was pre-historic. Hoopili himself was a high chief in the entourage of Kamehameha who swept northward with the Hoopili was a long time governor of Maui after the death of Kamehameha in 1819. He was also famous for having restored the alanui kahiko of Kiha-a-Pi'ilani. Edward Chang's grandparents would certainly have heard of Gov. Hoopili as he died in 1840, shortly before they were born.

In addition, Winslow M. Walker, in his 1928 archaeological fieldwork (Joesting 1986:1-2) describes the causeways of stone and the two feet thick curb of Pāhoehoe lava which lined this road. Moving slabs of Pāhoehoe is fairly arduous work and would only have been done at the insistence of a high chief such as Hoopili. Moreover, as Hawaiians gain mana from restoring the works of their ancestors, Hoopili would have gained such mana and respect from the Maui Hawaiians for his effort to mālama, or care for, the alanui kahiko of Kiha-a-Pi'ilani, a famous Maui chief.

The attached evidence to the Joesting report is equally valuable to the pre-history argument. I refer to the 1845 map and the 1852 Royal Patent Award to Mahoe, a konohiki of Kamehameha III. These both attest to the presence of the Mākana-Keone'ō'io road. My experience with Māhele records has been that landmarks, such as roads, auwai, lo'i and fishponds were usually in place for a very long time, usually for many generations, or even hundreds of years. This evidence, coupled with the oral testimonies, make reasonable the assertion of pre-historic use.

But the issue of pre-historic evidence is really begging the question. There is overwhelming evidence that modern Hawaiians still use the old Hoopili mauke-makai road to gain access to the sea, in the manner of their ancestors for the past hundreds of years. Is not the sanctity of Hawaiian tradition valuable? Moreover, the area abounds in heiau which Federal law requires that Hawaiians have access to for religious reasons.

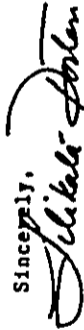
The more important matter at hand for the Maui Planning Commission to consider is whether it will deny the native Hawaiian people their ancient rights of passage to the sea in favor of a foreign based Japanese multinational corporation.

Seibu Corporation is not willing to share the beach with its Hawaiian neighbors, although the Hawaiians don't wish to exclude the hotel or its tourists from their homelands. Once again the native Hawaiian people are being too generous with a greedy outsider. Seibu wants to offer its guests "exclusive" use of the Maui Prince hotel beach. Are we to assume that Japanese tourists, or white tourists for that matter, don't wish to meet the native Hawaiians who fished that beach for generations? This smacks of Japanese racism towards Hawaiians, and surely on those grounds alone the Maui Planning Commission should deny Seibu its request.

Hawaiians are here to stay and foreigners who come to Hawai'i should not try to exclude the native people from any portion of their homeland. To ignore such reasonable sentiments would be to engender the inevitable violence attendant to any excessive tourist development.

Finally, I urge the Maui Planning Commission not to grant Seibu's request to close that alauai kahiko or ancient road, know as Hoapili's trail and as the Hakena-Keone 'o 'io road. I further request that updated copies of the EIS report and any relevant material, including the decision of the Maui Planning Commission be sent to me as a member of the interested public.

Sincerely,



Lilikala Dorton, Ph.D.  
Assistant Professor  
of Hawaiian History  
University of Hawai'i-Mānoa

cc: F.J. Rodriguez ✓  
Dana Maone Hall

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

F. J. RODRIGUEZ  
PRESIDENT

February 6, 1987

Dr. Lilikala Dorton  
Assistant Professor of  
Hawaiian History  
Department of History  
University of Hawai'i at Manoa  
Sakamaki Hall A203  
2530 Dole Street  
Honolulu, Hawaii 96822

Dear Dr. Dorton:

We have received your comments on the Draft Environmental Impact Statement (DEIS) for the Makena-Keoneolo Road Cul-de-sacs Plan as provided to Maui County. The Bishop Museum has reviewed your comments and we respond as follows:

1. The Museum fails to see the "copious evidence for prehistoric use of the present Makena-Keoneolo Road" rather all of the available documentation relates to the historic period utilization of a coastal trail system. Intensive archaeological investigations conducted previously in the subject area as well as surrounding areas have revealed no tangible evidence of a formalized trail, although none of our studies, including the present, have precluded the existence of a prehistoric coastal trail.

The criticism of a lack of bibliography is justified. Time limitations compounded by the researcher's illness prevented inclusion of the bibliography with the DEIS. It will be included in the Final Environmental Impact Statement.

The author (Ann Joesting) chose not to include the results of previously conducted archaeological investigations on the road, since it is already a part of the public record. However, this report will also be included in the Final EIS. Appendix A has been expanded to include the Clark & Kelly, March 1985 document.

The reference to the Winslow Walker roadway is noted as being in the neighboring traditional districts of Kahikinui, Kaupo, and Kipahulu, roughly 10-30 miles away from the subject area.

With regard to the reference to the Royal Patent Award 835 to Mahoe in 1852 by Kamehameha III, copy of which is attached for your convenient review, you will note that call no. 5 in the description makes reference









COPY

COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

January 12, 1987

MEMO TO: Christopher Hart, Planning Director *Chris Hart*  
F R O M: Alvin K. Fukunaga, Director of Public Works  
SUBJECT: Makana-Keonsoio Road Cul-De-Sacs Plan  
TKM: 2-1-05:86, 2-1-05:56, 57, and 59  
Makana, Maui

We have reviewed the above submittal and preliminary construction plans. We have no further comments than those already mentioned in our March 7, 1986 and May 29, 1986 memos to you.

AS/ms

cc: Mr. R.J. Rodriguez  
Environmental Communications, Inc. w/enclosures  
P.O. Box 536  
Honolulu, Hawaii 96809

JAN 15 1987

COPY

COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

March 7, 1986

MEMO TO: Christopher Hart, Planning Director *Chris Hart*  
F R O M: Alvin K. Fukunaga, Director of Public Works  
SUBJECT: Environmental Assessment Determination Application for  
Proposed Construction of Two Cul-De-Sacs Along Makana  
Road, Ten Paved Parking Stalls, Landscape Planting  
Improvements, and An Unpaved Walkway Portion of  
TKM: 2-1-05:86, TKM: 2-1-06:37, 56, 57, & 59, Makana, Maui.

We have reviewed the above application and offer the following comments:

1. That a detailed drainage plans including, but not limited to, hydrologic and hydraulic calculations and disposal of runoff water, be submitted for our review and approval. The plan shall provide verification that the grading and runoff water generated by the project will not have an adverse effect on the adjacent and downstream properties. Drywells may not be allowed.
2. That surface runoff from the cul-de-sac through a 2' wide opening in the curbs will not be allowed.
3. That a sidewalk should be provided from the south parking lot to the beach walkway. Sidewalks should also be provided at the cul-de-sacs if it is the intent to use the cul-de-sacs as a loading and unloading area. Parking should not be allowed at the cul-de-sacs.
4. That the back-up area for the south parking lot may not be sufficient to keep vehicles exiting the lot from encroaching within the far travel lane.
5. That adequate signage (i.e. beach access, no parking, loading and unloading only, etc.) be provided.
6. That handicapped ramps be provided leading from the cul-de-sac to the beach walkway.

AS/ms

COPY

COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

F. J. RODRIGUEZ  
PRESIDENT

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

May 29, 1986

MEMO TO: Christopher Hatt, Planning Director  
FROM: Alvin K. Fukunaga, Director of Public Works  
SUBJECT: Special Management Area Permit Application for Proposed Construction of Two Cul-De-Sacs Along Makena Road, Ten Paved Parking Stalls, Landscape Planting Improvements, and An Unpaved Walkway Portion of TMK: 2-1-05:86, TMK: 2-1-06:37, 56, 57, & 59, Makena, Maui.

Mr. Alvin K. Fukunaga, Director  
Department of Public Works  
County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

February 6, 1987

Dear Mr. Fukunaga:

We are in receipt of your comments dated January 12, 1987 on the proposed Makena-Keoneo Road Cul-De-Sacs Plan EIS. The comments have been provided to the applicant and the civil engineering consultant, Richard M. Sato & Associates and we respond in the following:

We have reviewed the above application and offer the following comments:

1. That surface runoff from the cul-de-sac through a 2' wide opening in the curbs will not be allowed.
2. That a sidewalk should be provided from the south parking lot to the beach walkway. Sidewalks should also be provided at the cul-de-sacs if it is the intent to use the cul-de-sacs as a loading and unloading area. Parking should not be allowed at the cul-de-sacs.
3. That the back-up area for the south parking lot may not be sufficient to keep vehicles exiting the lot from encroaching within the far travel lane.
4. That adequate signage (i.e. beach access, no parking, loading and unloading only, etc.) be provided.
5. That handicapped ramps be provided leading from the cul-de-sac to the beach walkway.

AS/ms

1. Your agency's review of the Special Management Area Permit Application for proposed construction of two cul-de-sacs along Makena Road, ten paved parking stalls, landscape planting improvements and an unpaved walkway dated May 29, 1986 has been reviewed again by Seibu Hawaii, Inc. and they will comply with the requirements as stated in your letter.
2. The engineering firm will provide final drawings for your office to review prior to any construction of these proposed improvements. This will be done at the conclusion of the SMA permit processing and approvals.

Thank you for your comments and continuing concern.

Very truly yours,

F. J. Rodriguez

FJR:ls

cc: E. Maehara  
R. Sato  
R. Figueiroa  
Attach:

1146 FORT STREET MAIL SUITE 200 • P. O. BOX 536 • HONOLULU HAWAII 96808 • TELEPHONE (808) 421-8391

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31



**MAKENA RESORT**  
SEIBU HAWAII, INC.

January 26, 1987

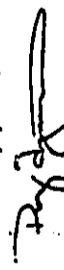
Alvin Fukunaga, Director  
Department of Public Works  
County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Dear Mr. Fukunaga:

We received a copy of your response to Mr. Chris Hart regarding the Makena-Keoneolo Road Cul-de-sacs plan. In response, we'd like to clarify that your May 29, 1986 memo supercedes the one on March 7, 1986 as we did submit the detailed drainage plans noted in the earlier memo.

We have had subsequent discussions with your staff in Land Use and Codes Administration and will be able to satisfy the rest of their concerns as listed in the May 29, 1986 memo.

Sincerely yours,

  
Roy Figueiras  
Project Coordinator

RF:jsm

cc: C. Hart  
A. Shimamoto  
F. Rodrigues

HANNAH TAVARES  
Mayor



MAUI COUNTY  
KAWAUNOHO  
County Director

DEPARTMENT OF WATER SUPPLY  
COUNTY OF MAUI  
P. O. BOX 1109  
WAILUKU, MAUI, HAWAII 96793

COUNTY OF MAUI  
DEPARTMENT OF PARKS AND RECREATION  
1580 Kahunu Avenue  
Wailuku, Maui, Hawaii 96793  
JANUARY 22, 1987

December 29, 1986

State of Hawaii  
Office of Environmental Quality Control  
465 South King Street, Room 104  
Honolulu, HI 96813

Subject: EIS - Makena-Keoneoio Road Cul-De-Sacs Plan  
Makena, Maui, Hawaii  
TMK 2-1-05:86, 2-1-06:56, 57, and 59

Gentlemen:

Please be advised that we do not have any comments to offer on the Environmental Impact Statement.

Sincerely,  
*Vince G. Bagoy, Jr.*  
Vince G. Bagoy, Jr.  
Director

tm

cc: Planning Department  
County of Maui

NO RESPONSE NEEDED

Mr. Christopher L. Hart  
Director of Planning  
Planning Department  
County of Maui  
200 S. High Street  
Wailuku, Maui, Hawaii 96793

Dear Mr. Hart:

SUBJECT: MAKENA-KEONEOIO ROAD CUL-DE-SACS PLAN

We have reviewed the Environmental Impact Statement (EIS) prepared for the Makena-Keoneoio Road Cul-De-Sacs Plan and have no comments on the EIS.

Thank you for this opportunity to comment on the plan.

Very truly yours,

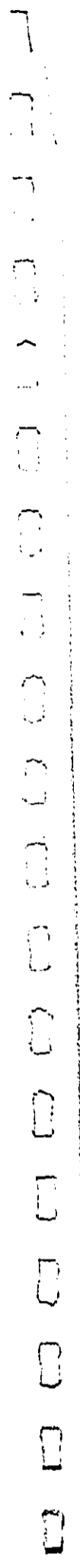
*Marilyn M. Moniz*  
MARILYN M. MONIZ  
Director of Parks & Recreation

cc: Mr. F. J. Rodriguez ✓

NO RESPONSE NEEDED

JAN 12 1987

"By Water All Things Find Life"



HANNIBAL TAVARES  
Mayor  
CERO



FRED MATSUMOTO  
Coordinator

COUNTY OF MAUI  
**OFFICE OF ECONOMIC DEVELOPMENT**  
WAILUKU, MAUI, HAWAII 96793  
TELEPHONE 244-7710

December 24, 1986

Mr. Christopher L. Hart, Director  
Planning Department  
County of Maui  
200 S. High Street  
Wailuku, HI 96793

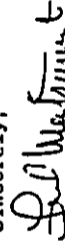
Dear Mr. Hart:

SUBJECT: ENVIRONMENTAL IMPACT STATEMENT (EIS)  
FOR THE WAKENA-KEONEOIO ROAD CUL-DE-  
SACS PLAN

The Office of Economic Development has reviewed the subject Environmental Impact Statement and find that, in general, it has adequately identified and assessed the major environmental impacts which can be anticipated to result from the proposed project.

We have no other comments to offer at this time; however, we thank you for the opportunity to review the Environmental Impact Statement.

Sincerely,

  
FRED MATSUMOTO  
Economic Development Coordinator

cc: Mr. J.J. Rodríguez  
Environmental Communications, Inc.

NO RESPONSE NEEDED

DEC 29 1986

MAUI PLANNING COMMISSION  
David T. Frazier, Chairman  
John A. Maitland, Vice Chairman  
Joseph Falgout  
Joseph J. Franco  
Richard J. Ho  
Ray Sudo  
Tom Sudo  
Eduardo Sotolongo  
Vincent Sotolongo, Jr., Ex-Officio  
Alvin Paturauage, Ex-Officio



COUNTY OF MAUI  
PLANNING DEPARTMENT  
200 S. HIGH STREET  
WAILUKU MAUI, HAWAII 96793

HANNIBAL TAVARES  
Mayor  
CHRISTOPHER L. HART  
Planning Director  
RALPH N. MASUDA  
Deputy Planning Director

F. J. RODRIGUEZ  
PRESIDENT

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

January 22, 1987

Mr. Fred Rodrigues  
Environmental Communications, Inc.  
P.O. BOX 536  
Honolulu, HI 96809

Dear Mr. Rodrigues:

Re: Draft Environmental Impact Statement - Makena-Keoneoio  
Road Cul-De-Sac Plan, Makena, Maui.

Our office has reviewed the above document.

We recommend that the subject EIS include a section reviewing  
the proposed action in terms of the policies of the adopted Kihei-  
Makena Community Plan and its consistency thereof with said policies.

Should further clarification be necessary, please contact  
John Min of our office.

February 6, 1987

Mr. Christopher L. Hart  
Planning Director  
Planning Department  
County of Maui  
200 S. High Street  
Wailuku, Maui, Hawaii 96793

Dear Mr. Hart:

The consistency with the Kihei-Makena Community Plan reference is included  
in the section that deals with the Plans, Policies and Controls, Section VI.  
There is reference in this section as well as references to the Hawaii State  
Plan.

Thank you for your comment and continuing interest.

Very truly yours,

*F. J. Rodriguez*

CHRISTOPHER L. HART  
Planning Director

F. J. Rodriguez

JM:WC

cc: Eric Maehara

FJR:ls

FEB 3 1987

HUI ALANUI O MAKENA  
2087 Wells Street  
Wailuku, Maui, Hawaii  
January 21, 1987

Mr. Christopher Hart  
Director  
Planning Department  
County of Maui  
200 So. High Street  
Wailuku, Hawaii 96793

Re: Comments on Draft EIS "Makena-Keoneoio Road Cul-de-Sacs  
Plan"

Dear Mr. Hart,

The draft Environmental Impact Statement (DEIS) that has been prepared by Environmental Communications, Inc. (ECI) for the Makena-Keoneoio Cul-de-Sacs Plan is a seriously inadequate statement. The DEIS fails to supply sufficient data to allow appropriate review; and it fails to analyze the information that is provided, according to the State's EIS regulations. The central deviations are listed below:

1. Approximately Eighty Percent (80%) of the DEIS was written by Maui County Staff Planner John Min. Four out of every five pages in the DEIS are taken mostly verbatim from the Environmental Assessment/Determination written by John Min for the county of Maui in March 1986 (hereafter referred to as the County's EA). The County's EA is attached as Exhibit A to this letter to permit direct comparison and should be reproduced in full in the final EIS.

The only notable new information provided is (a) the letter, dated December 9, 1986 in Appendix A, written by Ann Joesting (hereafter referred to as the Joesting/Museum letter); (b) an inadequate discussion of federal criteria regarding the significance of historical properties; (c) a section on the alternatives that were considered; (d) a section on the relationship between short-term uses of the environment and the irreversible commitment of resources; and (e) an informal traffic count.

Neither Seibu Hawaii, Inc. (Seibu) nor ECI collected any substantial new data or commissioned any studies, with the exception of what has been listed above.

2. Seibu and ECI Refused to Do a Cultural Resource Study and Refused to Assess the Cultural Significance of the Makena-Keoneoio Road. Even though a proper cultural resource study requires kama'aina informant interviews, Ann Joesting interviewed none. By her own account, in the Joesting/Museum letter,

she visited Keawalai Church:

The pastor referred the names of a few local residents to us, however, since their depositions were already available no interviews were conducted. (emphasis added)

Joesting then quotes extensively from affidavits, not depositions, of Hui Alanui o Makena members Edward Chang, Charles Keau, Helen Peters and Leslie Kuloloio; all of whom are engaged in efforts to keep Makena Road open because of its historical, cultural, religious, traditional and customary importance to them as native Hawaiians.

Ms. Joesting refused to acknowledge that HRS 205A or federal guidelines require any analysis of the cultural importance of the road and, therefore, refused to consider the road in its cultural context. The DEIS omits a cultural analysis of the road, which should be at the heart of the document.

3. Insufficient Study of Alternatives. Too few alternatives are studied. Only impacts on the hotel are considered and no data is provided to justify the rejection of the alternatives studied.

4. Failure to Disclose "Action", "Purpose" and "Need" for Action and Relation to Other Actions. The analysis of environmental impacts depends upon a full disclosure of all of the above. Without this complete disclosure, the DEIS is necessarily inadequate.

5. The DEIS Is a Self-Serving Document. The DEIS prepared by ECI for Seibu's plan is a perfect example of a self-serving environmental analysis, which fails to take a thorough and comprehensive look at the environmental impacts.

The State Environmental Council has already reviewed and disapproved of the portions of the County's EA that have been incorporated into -- and constitute the bulk of -- the DEIS.

Please clarify the following in the final EIS: what sources of information were utilized, what data was collected and what studies were commissioned for the DEIS, if any, which were not included in the County's EA? Where are these shown in the DEIS and where they be located? What are the sources of information for the County's EA?



The following are comments and questions about the DEIS by sections.

1. SUMMARY

Why doesn't the summary sheet contain a statement of:  
(a) significant beneficial impacts of the action;  
(b) significant adverse impacts of the action;  
(c) proposed mitigation measures; and  
(d) alternatives considered?

Please clarify all of the above separately.

II. PROJECT DESCRIPTION AND STATEMENT OF OBJECTIVES

Why doesn't this section contain:

- (a) a description of technical, economic, social and environmental characteristics of the project;
- (b) a summary of technical data necessary to evaluate the impacts of the project; and
- (c) the historic perspective for the project?

Please clarify all of the above separately. Formal traffic, wind, air and noise quality, functional beach access and cultural resource studies should be undertaken by appropriate professionals, and this information should be contained in the final EIS. If these studies are not undertaken, please provide separate explanations for why each is not necessary.

In addition, why doesn't this section describe or include:

- (a) the extent to which Seibu does or does not have clear, fee simple title to Grant 835, upon which a portion of this project will be constructed? What is the precise percentage interest owned by Seibu or Seibu Tetsudo Kabushiki Kaisha in Grant 835? Is there a Certificate of Title which supports this claim? If so, please attach it to the final EIS.
- (b) the fact that a Quiet Title action has been filed (Ferreira v. Seibu, Civ. No. 86-0364) to determine the ownership of a portion of the land upon which one of the cul-de-sacs will be built? If Seibu is determined not to own this land, what alternatives are available to Seibu? Where will Seibu then construct its cul-de-sacs? (See Exhibit B for locations.)
- (c) the fact that County ownership of the roadway is being challenged in court as is the transfer of the roadway parcel from the County to Seibu in Hui Alanui o Makena v. County of Maui, Civ. No. 85-0187? What will happen if the transfer is declared illegal? What plans does Seibu have if the transfer fails?

One of the objectives of the action, the construction of

permanent cul-de-sacs, is to block, terminate and prevent all further public pedestrian and vehicular access along a 1,100 foot segment of the Makena Road in front of the Maui Prince Hotel. The DEIS fails to state this obvious objective of the proposed action. This objective should be identified and discussed in the final EIS. If it is not, please explain why it is an incorrect statement and should not be included in this section.

Is providing the Maui Prince Hotel with: "direct access to the shoreline" (p. III-5) a full and complete disclosure of why the road must be closed from Seibu's perspective? Please describe fully what is meant by "direct access", and please identify whom this "direct access" is meant to serve. For each more detailed description of what is meant by "direct access", describe why it is necessary and provide information and appropriate studies which fully explain and objectively establish that this form of "direct access" is "necessary" in operating a hotel.

Please also identify all public policies and land use policies which state that a private hotel's need for direct access is more important than existing forms of public access along a coastline, including the public access currently afforded by the 1,100 foot section of the Makena Road.

The road closure is described in the DEIS as one of a series of related actions without a review of all of the related actions as a whole. For example, the proposed road closure by Seibu is related to the State's acquisition of property for the State Park at Makena (p. III-5). How is the road closure related to the proposed park? The State's efforts to acquire this land should be reviewed: whether or not the road closure was mandated by the State or whether it was a County transaction with Seibu, and whether Seibu demanded that the road be closed before it would agree to participate in the acquisition. Was it really necessary to close the road in order to acquire Seibu's Oneloa parcel? From the perspective of Seibu? The State? The County? The public?

As another example, the road closure is referred to as the "final action of the Makena Alanui realignment project" (p. III-6); again, without describing all of the related actions as a whole in the DEIS. Why is the road closure a necessary component of the construction of the Makena Alanui? The entire series of actions which lead to this closure must be analyzed.

The cumulative and indirect impacts of the proposed action cannot be reviewed outside the context of these major actions. We are certain that it was not the objective of either the Land Acquisition Study for the Makena Beach State Park or the Makena Alanui Road project to close the Makena Road in

front of the Maui Prince Hotel, and we challenge you to identify and quote any such objective.

An objective of this action is not to "implement" the Kihei Community Plan. The Kihei Citizens Advisory Committee recommended that the road be kept open. The Maui Planning Commission (Planning Commission), the Maui County Council (County Council) and the Mayor overrode community desires in recommending that the road be closed.

Even so, this does not explain the "purpose" or "need" for the road closure. Seibu has applied for a Special Management Area (SMA) permit to close the road, but Seibu's "need" is not identified. This "need" is the objective of the action and should be identified and clarified. Describing the project as an "implementation" of another project(s) or plan(s) only obscures environmental analysis.

Finally, if the objective is to "provide public access to the shoreline and beach resources of the area" (p. 111-6), the DEIS should contain a description of how this "objective" squares with the proposed action, which, if allowed, will terminate vehicular and pedestrian access along the Makena Road. The public already enjoys access to the beach and shoreline, as well as access, including vehicular access, along the road. There will be a termination of access rather than an increase in the provision of public access.

Termination of these public forms of access must be described from an historic perspective. How long has the road been open for continuous pedestrian and vehicular use? What role does this road play in the life of the Makena community, and in the life of the larger community on Maui? What other uses has this road facilitated, particularly with regard to uses of the coastline and coastal resources?

Termination of coastal highways and roads must also be viewed from an historic perspective. Where else has the coastal road(s) on Maui been closed in favor of private resort development? Why was it closed? An examination of the Amfac and Wailea closings is necessary. What impact has there been on the public? What impact is there on the functional uses of nearby beaches and the nearby coastline?

#### IV. ALTERNATIVES CONSIDERED

The study of alternatives is equally inadequate. It is difficult to design and devise alternatives when the objective of the project is described as providing "direct access" to the shoreline for the Maui Prince Hotel. Direct access is already available with the road open. The DEIS asserts that only 10% of the travellers from Wailea to Makena use the Makena Road. Given this low percentage, guests are little

impeded in their bypass to the beach from the hotel; the road is no barrier to direct access.

Alternative No. 1 - Overpass. The DEIS designs an ugly overpass and then complains that it is not acceptable from an aesthetic standpoint. An aesthetically pleasing overpass could be designed which would conform to standards already set by the hotel and which would fit gracefully into the surrounding area.

For example, Kapalua designed and built an overpass that curves attractively over the road on its resort property. (See the picture of this overpass, which is attached as Exhibit C.) A well designed overpass would enhance the Seibu property.

The DEIS rejects the overpass because it claims that it is inconsistent with the overall Maui Prince Hotel Master Plan. The DEIS must identify and quote from particular provisions of this plan, substantiate the policy reasons given in the plan with objective data, and identify public policies which support these provisions. Otherwise, this objection is meaningless and cannot be properly evaluated by reviewers.

How does the 14'6" minimum clearance for an overpass conflict with the scale of the Maui Prince Hotel? This is another meaningless objection without more information. The 14'6" clearance is not out of proportion with the height of the sand dune, which, in places, is 30' high, nor would it be out of proportion with the six story hotel on the other side of the road.

Please explain what particular impact an overpass would have on "the landscaping and the structural design of the Hotel building." (p. IV-1)

No basis for the cost estimate is provided.

Alternative No. 2 - Underground Tunnel. No basis for the cost estimate of the tunnel is provided, and no objective data is presented to justify the claims that drainage and flooding problems will occur.

The DEIS complains that this and all other alternatives will cause air quality and noise problems due to the operation of motor vehicles near the hotel. To substantiate a claim like this there would first have to be a professional traffic flow study, a professional wind direction study, and professional air quality and noise impact studies.

How does Seibu justify allowing motor vehicles to come within feet of the hotel on the mauka side to drop off guests and deliver goods (the latter involves the use of diesel operated trucks). Is there an "air quality" and "noise" problem on that side of the hotel?

Alternative No. 3 - 56-Foot Right-of-Way. The DEIS proposes lowering "the existing roadway to reduce its visibility from the hotel and to minimize the noise impacts of vehicles using the roadway." (p. IV-4) The roadway would be six feet lower than land to either side of it. No basis for the cost estimate is provided nor is there any scientific data to justify the rejection of this alternative because of drainage, and air and noise quality impacts.

Alternative No. 4 - The "No Action" Alternative. Without any factual foundation, keeping the road open is rejected as an alternative because of "air and noise" impacts. Why was the hotel constructed so close to the road if these impacts were already known? At the time when Seibu sought and obtained an SMA permit and a building permit for the hotel, no commitments were given to close the road; and the road is shown in its current alignment, open to vehicular traffic, on both sets of approvals. The problem lies not with the existence of the road, and its continued use, but, instead, with the decision to locate the hotel at such close quarters with the road.

There is no reason to assume that the road should continue in its current, unmaintained condition. Seibu was required to maintain the road as a condition of its SMA permit. The DEIS should discuss why Seibu refuses to maintain the road. There is no analysis of any "dust" problem. Certainly paving the road would solve this problem.

It is irresponsible to state that "the traffic noise is also difficult to deal with in the present condition of the road." (p. IV-6) There is no objective data provided to support this statement or the one that follows: "Paving or cobblestoning the Road would do little to reduce this noise problem." (Ibid)

The discussion of alternatives is a critical component of an EIS. Four alternatives are discussed and rejected in little more than two pages. ECI has not seriously proposed alternatives which would keep the road open and provide guests of the hotel with direct access to the shoreline.

Other alternatives that must be considered are (1) an underpass for hotel guests (such as Seibu uses for golf carts travelling under the Alanui Road); (2) traffic control measures (no commercial vehicles, pedestrian stop lights); (3) a landscaping plan which would reduce the visibility of the road from the hotel and cut down on traffic noise; (4) road improvements (paving, cobblestoning); (5) an overpass which is aesthetically pleasing and (6) more connecting roads between the Makena Alanui and the Makena Road.

Analysis of the alternatives discussed in the DEIS, and those proposed above, must be detailed enough to allow for an

evaluation of the environmental benefits, costs and risks of the proposed action and each alternative. This has not been done.

The only impacts discussed by ECI are impacts on the hotel. This focus is completely misguided. The impacts on the whole environment must be discussed.

#### V. THE AFFECTED ENVIRONMENT

The intent of this section is to provide a description of the area before the proposed action takes place so that the impacts of the action can be measured against what exists in the region now. Here, the DEIS buries itself in details that are not central to the issue of the ways in which the Makena Road functions in the life of the Makena community, and in the life of the larger community on Maui. Related projects, such as the Wailea and Amfac coastal road closings, the likelihood that the road at Palauea will be proposed for closure, and future contemplated closings of other portions of the Makena Road by Seibu, are not discussed. This discussion should be a part of the final EIS

#### Archaeological and Historical Characteristics

This section is sadly deficient and contains errors of statement, fact and emphasis.

On page V-1, the Makena-Keoneoio Road is referred to as the "Lower Makena Road." We object to the use of "Lower Makena Road" or "Lower Makena-Keoneoio Road" wherever they appear in the DEIS; since there is only one Makena Road or Makena-Keoneoio Road, there is no "Lower" or "Upper" road. The Makena Alanui Road is not the Makena-Keoneoio Road, so it cannot be the "Upper Makena Road" as is implied by the use of "Lower" to designate the Makena Road.

The DEIS also states:

The existing Lower Makena Road is cut into the mauka side of a large sand dune that ranges in height from 1 to 30 feet above mean sea level. (emphasis added, p. V-1)

The road is not cut into the mauka side of the dune, rather the dune, at a maximum of 20 to 25 degrees, slopes naturally down to the road.

The Bishop Museum letter, dated November 8, 1984, referred to on page V-4, contains the following statement, not cited in this section:

Since a coastal trail system did most likely traverse this area, one explanation for the lack of any remains would be that the present road lies on the alignment of the trail and obscures or destroyed any evidence of the historic trail. It may be possible that the trail known as Piihoni, Hoapili, or the King's Highway continued through this area towards Kihai.

Similarly, the Bishop Museum report on the archaeological field work conducted, in March 1985, by Stephen Clark provides a far more comprehensive view of the determinations made by the Museum's archaeologist than the narrow summary on page V-5:

Based on the extensive prehistoric and historic archaeological remains along this coast, a trail(s) must have existed to facilitate the movement of people and goods along the coast. (emphasis added)

...even if Makena Road did not exist today, finding evidence (structural remains) of a Hawaiian trail in the sandy beach and dune areas of the subject parcel would be a difficult task...Hawaiian trails were generally not defined structurally in sandy beaches or sand dune areas."

In addition, Edward Chang, who was born and raised in Makena and is now 81 years old, has identified remnants of a rock wall that ran along the mauka side of the sand dune across from the Maui Prince Hotel. Mr. Chang says that the wall was there before his time and that it marked where the Alanui Kahiko ran. See Marion Kelly's cultural and historical study, Background History of Alanui Aupuni, Honua'ula, Maui, which is being sent under separate cover and is identified as Exhibit D to this letter and should be reproduced in full in the final EIS.

The section on "Historical Characteristics" contains further errors. We disagree with the statement on page V-5:

In contrast to overland means of transportation early accounts of missionaries and others report canoes were used as a means of transportation in this area.

As a coastal place much favored for fishing, canoes were in common use in the Makena-Honua'ula area, but there is no evidence to suggest that canoes were the exclusive or even predominant means of transportation in the area. (See

Marion Kelly's report attached as Exhibit D, which will be referred to hereafter as the Kelly Report; specifically the accounts of Fornander and Cheever.)

The 1950-51 USGS Aerial photo, Maui series shows that the "coastal alignment" is clearly demarcated. Please explain the basis upon which the conclusion is made that "the coastal alignment is not well travelled."

It is not apparent from the recitation of maps showing a coastal road since the 1880s, that "the alignment of this road, has undergone change throughout this time." Please clarify this statement; a review of these maps shows that the coastal road has not changed its location.

Finally, the most serious flaw in this section of the DEIS is the notation on page V-6:

...a fifth criterion ("F") has been proposed relating to the cultural value of the site to the ongoing society or cultural system. Since this criterion has not been adopted, the proposed project was not evaluated in that context.

In listing the significance criteria for archaeological sites set forth by the federal government, the prefatory paragraph as it appears in Federal Register, Vol. 46, No. 220, Monday, November 16, 1981, Rules and Regulations p. 58189, sec. 60.4, has not been included in this section of the DEIS. It reads:

The quality of significance in American history, architecture, archaeology, engineering and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association... (emphasis added)

The DEIS fails to acknowledge and, therefore, does not consider the cultural importance and significance of the Makena-Keoneoio Road, even though culture is a stated concern of the federal regulations that were consulted.

Furthermore, the hat trick that the DEIS attempts, in avoiding cultural considerations can no longer be relied on. National Register Bulletin #16, dated September 30, 1986, underscores the federal concern with intangible, as well as tangible, cultural characteristics of historic properties. The federal criterion relating to sites reads as follows on page 41:

A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure.

The final EIS must evaluate the cultural significance of the Makana-Reoneoio Road, relating the road and its use to the Makana-Honua'ula area and assessing the road in its historical, including prehistorical, and cultural context.

The DEIS fails to apply even the limited criteria that it sets forth. The Kelly Report documents the road's significance, clearly establishing that it meets the standards set out in the federal guidelines.

The Pi'ilani Trail was one of the most important trails providing access along the coast of Maui. As an integral part of the Hawaiian trail system, it is invaluable to our understanding of how ancient Hawaiian society operated and how traditional and customary values and rights are practiced and exercised by Hawaiian today, with the expectation that these values and rights will be continued by future generations.

The Pi'ilani Trail as it travels along the coast provides an insight into the broad patterns of Hawaiian life, and is associated with the ali'i Pi'ilani and his son Kiha-a-Pi'ilani, and, later, Hoapili, a governor of Maui who is credited with repairing the original trail. These are significant prehistoric and historic figures.

Remnants of the Pi'ilani Trail exist today that embody specific types and methods of construction and engineering. Although the Makana Road lacks some of the physical distinction (chiefly in engineering and construction) of other parts of the Pi'ilani Trail that are still in existence, it is nonetheless of vital cultural importance. Use of the road, in full contemporary fashion, is itself a traditional and customary act for Hawaiians.

#### Surrounding Land Uses

This section is insufficient. It does not discuss what is central in this DEIS: the access and land uses facilitated by right of ways in the area. The Pi'ilani Trail evolved from a foot path to a horse trail to a roadway. It is a primary land based, coastal transportation route in the Makana area. Trails branch off from the Makana Road section of the trail to lateral foot paths along the coast. This road and trail system has provided full and easy access to the shoreline and coastal resources for generations.

There is a traditional trail that runs along the top

of the sand dune in front of the Maui Prince Hotel, running parallel to the road. Access along this trail and other trails branching off from the road was unfettered until the mid 70s, and even then local residents continued to travel from the road to Naupaka Beach freely.

This system of unrestricted access has allowed and fostered the exercise of traditional and customary rights, including fishing and shoreline gathering. An analysis of these long established patterns of land use and activities must be included before any meaningful discussion of impacts can take place.

#### VI. RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

The proposed action is not consistent with the State Plans for Historic Preservation, Tourism, Recreation and Transportation. The "Forward" to the State Historic Preservation Plan states:

Over the past two decades, Hawaii has witnessed dramatic changes occurring in her landscape, economic and population. The present cries out for us...to temper the thrust of development, and to assess its cost in terms of human needs.

Historic Preservation...attempts to devise ways in which the remains of the past might be integrated into the living fabric of Hawaii's culture. By such a process, it hopes to preserve the important elements of the State's past not only as reminders of earlier times, but as bridges which link the past and the present and provide some hopes of future continuity.

Please explain how the closure of the Makana Road is consistent with each of the following State Plan objectives and policies:

- (1) Promote the preservation and restoration of significant natural and historic resources; HRS 226-12(b)(1);
- (2) Maintain and enhance historic, cultural and scenic amenities; HRS 226-12(b)(2);
- (3) Protect those special areas, structures and elements that are an integral and functional part of Hawaii's ethnic and cultural heritage; HRS 226-12(b)(4).

This project seeks to terminate a road and access which are important historically and culturally. Please explain how the project is consistent with the following:

- (4) Increase knowledge and understanding of Hawaii's

ethnic and cultural heritage and the history of Hawaii; HRS 226-25(a)(2).

The visitor industry has special obligations under the State Plan to design projects "which are sensitive to neighboring communities and activities"; HRS 226-8(B)(4) (emphasis added); and to "foster an understanding...of the unique and sensitive character of Hawaii's cultures and values."

In addition, "Transportation" projects are to be designed so that they are "sensitive to the needs of affected communities"; HRS 226-17(b)(10). The DEIS admits that this project creates problems for Makena community members.

The land use policies contained in the State Plan are also violated. Here, valuable public coastal land and resources are taken from the public and turned over for exclusive private uses. This does not encourage "multiple use" or "increased accessibility to the shoreline"; HRS 226-11(4) and (9).

Various "Priority Guidelines" are violated by the proposed project. Hawaii's public lands have not been protected, HRS 226-104(b)(12). Most importantly, the project represents a visitor industry practice which makes a mockery of the guideline to:

Encourage visitor industry practices and activities which respect, preserve and enhance Hawaii's significant natural, scenic, historic and cultural resources; HRS 226-103(b)(4).

The proposed action is also inconsistent with the County Shoreline Access Management Plan and the Cultural Resources Management Plan, which makes the protection of cultural resources through the SMA process an important objective.

The elaborate effort of the State to adopt a State Plan and Functional Plans goes to waste when projects like the one under consideration here so obviously ignore and violate the policies and guidelines contained within the Plans.

#### VII. ANTICIPATED IMPACTS AND MITIGATIVE MEASURES

This section does not address all of the consequences of the proposed action, including indirect and cumulative impacts. These omissions must be corrected in the final EIS.

##### Impact on Archaeological Sites/Impact on Cultural Resources

Given the destruction of archaeological, historical and cultural sites and resources of value and significance to native Hawaiians, it becomes ever more imperative that the sites and resources that remain be preserved and protected. In the case of the Makena Road, the Kelly Report extensively

documents the cultural and historical significance of the road and recommends that the road and the access that it provides, including vehicular access, be preserved.

It would be an anachronism to reduce the present road, whose use has evolved over more than four centuries, to a foot path. The value and significance of the road lies not only in the deep past but, more importantly, in the continuous use that has been made of the access that it has provided since its beginnings as a trail to its full modern use by motor vehicles. The termination of access that is currently provided by the road would destroy a significant cultural resource and effectively render an area once open to traditional and customary Hawaiian uses, closed to those uses.

This section of the DEIS repeats the mistaken argument that the federal government is not concerned with cultural resources and the cultural value of sites; please refer to the comments already made on this point on pages 10 and 11 of this letter.

Neither Seibu nor the County considered the cultural value of the road in the plans to locate the hotel so near the road. Now that the cultural value of the road and its significance has been established by the Kelly Report -- the only thorough, professional study that has been completed -- this defect in planning is obvious.

The summaries of oral testimony by Rubellite Johnson and Edward Kealanahele, and the letter from Edward Joesting, which were presented at the March 18, 1986 Maui Planning Commission meeting, do not seriously challenge the cultural importance of the Makena Road. None of the above is based upon an in depth cultural study, which would have to include both a thorough archival research and informant interviews, as was recommended by the Department of Land and Natural Resources (DLNR) in a memorandum dated December 8, 1984.

We are not aware of a doctoral program which grants a Ph.D. in Hawaiianology at any of the universities and colleges known to us. Please clarify Mr. Kealanahele's credentials.

Mr. Joesting's letter of March 17, 1986 notes that "the Atlas of Hawaii identifies Piilani's Highway as being part of an upper trail which descends through Ulupalakua, joining the coastal road of Kaupo." (Summary taken from the DEIS, pages VII-11 and 12) Mr. Joesting is confusing a recently named modern road, shown on a generalized map in the Atlas, with the ancient alaloa called the Piilani Trail.

Mr. Joesting's scholarship is similarly defective in the account he cites from the Journal of La Perouse. The La

perouse observation of a "noticeable decrease in population" (p. VII-12) has to do with the coast between Kipahulu and La Perouse (Keoneolo) Bay, not, as Mr. Joesting wrongly suggests the coastline that extends from Keoneolo, in the opposite direction, to Makena and Kihei, which is where the Makena Road is located.

Considerable oral as well as written testimony has been presented by kama'aina informants of Makena to the Planning Commission. This testimony is unanimously consistent in the ascription of significant cultural value to the Makena Road. It is the belief of these informants that the section of road along the front of the Maui Prince Hotel is a part of the Piihahi Trail. Testimony links the historical age of the road to, at least, the 19th century. (See testimony and affidavit of Edward Chang.)

The hair splitting performed in the last paragraph of subsection "e)", on page VII-16 of the DEIS, is another attempt to avoid assessing the cultural importance -- and its implications -- of the Makena Road. The Kelly Report is an undeniable refutation of the DEIS claim that the 1,100 foot section of Makena Road "has cultural value;" however, "it cannot...be concluded that this section of the road has cultural significance or significant cultural value." This statement has been taken directly from the County's EA.

By avoiding the conclusion that the section of Makena Road proposed for termination has significant cultural value to Hawaiians, the DEIS avoids an assessment of the severe and significant impacts which will result from the road's closure: the severing of an important and irreplaceable living component of Hawaiian culture.

#### Impact on Public Shoreline Access

Because the DEIS has not described the existing system of access, it presents the out of context view that the provision of a beach walkway and trail on the sand dune is a benefit or improvement of access. It has always been possible to walk along the beach and a trail already exists across the top of the sand dune. What the DEIS describes as a benefit is, in fact, a restriction of existing forms of access to the beach.

A functional beach access study will show that when tourist industry facilities are constructed to directly border on beaches, the provision of a limited number of parking stalls and pathways for public use inhibits the full range of activities enjoyed by the public and constricts the use of coastal resources in the area.

For hundreds of years it has been possible to move along the coastal road, stop -- and, in more recent times, park --

along it, climb the sand dunes and make full use of the shoreline area. Closing the road disrupts this pattern and restricts the exercise of these access rights and accompanying fishing and gathering rights. Realigning the road mauka pushes local residents off the near coastline and forces them inland behind a wall of tourist facilities. The social impact on local residents is obvious and has been documented elsewhere: local residents do not feel free to penetrate the maze of buildings, security guards and hotel guests in order to get to the beach. Or, more particularly in the present case, local residents will have to stop at the dead ends which the project will create and negotiate gear and people to the beach, carefully treading only on the narrow accessways provided, and sending someone back with the car to the parking lot a considerable distance down the road and out of sight of the beach. The social impacts resulting from the project must be fairly addressed in the final EIS.

Seibu's plans to close other portions of the Makena Road should be reviewed as well. If Seibu's expressed need to close the road is to provide its guests with "direct access" to the beach, and to provide Seibu with property that it would own in an unbroken piece from the hotel to the beach vegetation line, the DEIS must contain a thorough social impact study regarding the displacement which would result from the "realignment" of the road.

#### Impact on Vehicular Access

The DEIS admits that "The proposed cul-de-sacs will eliminate or restrict public vehicular access along a 1,100 foot long section" of the Makena Road (VII-17 and 18). There is no analysis of the adverse affect of the project on the public's use of the road and the direct access that it provides. There is no way to evaluate the veracity of the informal traffic counts referred to on page VII-19.

#### Impact on View Planes

This section notes that there are "limited view vistas or corridors from the makai road parcel" and that the Makena Alanui will "provide pedestrians and vehicle occupants with view vistas of the shoreline and offshore areas, although at a greater distance..." (VII-19). The notation on "limited view vistas" would be more aptly applied to the view from the Makena Alanui Road.

The view from the new Makena Alanui is as effectively obstructed by the Maui Prince Hotel as it is by the sand dune on the Makena Road. A critical difference is that the sand dune is a natural and expected part of the physical landscape; it is a part of the shoreline and intimately connected to the ocean. Although the sand dune may come between the traveler and the ocean visually, it does not interfere with the other senses, rather, it makes them more acute. One is within

sound of the ocean and is able to smell it and, at times, one may even feel its mist and spray. All of this is part of the pleasure afforded by being able to travel close to the ocean. People like to travel near the ocean because it refreshes them. To be pushed away from the ocean to new mauka heights denies the feel of the place to everyone except the most persistent visitors, most of whom will be hotel guests.

The DEIS fails to mention that once the grounds around the hotel are full of trees and other plants, in different stages of maturing growth, the mauka views will be further obstructed. One way of imaging what the view may be, once all of the plantings take root and put out an abundance of new leaves, is to refer to the views of the ocean from the Wailea Alanui Road as it passes along the mauka side of the hotels in Wailea. The plants and trees are so thick and tall that very little of the ocean can be seen at all.

#### Impact on the Sand Dune Formation

The DEIS claims that "The proposed 1,300 foot long unpaved beach walkway will serve to enhance pedestrian access within the area..." (VII-20). This is a foolish statement. Since the walkway would be very close to the 20' shoreline setback area, there would not be an increase in pedestrian access. People would simply walk on the sandy beach. A parallel access only a few feet away from the open sand is hardly an enhancement.

#### Social Aspects

It is not enough in a DEIS to state that this project will cause changes in the "uses of the area", without describing the uses that will be changed and discussing the impact on these uses. The fact that the road closure is shown on a Community Plan does not mean that its environmental consequences do not require discussion. Please correct this deficiency in the final EIS.

#### VIII. IRREVERSIBLE/IRRETRIEVABLE COMMITMENTS OF RESOURCES

This section ignores an analysis of the many irreversible and irretrievable commitments of resources that would be caused by the proposed project, including (1) the termination of vehicular access along Makena Road, (2) the termination of pedestrian access along Makena Road, (3) the attempt to terminate an Hawaiian aboriginal right of way, (4) the attempt to extinguish native Hawaiian traditional and customary rights, (5) the termination of a continuous coastal access route, (6) the destruction of a portion of a significant historic and cultural site and activity area and (7) the giving up of public land along the coastline for private use.

There is no discussion of how the commitment of the resources described above will foreclose options and narrow the range of beneficial uses.

#### IX. ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

This section of an EIS is one of the most important. It is dealt with in four sentences. It identifies termination of vehicular access as the only long-term unavoidable impact, although earlier in the DEIS, it is admitted that pedestrian access on the road will be terminated and that "uses" of the area will change. The DEIS must discuss the unavoidable impacts (1)-(7) noted in comments on the previous section.

It is not enough simply to note these unavoidable impacts; considerable analysis is required. The rationale for proceeding with this action in the face of these impacts must be clearly stated. Is Seibu's need for "direct access" more important than the termination of all of the public rights to travel on the Makena Road? Again, the purpose of and need for the action must be honestly stated. What is the applicant's need for this closure and what rationale supports this need in the face of unavoidable impacts?

What governmental policies or public interests, in support of the proposed action, offset the adverse consequences? How could the benefits of the action, as supported by governmental policies and interests, be obtained by following alternatives which avoid adverse impacts? For example, the DEIS should discuss how Seibu could obtain direct access to the shoreline without causing unavoidable impacts. All of the alternatives must be discussed again here.

The DEIS contains no discussion of mitigation measures.

#### X. SUMMARY OF UNRESOLVED ISSUES

The DEIS fails to note all of the unresolved issues, some of which exist because the DEIS does not include necessary studies. Unresolved issues are:

##### 1. The cultural significance of the Makena Road.

The DEIS refuses to deal with this question. Mr. Min, the County staff planner, concluded that the road has cultural value, but not cultural significance. He does not have the expertise to reach such a conclusion, yet, this is the same conclusion, word for word, in the DEIS.

##### 2. Studies to support DEIS not done.

Traffic, Wind, Air and Noise Quality, Functional Beach Access and Cultural Resources studies have not been done.



No reason is given for proceeding without resolving these important issues based upon appropriate data and studies.

XI. ORGANIZATIONS AND AGENCIES CONSULTED/EIS PREPARATION NOTICE COMMENTS

The DEIS ignores the consulting comments contained in a letter from Hui Alanui o Makena, dated September 19, 1985.

The DEIS places the Joesting/Museum letter in the comment section. Actually, Ms. Joesting and the Bishop Museum were hired by Seibu to supply these comments.

CONCLUSION

This DEIS is so gravely inadequate that it should be rewritten and offered for comments a second time. So many changes are necessary that the entire text needs revision. It will not suffice to simply respond to comments in letters attached to the final EIS. The whole purpose of the comment process will be defeated if ECI does not revise the text based upon necessary studies, and begin the comment phase again. The decision-maker will not be able to follow the final EIS if the many corrections that should be made are contained in response letters placed in an Index.

The DEIS is essentially the County's EA. The analysis contained in the County's EA, and repeated in the DEIS, has already been discredited in a Declaratory Ruling issued by the Environmental Council of the State of Hawaii and cannot be relied upon here. The DEIS has not gone beyond the EA prepared by the County, and is not the comprehensive, analytic document that is required by HRS 343.

Please send five copies of the final EIS when it has been prepared so that they may be circulated among the members of our group.

Mālama Mākena,

*Dana Naone*  
Dana Naone Hall

*Isaac Hall*  
Isaac Hall

HUI ALANUI O MĀKENA  
2087 Wells Street  
Wailuku, Maui, Hawaii  
January 22, 1987

Mr. Christopher Hart  
Director  
Planning Department  
County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Mr. F.J. Rodriguez  
Environmental Communications, Inc.  
P.O. Box 536  
Honolulu, Hawaii 96809

Dear Mr. Hart and Mr. Rodriguez,

Please note the following typographical errors in the letter, dated January 21, 1987, which represents Hui Alanui o Makena's comments on the Draft EIS prepared for the Makena-Keoneoio Road Cul-de-Sacs Plan. This letter should be attached as the final page of those comments.

- Page 1 2nd paragraph, 5th sentence:  
Change "county of Maui" to "County of Maui"
- Page 2 Last paragraph, 5th sentence:  
The word "can" is missing;  
"shown in the DEIS and where can they be located?"
- Page 4 3rd paragraph, 12th sentence:  
Change "inorder" to "in order"
- Page 6 2nd paragraph, last sentence:  
Change "enhance" to "enhance"
- Page 7 1st paragraph, 2nd sentence:  
Change "existing" to "existing"
- Page 11 2nd paragraph, 6th sentence:  
Change "Hawaiian" to "Hawaiians"
- Page 12 Third sentence of quoted passage in "Relationship to Plans" section:  
Change "economic" to "economics"
- Page 13 Quoted passage in 4th paragraph:  
Change "enhance" to "enhance"
- Page 17 1st paragraph, 4th sentence:  
Change "imaging" to "imagining"
- 3rd paragraph, 5th sentence:  
Delete "not" at end of sentence.

Thank you for your cooperation,  
*Dana Naone*  
Dana Naone Hall

JAN 24 1987

HUI ALANUI O MAKENA  
2087 Wells Street  
Wailuku, Maui, Hawaii  
96793  
January 22, 1987

Mr. Christopher Hart  
Director  
Planning Department  
County of Maui  
200 South High Street  
Wailuku, HI.  
96793

Mr. F.J. Rodriguez  
Environmental Communications, Inc.  
P.O. Box 536  
Honolulu, Hawaii  
96809

Re: Comments on Draft EIS "Makena-Keoneoio Road Cul-de-Sacs  
Plan"

Dear Mr. Hart and Mr. Rodriguez,

As noted, on page nine of the letter dated January 21, 1987, which contains Hui Alanui O Makena's comments on the DEIS described above, Marion Kelly's cultural and historical study, Background History of Alanui Aupuni, Honua'ula, Maui, has been sent under separate cover by the Native Hawaiian Legal Corporation to your addresses. Mrs. Kelly's study is identified as Exhibit D in our letter and should be attached to the letter, dated January 21, 1987, and reproduced in full in the final EIS.

We repeat our request that five copies of the final EIS be sent to Hui Alanui O Makena so that they may be circulated among the members of the group.

Thank you for your cooperation.

Malama Makena,  
*Dana Naone Hall*  
Dana Naone Hall

JAN 24 1987

Environmental Assessment/Determination  
Proposed Construction of Two (2) Cul-De-Sacs,  
Public Parking Area and Beach Walkway  
on Portions of THK 2-1-06:56, -57 and 59, THK 2-1-05:86,  
and the Makena-Keoneoio Road Right-of-Way, Makena, Maui

**A. APPLICABILITY**

In accordance with the provisions of Chapter 343, Hawaii Revised Statutes, and Chapter 200 of Title II, Environmental Impact Statement Rules, Department of Health, State of Hawaii (hereinafter referred to as the "EIS Rules"), this environmental assessment review and determination was initiated upon the request of Mr. Eric T. Maehara, Attorney, on behalf of Seibu Hawaii Inc., in a letter received on February 27, 1986 by the Department of Planning, County of Maui.

The proposed action will occur within a portion of County lands, namely, a portion of the Makena-Keoneoio Road right-of-way (hereinafter also referred to as the "Lower Makena Road") and within a portion of the shoreline setback area, pursuant to Chapter 205, HRS, and Article III, Shoreline Setback Rules and Regulations of the County of Maui.

Also, the proposed action is subject to the requirement for a Special Management Area ("SMA") Use Permit, pursuant to Chapter 205, HRS, and Article II, SMA Rules and Regulations of the County of Maui.

The preparation of this Environmental Assessment is in accordance with the provisions of Chapter 343, HRS, and Subchapters 5 and 6 of the EIS Rules.

**B. APPLICANT**

Mr. Eric T. Maehara, Esq.  
Foley, Maehara, Judge, Choi, Nip and Okamura  
Attorneys at Law  
2700 Grosvenor Center  
737 Bishop Street  
Honolulu, Hawaii 96813  
Phone: (808) 526-3011

On behalf of  
Seibu Hawaii, Inc.  
161 Makena Road  
Kihei, Maui, Hawaii 96753  
Phone: (808) 879-4455

**C. ACCEPTING AUTHORITY**

Planning Commission  
County of Maui  
200 S. High Street  
Wailuku, Maui, Hawaii 96793  
Phone: (808) 244-7735

**D. PROPOSED ACTION**

According to plans dated 12-20-85, the applicant is proposing to construct a pedestrian footpath and install landscape planting mauka of the shoreline and to construct two (2) permanent cul-de-sacs and a paved parking area with landscape planting within portions of a makai road parcel and the existing Lower Makena-Keoneoio Road Right-of-way (see Attachments A & B). As shown in Attachment C, the proposed gravel-base footpath will be situated a minimum of 20 feet mauka of the shoreline (vegetation line) and measure 6-feet in width and approximately 1,300 feet in length. This footpath will be situated within the County's Special Management Area, pursuant to Chapter 205A, HRS, and the Special Management Area Rules and Regulations of the County of Maui. The proposed walkway will consist of 4 inch thick compacted cinders held in place by 1 inch by 4 inch wooden headers and 4 feet brace stakes. The proposed construction of the footpath does not involve any grading work in or upon the sand dune situated between the shoreline and a makai road parcel.

Landscape work along the beach walkway will consist of the infill planting of shrubs and ground cover similar to existing vegetation in the area (e.g. naupaka; beach morning glory) between the shoreline and proposed beach walkway. This landscape planting work is situated within the minimum 20 foot shoreline setback area applicable to this parcel, pursuant to Chapter 205, HRS, and Article III Section 6, Shoreline Setback Rules and Regulations of the County of Maui. The remainder of the sand dune will be maintained with lawn grass and existing kiawe trees, some of which will be selectively thinned. The makai road parcel will be landscaped with lawn grass.

The proposed cul-de-sacs will be situated at the north and south ends of the makai road parcel within portions of privately-owned and public lands. This improvement will include an asphalt turn around surface and concrete curbs and landscape planting, along with ten (10) paved and marked stalls in the public right-of-way adjacent to the south cul-de-sac for public beach parking use. The cul-de-sacs and ten (10) parking stalls are situated within the County's Special Management Area but outside or mauka of the 20 foot shoreline setback area.

EXHIBIT "A"

**E. PROJECT LOCATION**

The project is located at Makana, Island of Maui, State of Hawaii (see Attachments A & B) and is identified by the following tax map keys:

1. TMK 2-1-06:56, 57, and 59 (formerly a portion of TMK 2-1-06:59) -- Proposed pedestrian footpath and landscape planting;
2. TMK 2-1-05:86 (formerly a portion of TMK 2-1-08:80) -- Portion of the proposed north cul-de-sac;
3. TMK 2-1-06:56 (formerly a portion of TMK 2-1-06:59) -- Portion of the proposed south cul-de-sac;
4. Makana-Keoneoio Road right-of-way -- Proposed north cul-de-sac (portion) and south cul-de-sac (portion) and the ten (10) paved public parking stalls; and
5. TMK 2-1-06: Lot 1-B of the Seibu Makana Hotel Subdivision (File No. 2.1582) (also referred to as the "makai road parcel") -- Proposed landscape planting.

**F. LANDOWNERSHIP**

The ownership of the subject parcels is, as follows:

1. TMK 2-1-06:56, 57 and 59 -- Seibu Hawaii, Inc.
2. TMK 2-1-05:86 -- Seibu Hawaii, Inc.
3. Makana-Keoneoio Road -- County of Maui
4. TMK 2-1-06: Lot 1-B (makai road parcel) -- Seibu Hawaii, Inc.

The applicant is duly authorized to represent Seibu Hawaii, Inc. Further, the County of Maui has authorized the filing of a Special Management Area (SMA) Permit for the construction of the proposed cul-de-sacs and related improvements within the County right-of-way.

**G. STATEMENT OF OBJECTIVES**

The following are objectives of the proposed project:

1. To implement the provisions of the adopted Kihei Community Plan, pursuant to Ordinance No. 1490/Bill No. 85 (1984), relative to the closure of a section of the former Makana-Keoneoio Road fronting the Seibu Prince Hotel development currently under construction; and

2. To provide public access to the shoreline and beach resources of the area.

**H. FUNDING AND PHASING**

The total cost of the proposed action is \$57,200.00, all of which will be assumed by the applicant. Although the proposed action involves portions of County land, the proposed improvements will not involve the use of County funds.

The proposed project will be constructed in one (1) phase with an estimated completion time of 45 days.

**I. AGENCY ACTIONS**

The following agency actions are applicable to the proposed project and related improvements:

1. The proposed construction of the pedestrian footpath and installation of landscape planting is subject to the following agency actions:
  - a. Environmental Assessment/Determination, in accordance with Subchapters 5 and 6 of the EIS Rules. (NOTE: This action is applicable to landscape planting improvements within the 20 foot shoreline setback area.)
  - b. Special Management Area (SMA) Use Permit, in accordance with Section 2-11 of Article II, SMA Rules and Regulations of the County of Maui.
  - c. Shoreline Setback Approval, in accordance with Section 13.e. of Article III, Shoreline Setback Rules and Regulations of the County of Maui (NOTE: This action applies to proposed landscape planting between the shoreline).
2. The proposed construction of the two (2) permanent cul-de-sacs and ten (10) paved parking stalls are subject to the following agency actions:
  - a. Environmental Assessment/Determination, in accordance with Subchapters 5 and 6 of the EIS Rules. (NOTE: This action is applicable to improvements within a portion of the Lower Makana Road owned by the County of Maui.)
  - b. Special Management (SMA) Use Permit, in accordance with Section 2-11 of Article II, SMA Rules and Regulations of the County of Maui.
  - c. Application for Permit to Perform Work Upon County Highway, in accordance with Chapter 12.04, Maui County Code.

J. DESCRIPTION OF THE AFFECTED ENVIRONMENT

1. Geographical Characteristics

- a. Topography -- The site of the proposed two (2) cul-de-sacs and public beach parking is situated on relatively flat land with gradual slope changes on the southern end of the area. The average elevation of the site is 4 feet above mean sea level.  
  
The proposed beach walkway will be situated on a sand dune formation.  
  
The existing Lower Makena Road is cut into the mauka side of a large sand dune that ranges in height from 1 to 15 feet above mean sea level. The makai side of the dune slopes down to a coral sand beach; the mauka side slopes down to the road at a maximum slope of 20 to 25 degrees. Existing vegetation consists of large kiawe trees and shrubs and weeds. This sand dune serves to stabilize the beach area and is prone to erosion during periods of high surf conditions.
- b. Geology -- The project site is situated near the southwestern rift zone of Haleakala and contains volcanic rocks and substrate of the Hana Volcanic Series which were produced by prehistoric aa and pahoehoe flows of basalt, picritic basalt, basaltic andesite and andesite (Stearns, 1946). Similar to other recent lava flows, the aa and pahoehoe substrate is relatively permeable.
- c. Soils -- There are two soil types in the project site (Soil Conservation Service, 1972). Along the shore, the soil type is identified as beaches; inland from the beaches, the soil is classified as Makena loam, stony complex, 3 to 15 percent slopes (MVC). The MVC soil type is described as having moderately rapid permeability (2.0 to 6.3 inches per hour) and high erodibility. The soil serves as good topsoil; however, it is not highly conducive for development purposes because of its erodibility and poor compaction characteristics.
- d. Climate -- The rainfall along the Makena shoreline average from 10 to 30 inches per year, with the greatest amount of rainfall occurring from the months of November through January.  
  
The mean annual temperature for Maui near sea level, applicable to the site is 72 to 75 degrees Fahrenheit. Seasonal variation is approximately 50 to 80 degrees difference between the warmer months of August and

September and cooler months of January to March. The wind direction is predominantly from the northeast quadrant (locally termed tradewinds). With the exception of summer, when winds reach velocities of 15 to 18 knots, winds are generally less than 10 knots.

2. Hydrological Characteristics

- a. Surface Water -- There are no perennial streams or surface water supplies in the area due to the arid climate caused by the lack of orographic effect.  
  
Although the area receives a low 20 to 30 inches of rainfall annually, there have been occasions when heavy rainfall is concentrated over a fairly short period. This previously caused flash flooding and runoff problems in the area.
- b. Flood Insurance Study Designation -- The project site lies within National Flood Insurance Program, Flood Insurance Rate Map Designation Zones A4 and C. Zone A4 is considered an area of 100-year flooding with determined base flood elevations and flood hazard factors. Zone C is considered an area of minimal flooding.

3. Biological Characteristics

- a. Flora -- The project site is located in an area designated as a beach zone which includes areas beyond the high-tide mark above the beach. This zone supports several species of indigenous plants common to most Pacific islands; namely, beach morning-glory, hau, scaevola, tree heliotrope and several introduced plants such as kiawe, slatbush, false mallow, sandbar and sow thistle. There are no known endemic or endangered species of plants within the project site.
- b. Fauna -- Birds more frequently seen in and inhabiting the area include the Common Noddy, Kolea or Pacific Golden Plover, Akekeke or Ruddy Turnstone, Wandering Tattler, Sanderling, Ring-Necked Pheasant, Indian Gray Francolin, Chukar Partridge, Rio-Grande Turkey, Spotted or Chinese Dove, Barred Dove or Zebra Dove, Barn Owl, Mockingbird, Common Mynah, Japanese White-Eye, House Finch or Linnet, Ricebird or Spotted Munia, House Sparrow, and the Cardinal.  
  
The endemic Hawaiian bat might be found occasionally in the area. Introduced and common species of mammals found in the project area include the Roof rat or Black rat, Polynesian or Hawaiian rat, House mouse, and Small Indian Mongoose.

4. Historical and Archaeological Characteristics -- The State Parks Administrator, State Department of Land and Natural Resources, has advised that the Lower Makaha Road and other areas of the project site do not involve historic properties that are listed on either the Hawaii or National Registers of Historic Places, or involve properties determined to be eligible for inclusion on the National or Hawaii Registers of Historic Places.

The Bishop Museum has also indicated that no remains of a prehistoric road or trail have been recorded in the project area. A field study conducted by the museum also produced no archaeological evidence of a Hawaiian trail on, surrounding or beneath the section of the existing Lower Makaha Road that is proposed for termination or within the adjacent sand dune area. This aspect will be elaborated on in subsequent sections of this report.

5. Surrounding Land Uses -- The project site is surrounded by the following land uses:

- a. Area surrounding the proposed north cul-de-sac
  - 1) North -- existing Lower Makaha Road and single family residences;
  - 2) East (mauka) -- existing single family residences and undeveloped open area;
  - 3) South -- existing Lower Makaha Road;
  - 4) West (makai) -- sand dune formation.
- b. Area surrounding the proposed south cul-de-sac
  - 1) North -- existing Lower Makaha Road;
  - 2) East (mauka) -- horse stables;
  - 3) South -- existing Lower Makaha Road;
  - 4) West (makai) -- sand dune formation.
- c. Area surrounding the proposed gravel pedestrian walkway on the sand dune
  - 1) North -- existing single family residence;
  - 2) East (mauka) -- existing Lower Makaha Road and the Seibu Prince Hotel currently under construction;

- 3) South -- undeveloped lands and portion of the Seibu golfcourse;
- 4) West (makai) -- shoreline.

K. RELATIONSHIP TO STATE AND COUNTY LAND USE POLICIES AND ACTIONS

1. The land use designations for project site are delineated, as follows in the adopted Kihei-Makaha Community Plan, pursuant to Ordinance No. 1490 (1984):

- a. The area involving the proposed north and south cul-de-sacs are so delineated on the community plan land use map.
  - b. The area mauka of the shoreline between the bulbs of the proposed north and south cul-de-sacs and including the area of the proposed public parking stalls and the section of the Lower Makaha Road proposed for closure are delineated for "Hotel" use in the community plan land use map.
  - c. A portion of the area near the north end of the proposed beach walkway is designated for "Public" use in the community plan land use map.
  - d. The area proposed for the beach walkway and landscape planting atop the sand dune are designated for "Hotel" use in the community plan map.
2. The proposed action has been reviewed herein, in terms of the policies in the adopted Kihei-Makaha Community Plan. The following policies are applicable to the proposed action:
- a. Physical Aspects 1. Environment
    - 1) "a. Integrate future planning and design with concepts of public shoreline use and sound principles of resource management."
    - 2) "b. Maintain the long-term availability of shoreline resources for public enjoyment through adequate access, space, and facility provisions, and through on-going resource management programs."
    - 3) "c. Stabilize shoreline resources through appropriate levels and methods of recreation-related development."
    - 4) "d. Require new shoreline developments to respect shoreline resources:
      - 1) Existing dune formations should remain intact.

- 2) Planning for shoreline development, public setbacks, and public access should consider the cyclic nature of sand beaches; design should respond to periodic expansions and shrinkages of beach depth.
- 3) Construction and post-construction activity adjacent to shoreline areas should prevent erosion and runoff onto the shoreline or into the nearshore waters.
- 4) A survey of natural and cultural resources in shoreline areas should precede development activity. Design and construction should respect and respond to resources."

b. Physical Aspects 2. Land Use

1) "All zoning applications and/or proposed land uses and developments shall conform to land use designations as specified in the adopted Community Plan Map and be consistent with Community Plan policies."

c. Support Systems: Transportation and Utilities  
1. Transportation

1) "d. Support implementation of the new Makana Road alignment."

d. Support Systems: Human Services 1. Recreation and Culture

1) "b. Improve public access to shoreline and nearshore resources through the following measures:

- 2) Provide adequate landscaped public access to shoreline areas with significant recreational and scenic value. Provide adequate lateral public access along the shoreline to connect significant shoreline areas and to establish continuity of the public shoreline areas. Particular attention should be directed toward southern shoreline resources from Polo Beach southwards.

3) Develop accessways consistent with the characteristics of resources to be reached:

- o Vehicular traffic should be confined to assigned areas to avoid erosion, damage to dunes, strand vegetation, or other damaging effects to shoreline resources.

o Where scale of development and public accessways warrant, public sanitation and recreational amenities should be integrated with planning and design."

2) d. "Recognize the importance of historically and archaeologically sensitive sites and encourage their preservation through development project review. Require development projects to identify all cultural resources located within the project area as part of initial project studies. Further require that all proposed activity include recommendations to mitigate potential adverse impacts on cultural resources. Particular attention should be directed toward the southern areas of the planning region, south of Wailea Phase I.

This action is to support community concerns for the preservation of the cultural values of possible archaeologically sensitive areas where development may occur. Existing Special Management Area and environmental assessment and impact statement procedures can be used to assist this objective."

3. The proposed action has been reviewed herein, in terms of the provisions of Chapter 342 and 344, HRS and relates, in particular, to the following guidelines specified in Section 344-4, HRS:

"(4) Parks, recreation and open space

(A) Establish, preserve and maintain scenic, historic, cultural, park and recreation areas including the shorelines, for public recreational, educational, and scientific uses;

(B) Protect the shoreline of the State from encroachment of man-made improvements, structures and activities;

(C) Promote open space in view of its natural beauty not only as a natural resource but as an ennobling, living environment for its people; and

"(10) Citizen Participation

(A) Encourage all individuals of the State to adopt a moral ethic to respect the natural environment; to reduce waste and excessive consumption; and to fulfill the responsibility as trustees of the environment for present and succeeding generations; and

(B) Provide for expanding citizen participation in the decision-making process so it continually addresses more citizens and more issues."

4. The project area is classified in the State Urban District. The following County zoning districts apply within the project area, in accordance with Land Zoning Map No. 514 adopted by Ordinance No. 832 (1975):

- a. The area involving the proposed north and south cul-de-sacs are so delineated on the adopted zoning map.
- b. The area mauka of the shoreline between the bulbs of the proposed north and south cul-de-sacs and including the area of the proposed public parking stalls and the section of the Lower Makena Road proposed for closure are zoned "H-M Hotel District" and as "Golfcourse and Open Space" for the makai portion of the area generally including the existing sand beach area.
- c. The area proposed for the beach walkway and landscape planting atop the sand dune is zoned "H-M Hotel District," with a portion of the walkway along the south end zoned "Golfcourse and Open Space."

#### L. PREVIOUSLY ACCEPTED ENVIRONMENTAL IMPACT STATEMENTS

1. On May 28, 1975, the Planning Commission of the County of Maui accepted an Environmental Impact Statement ("EIS") for the proposed Seibu Makena resort development involving approximately 1,021 acres of land, in conjunction with its review of an amendment to the Kihei General Plan (see Attachment D). The Seibu Makena Master Plan EIS document contains a comprehensive assessment of the short and long term social, environmental, economic, infrastructural and historic-cultural impacts of the entire resort development, both in terms of the Makena area and the larger Kihei-Makena community.

2. Relative to vehicular circulation, the following are excerpts from this EIS. "The Kihei Civic Development Plan (also known as the Kihei General Plan) proposes the realignment of the existing coastal road to the upper slopes of the proposed project site. It is proposed that the realigned Kihei Road would serve as one of the two major 120-foot arterials through the site and connect with the original alignment along portions of the Ahiki Bay shoreline... The new alignment would provide direct access to the hotel and village center... The existing alignment of the Kihei Road (referred herein as the Lower Makena Road) through the project site would be discontinued for thru-traffic by terminating that portion of Kihei Road at both ends of the hotel site." (pp. III-7 to III-8) (Emphasis added)

3. With respect to impacts on residents of the area, the Seibu Makena Master Plan EIS states, "Much re-routing would necessitate present Makena residents living adjacent to the shoreline, to ultimately drive their vehicles mauka and through the proposed development in order to drive south of Makena. Such conditions are in contrast to the present, direct access afforded by the continuous Kihei Road" (p. V-15). In the Responses to Comments Received During Public Review to Seibu Makena Master Plan EIS, the following was specified, "It should be noted that both during construction and as the project is implemented no local residents would be denied access from Kihei Road to their homes" (p. 32).

4. The location of the two (2) cul-de-sacs along the existing Makena Road in the vicinity of the Seibu Hotel site and delineation of public beach access to the beach makai of the hotel site are shown in Attachment D-1 (Source: Seibu Makena Master Plan EIS).

5. The amendment to the Kihei General Plan Map No. 5 involving the Seibu properties was adopted on December 5, 1975, pursuant to Ordinance No. 831. The amended Kihei General Plan Map No. 5 specifies the closure of the section of the Makena Road fronting the hotel site that is the subject of this Environment Assessment Determination.

6. Relevant to this issue is the following provision in Section 11-200-13 of the EIS Rules relating to consideration of previous determinations and accepted EIS's:

"(a) Chapter 343, Hawaii Revised Statutes, provides that whenever an agency proposes to implement an action or receives a request for approval, the agency may consider and, when applicable and appropriate, incorporate by reference, in whole or in part, previous determinations of whether a statement is required, and previously accepted EIS's.

(b) Previous determinations and previously accepted EIS's may be incorporated by applicants and agencies whenever the information contained therein is pertinent to the decision at hand and has logical relevancy and bearing to the action being considered.

(c) Agencies shall not, without considerable pre-examination and comparison, use past determinations and previous EIS's to apply to the action at hand. The action for which a determination is sought shall be thoroughly reviewed prior to the use of previous determinations and previously accepted EIS's. Further,



when previous determinations and previous EIS's are considered or incorporated by reference, they shall be substantially similar to and relevant to the action then being considered." (Emphasis added)

#### M. OTHER PERTINENT GOVERNMENTAL ACTIONS

1. On March 21, 1978, the Maui County Planning Commission approved a Special Management Area Permit for the construction of two (2) golf course fairways in the vicinity of the project site. A condition of this SMA Permit specified that two (2) public beach right-of-ways with public parking areas and restroom facilities be provided at Makena Landing and to the beach fronting the site of the hotel development currently under construction. With the exception of the restroom facilities, the beach-access improvements at Makena Landing have been substantially completed. The access improvements to the beach fronting the hotel site are currently under construction.
2. On May 8, 1979, the Maui County Planning Commission approved a Special Management Area Use Permit for the construction of a 300-room hotel complex situated mauka of the makai road parcel and sandy beach that is the subject of this environmental assessment report. The hotel complex is currently under construction and is expected to be completed by September 1986.
3. On April 16, 1982, the Governor of the State of Hawaii accepted the "Makena Road Environmental Impact Statement," in accordance with the provisions of Chapter 343, HRS, for the construction of a new road (currently named the Makena Alanui Road) from the south end of the Wailea Resort to the northern property boundary of the Seibu properties (Increment I) and from this point through the Seibu properties to the existing Makena Road at a point north of Puu Olai (Increment II) (see Attachment E). This EIS did not address the issue of closing any section of the existing Lower Makena Road.
4. On November 1, 1982, the Department of Water Supply filed a Negative Declaration with the Office of Environmental Quality Control relative to the construction of water lines and related improvements within the Makena Alanui Road right-of-way and within sections of the existing Lower Makena Road.
5. On December 17, 1982, the Maui County Planning Commission approved a Special Management Area Use Permit for the construction of the Makena Alanui Road project, Increments I and II, and related waterline improvements (see Attachment E). This project was intended to provide an improved mauka bypass road paralleling and, in sections, converging with the existing Makena-Keoneoio Road. This roadway has been

completed and provides access from Wailea Alanui Drive and through Seibu's properties. Lateral accesses between the Makena Alanui Road and Makena-Keoneoio Road are situated north of the proposed northern cul-de-sac and south of the proposed southern cul-de-sac, as well as in other sections of the road.

6. On November 16, 1984, the Board of Land and Natural Resources ("BLNR") approved a land exchange agreement involving the exchange of State owned properties for an 8.8 acre beachfront parcel owned by Seibu Hawaii, Inc. identified by TMK 2-1-06:27 at Oneloa Beach ("Big Beach"), Makena, Maui. The purpose of this land exchange was to secure the beachfront parcel for the development of a State regional park.
7. By letter dated December 11, 1984, the Department of Land and Natural Resources, State of Hawaii, filed its Negative Declaration with the State Office of Environmental Quality Control along with a report entitled, Environmental Assessment for Seibu Real Estate Co. Ltd. - Department of Land and Natural Resources dated December 1984.
8. By an Exchange Deed dated December 27, 1984, the land exchange between the BLNR and Seibu Hawaii, Inc. was duly executed.
9. On January 4, 1985, the Maui County Council adopted Resolution No. 84-139 providing for the abandonment and disposition of a forty foot (40') wide public right-of-way at Makena, Maui, Hawaii. This resolution stated the County's intent to exchange with Seibu Hawaii, Inc. a forty foot (40') wide right-of-way approximately 1,100 linear feet in length (previously referred to as "the makai road parcel") for interest in a parcel identified by TMK 2-1-06:27 situated at Oneloa Beach ("Big Beach") Makena, Maui. The acquisition of said parcel was intended for the development of the State regional park. The Resolution was adopted, subject to the following conditions:
  - a. That the State comply with all provisions of law, including Chapter 343, HRS, relative to Environmental Quality to the extent that the same is applicable before the aforesaid proposed exchange for the Big Beach parcel;
  - b. That Seibu agrees to hold the County of Maui harmless from any and all claims for damages by any persons who allege a right to purchase the said makai road parcel as abutting owners pursuant to Section 264-3, HRS, and from any persons alleging deprivation of rights of access to the ocean or shoreline via said parcel;
  - c. That in the event that any significant historical or cultural site or any cultural resources of significance, as verified by a recognized and credible archaeologist

and confirmed by an impartial archaeological survey be identified and located within any part of said makai road parcel, prior to any development or grading in said parcel and if in the opinion of the archaeologists and cultural historians preservation is warranted, Seibu shall be required to preserve such site or resource and insure public access as approved by the County Council:

- d. That in the event that a portion of Hoapili Trail, as verified by a recognized and credible archaeologist, and confirmed by an impartial archaeological survey and by a recognized cultural historian, is determined to have run directly under the makai road parcel, then Seibu shall restore said portion as a trail, to be open for use by the general public, and to be so designated;
  - e. That Seibu agrees that the makai road parcel shall continue in any event to remain open for public use as a public highway until such time as the County of Maui shall have approved and accepted the dedication of the mauka road system constructed by Seibu along the proposed sixty foot (60') right-of-way as set forth in Exhibit A;
  - f. That in the event that the State fails to conclude the above-described land exchange, or that such a land exchange is disapproved by the State Legislature, or for any other reason the exchange for the Big Beach parcel fails, or should Seibu fail to comply with any of the conditions hereinabove set forth, then the land exchange between the County and Seibu shall be null and void and the said makai road parcel shall revert, and be reconveyed to the County of Maui and the County's interest in the said Big Beach parcel shall revert, and be reconveyed to Seibu.
10. On May 6, 1985, Mr. Ralph Hayaishi, Director, Department of Public Works, County of Maui, granted the Final Subdivision Approval for the subdivision of the makai road parcel comprising an area of 1.278 acres (Makana-Keoneoio Road Subdivision Lot 1-B, TMK 2-1-06) (Subdivision File No. 2.1582) (See also Attachment B). This subdivision approval did not involve or require the construction of any improvements within the makai road parcel.

11. On October 8, 1985, Seibu Hawaii, Inc. and the County of Maui executed a Temporary Right of Entry to allow public use of the recently completed Makana Alanui Road constructed at the expense of Seibu Hawaii, Inc. and other private landowners.
12. By Land Exchange Agreement dated November 27, 1985, Seibu Hawaii, Inc. agreed to exchange with and transfer to the County of Maui an undivided thirteen and nine-tenths percent

(13.9%) interest in TMK 2-1-06:27 for the abandonment of a portion of a public highway at Makana, Maui, identified as a forty foot (40') wide right-of-way approximately 1,100 linear feet in length (also referred to as the makai road parcel).

13. On November 27, 1985, an Exchange Deed between the County of Maui and Seibu Hawaii, Inc. were duly executed.
14. On February 7, 1986, the Maui County Council approved the acceptance of deeds for Makana Alanui Road (increments I and II) constructed by Seibu Hawaii, Inc. and other private landowners, landscape and maintenance agreement; and the executed land exchange deed between the County of Maui and Seibu Hawaii, Inc.
15. By letter dated February 7, 1986 (Attachment I, Exhibit 16), the Director, Department of Planning, County of Maui, issued a determination that a Special Management Area Use Permit would be required for the proposed action for the following reasons:
  - a. The proposed action is a development;
  - b. The proposed action may have a significant adverse environmental or ecological effect, taking into account potential cumulative effects; and
  - c. The review of this project, in terms of the procedures for a SMA Use Permit, will facilitate public participation in the review process, consistent with the SMA objectives and policies, pursuant to Part II Section 2-8 of the SMA Rules and Regulations.
- N. AGENCIES CONSULTED AND PUBLIC COMMENTS
  1. Department of Water Supply, County of Maui -- see Attachment F.
  2. Department of Public Works, County of Maui --- see Attachment G.
  3. Department of Land and Natural Resources, State of Hawaii --
    - a. Planning Office
    - b. State Historic Office, State Parks Division
    - c. Land Management Division
  4. Public Comments
    - a. Letter dated February 13, 1986 from Gard Kealoha, Trustee and Chairman of the Culture/Education Committee, Office of Hawaiian Affairs recommending that an EIS be required for the proposed action to fully evaluate the cultural significance of the Makana Road, in terms of the Hawaiian community at Makana (see Attachment H).

- b. Letter dated March 11, 1986 from Isaac Hall, Co-Counsel for Hui Alanui O Makana, recommending that an EIS be required for the proposed action to fully evaluate impacts of the project, in terms of cultural significance, existing access within the Makana area and views to the ocean (see Attachment I).
- c. Letter dated March 11, 1986 from Dana Naone Hall recommending that an EIS be required for the proposed action to address issues relating to cultural, prehistoric and historic resource impacts, sociological impacts and impact on view planes (see Attachment J).
- d. Letter dated March 10, 1986 from Marion Kelly, President, The Marion Kelley Corporation, advising that she is currently in the process of preparing a report on the cultural history of Makana Road and that this report will not be completed until the end of April 1986. She also recommends that an EIS be required to address the historical and cultural importance of the Makana Road and the impact of closing a section of this road on the Makana community and its residents (see Attachment K).

e. At its meeting of March 18, 1986, the Planning Commission received oral and written testimony or comments from the following persons (See transcript of this meeting in Attachment T):

- 1) Isaac Hall, Co-counsel, on behalf of Hui Alanui O Makana;
- 2) Arnold Lum, Co-counsel, on behalf of Hui Alanui O Makana;
- 3) Eric Maehara, Co-counsel, on behalf of Seibu Hawaii, Inc.;
- 4) Renton Nip, Co-counsel, on behalf of Seibu Hawaii, Inc.;
- 5) Moani Keala Akaka, Trustee, Office of Hawaiian Affairs;
- 6) Charles Pili Keau;
- 7) Dana Naone Hall;
- 8) Edward Chang;
- 9) George Ferreira;

- 10) Esther Campbell;
- 11) Ned Goodness;
- 12) Leslie Kulolofo;
- 13) Alice Kulolofo;
- 14) John Bose (See also Attachment O);
- 15) Rik Kumer;
- 16) Joe Bulgo (See also Attachment P);
- 17) Rubellite Johnson;
- 18) Dr. Kahu Kealanahele;
- 19) Marion Kelly (See also Attachment M); and
- 20) Edward Joesting (See also Attachment N).

O. ANTICIPATED PROJECT IMPACTS

Impacts of the proposed project can be viewed in the short- and long-term. Short-term impacts, beneficial and adverse, generally result from construction-related activities. Consequently, these impacts are of short-term duration and should last no longer than the duration of the construction. Long-term impacts, beneficial and adverse, result from the implementation and operation of the proposed project.

As previously noted, the proposed action will involve construction or improvements within a portion of County lands, namely the Makana-Keoneio Road right of way (also referred to as the Lower Makana Road), and within a portion of the 20 foot shoreline setback area. However, for purposes of evaluating potential project impacts, this Environmental Assessment will address the cumulative impacts of the project or that of the total project, as previously described, and not just the portion of the project area, subject to the provisions of Chapter 343, HRS.

1. Land Alteration Impacts -- Topographic alterations will be limited to construction of the cul-de-sacs and minor landscaping of the makai road parcel owned by the applicant. Landscaping on the makai road parcel will consist of scarification of the existing road and regrassing. The construction of the proposed gravel beach walkway and landscape planting will not involve any extensive earthwork (e.g. grading) on the sand dune.

2. Impacts on Flora and Fauna -- No rare or endangered species of flora and fauna or associated major habitats are expected to be impacted by the proposed action.

3. Impact on Archaeological Sites ---

a. In a letter dated October 15, 1985 from Mr. Ralston H. Nagata, State Parks Administrator, Department of Land and Natural Resources (Attachment Q), he advises that the makai road parcel does not involve historic properties that are listed on the Hawaii or National Registers of Historic Places or that have been determined to be eligible for inclusion on the Hawaii or National Registers of Historic Places.

b. In a letter dated November 8, 1984 from Mr. Aki Sinoto of the Department of Anthropology, Bishop Museum (Attachment R), he states that no remains of a road or trail have been recorded in the subject area in any of the previous archaeological surveys. The letter also notes, however, that a coastal trail system most likely traversed this area and that it may be possible that the remains of this trail were destroyed or obscured by the construction of the Lower Makena Road. It is also noted that it may be possible that the trail known as Piilani, Hoapili, or the "King's Highway" continued through this area towards Kihei. Currently, the only intact segments of this trail occur along a 13.5 mile stretch between La Perouse Bay and Manawainui Gulch. The letter also notes that the difference in terrain and topography may account for the lack of any formally constructed trail along the subject area. Mr. Sinoto recommends that an archaeologist be present to monitor construction work within the makai road parcel, as a mitigative measure.

c. The applicant has submitted other information on archaeological and historical investigations of the project site and Makena area in a report entitled, Supplemental Archaeological and Historical Studies at Makena, Makawao, Maui Part I Archaeological Reconnaissance and Limited Sub-Surface Testing of a Segment of Makena Road and Part II Historical Notes on Makena (hereinafter "Supplemental Archaeological and Historical Study") dated March 1985 and prepared by Stephen D. Clark (Part I) and Marion Kelly (Part II) of the Department of Anthropology, Bernice Pauahi Bishop Museum for Seibu Hawaii, Inc. (Attachment S).

d. According to Part I of the Supplemental Archaeological and Historic Study, the purpose of the study was to conduct an archaeological assessment of a portion of the

existing Makena-Keoneoio Road and surrounding area for evidence of a Hawaiian trail. A brief literature search revealed that numerous archaeological surveys have been conducted in the Makena area, including reconnaissance surveys and excavations with documentation of prehistoric and historic occupation of this area. The current study included a reconnaissance survey and sub-surface testing and excavation of the makai road parcel and surrounding area. The results of this current study indicate that there is no archaeological evidence of the existence of a Hawaiian trail on, around or under this section of the Lower Makena Road related to this proposed action. The sand dune contained scattered aa basalt cobbles and boulders on the surface, but no alignments were visible there or on the mauka side of the adjacent makai road parcel. The report notes that based on the extensive prehistoric and historic archaeological remains along the Makena coast, a trail(s) must have existed to facilitate the movement of people and goods along the coast. Based on a study of trails on the Island of Hawaii (Apple 1965), it is believed that a trail system in the Makena area could have evolved from a foot path to a horse path and eventually into a vehicular road. Information on the history of the Makena area suggests that its economic development (agriculture and cattle ranching) demanded better transportation routes after the period of European contact. The report also notes that even if the Makena-Keoneoio Road did not exist today, it would be difficult to find evidence (structural remains) of a Hawaiian trail in the sandy beach and dune areas, since such trails were generally not defined structurally.

4. Impact on Cultural Resources ---

a. According to Part II, Historical Notes on Makena, in the Supplemental Archaeological and Historic Study, the historic study reveals that the Makena area, in general, maintains a rich cultural heritage, Hawaiian tradition, archaeological sites and history. This study reveals that in the precontact period (before 1778) and into the post contact period, Makena was primarily a fishing community supplying fish and other products of the sea to residents of a wide geographical area, including the uplands of Ulupalakua. Perhaps as early as 1837, Makena became a cultural center with a church and a commercial center when supplies were brought in by ship for residents of the area and for residents of Ulupalakua, where a sugar plantation was established in 1841. Until the early 1900s, there are accounts that residents of Makena and Ulupalakua gathered on a weekly basis to share or exchange food products and other goods. Two (2) landings provided ocean transportation services in the

Makana area, namely Torbert's Landing (now known as the "Old Makana Landing") and the Aupuni Landing (formerly at the site of the existing Keawala Church). The Old Makana Landing, which is currently in ruins, was severely damaged by storm waves and abandoned in 1921.

b. Also, Part II of the Supplemental Archaeological and Historic Study provides information regarding Hawaiian trails in the Makana area. In general, during the precontact period (before 1778) walking trails (ala hele) connected residents of one coastal hamlet to another and the inhabitants of coastal hamlets to inland hamlets. Some trails were primarily for social and economic communication, and others primarily for fishing and gathering resources from the sea. These trails took many forms but tended to be less defined over sand dunes than over expanses of aa lava. Inland trails located on sand dunes, such as those between Makana and Kihai were not usually paved or constructed of waterworn stones, such as those over areas of aa lava. These inland trails on sand dunes were probably paths worn by the traffic of innumerable generations of inhabitants to maintain contact with each other for social and economic purposes. In general, the Hawaiian cultural values of cooperating and sharing were established during the thousand or more years of occupation of the Hawaiian Islands by the first Polynesians. After the introduction of the private property concept in the mid 1800s, many trails were blocked or fenced and access to them otherwise diverted.

c. Also, Part II of the Supplemental Archaeological and Historic Study provides information on roads in the Makana area. The earliest maps of the Makana area that have been located indicate the existence of a Government Road (Aupuni Road) along the Kihai-Makana coast (Torbert Map 1945?) and Alexander Map (1866-1897). The alignment of this government road generally follows that of the existing Makana-Keoneoio Road in the vicinity of the project area under review.

d. Also, in reference to Part II of the Supplemental Archaeological and Historic Study, it is recommended that a more in-depth cultural history of the Makana area be prepared, since the subject study was only able to highlight some of the history of the Makana area. It is noted that such an in-depth written history would contribute substantially to understanding the relationship between the people and their resources at Makana in transitional Hawaii or that period between the curtailing of the Hawaiian subsistence economy and the expansion of the western market economy.

e. Also, according to an affidavit dated September 20, 1985 filed by Marion Kelly in re: Hui Alanui O Makana et al, Plaintiffs vs. County of Maui et al, Defendants in Civil No. 85-1087(3) in the Circuit Court of the Second Circuit, State of Hawaii, Ms. Kelly further states that "it is highly probable that further research may reveal that the subject roadway continues to be an integral part of the cultural heritage of the Makana community and should be preserved and protected." (Emphasis added) She also recommends that the additional research on the cultural history of the Makana area and its residents be undertaken, prior to the initiation of any construction work within the makai roadway parcel. In terms of her affidavit and letter dated March 10, 1986 (see Attachment K), Ms. Kelly does not provide any specific information to support the basis for her conclusion that it is highly probable that further research may reveal that the Makana-Keoneoio Road continues to be an integral part of the cultural heritage of Makana.

f. As previously noted, the Seibu Makana Master Plan EIS accepted by the Planning Commission in 1975, as part of the Kihai General Plan Amendment, contains information describing and evaluating the impacts of the overall Seibu Resort development, including but not limited to cultural characteristics. This EIS contains information on the history of Makana and is incorporated herein as Attachment I.

g. Relative to the issue of history and culture, Mr. Ralston Nagata, State Parks Administrator, Department of Land and Natural Resources, in a memorandum dated December 5, 1984 (Attachment I, Exhibit 3), recommended that a thorough cultural study be undertaken, since the existing Makana appeared to be vital for the established fishing community of Makana, based on informant interviews with Makana residents. It was further recommended that this study include the following:

- 1) A thorough archival search to include maps, photographs and land documentation;
- 2) A collection of informant interviews to substantiate the cultural significance of the roadway; and
- 3) A study to examine the relationship of the Kihai-a-piilani Trail, of which the existing Makana Road and section proposed for closure was a part of, and the significance of this trail in the overall context of Hawaiian history and culture, in terms of the integrity of cultural use over time.

h. In order to further evaluate aspects of archaeological and cultural value, as noted in Mr. Nagata's memorandum, Seibu Hawaii, Inc. commissioned with the Bishop Museum to undertake the study, which was previously discussed and identified as the Supplemental Archaeological and Historic Study.

i. In a broad sense, a "cultural resource" may encompass one or a combination of values associated with historic properties, such as the following:

- 1) Architectural value;
- 2) Associative value or the importance of a property as a reminder of an event, a person, a process or trend affecting the history of the nation or a region, community or group;
- 3) Use value or the potential of a historic property for continued productive use as part of a modern society;
- 4) Informational value or the potential of a historic property to provide information, through recordation or archaeological research, that is useful to the study of important aspects of the past; and/or
- 5) Cultural value or the contribution made by a historic property to an ongoing society or cultural system.

j. In order to address the issue of evaluating "cultural value," the Federal Advisory Council on Historic Preservation has issued Guidelines for Consideration of Traditional Cultural Values in Historic Preservation Review (Draft/August 1, 1985). Although these guidelines are in draft form and proposed only for the review and planning of projects by Federal agencies, it may be relevant in the review of issues relative to the proposed action:

- 1) In terms of definition, the guidelines refer to "cultural value" as "the contribution made by a historic property to an ongoing society or cultural system." A cultural system is defined as "a group of people linked together by shared values, beliefs, and historical associations, together with such a group's social institutions and the physical objects necessary to the operation of the institutions." The guidelines also note that "In a general sense, all historic properties have cultural value, since history is itself a cultural phenomenon."

2) The intent of the guidelines is to focus on those historic properties whose primary value is associated with the role they play in maintaining the cultural integrity of a particular social group, usually though not necessarily localized, often though not necessarily of ethnic minority heritage."

3) In order to be considered in the Federal review process, the guidelines specify that a historic property must demonstrate "traditional cultural value" or one that has historical depth.

4) Also, in order to be considered in the Federal review process, a "cultural value" must be "related to a property or properties included in or eligible for inclusion in the National Register of Historic Places." (As previously noted, the project site is neither on the Federal or State Registers of Historic Places nor determined to be eligible for inclusion on the Federal or State Registers.)

5) In terms of identifying "traditional cultural values," evaluating historic properties, considering the effects of proposed actions and evaluating alternatives and establishing mitigative measures, the guidelines generally specify that consultation be undertaken with "communities, groups, and knowledgeable individuals who may ascribe or be expert in the ascription of, traditional cultural value."

6) Finally, the guidelines specify that Federal review procedures do not require "the preservation of historic properties or the values they represent, but only their consideration in planning. Thus the recognition of a cultural value in a property does not give the group to which the property is valuable a veto over its incompatible use." (Emphasis added)

k. At its meeting of March 18, 1986, the Planning Commission received a letter dated March 16, 1986 with an attached summary report (Attachment M) from Marion Kelly, who is an anthropologist. Her written statement is a summary of findings and conclusions, based on her current research on Makena Road, undertaken subsequent to her report contained in the Supplemental Archaeological and Historic Study, as previously discussed. In her summary report, Ms. Kelly notes that the high chief, Piilani, has been identified as the person responsible for initiating the construction of a trail system that encircled the island of Maui. Ms. Kelly notes that Martha Fleming, a Maui

historian, attributed much of the building of the Maui trail system to Kiha-a-Piilani, son of Piilani, and dated the road to "about the year, 1516." According to Ms. Kelly's report, the reason for the establishment of the trail system by Piilani and its continued maintenance into the 19th century by Hoapili related to the development of Maui as a politically united geographic entity. The trail system provided the people of Maui with improved access to the cultural and political centers of the island and provided a means for Piilani and his supporting chiefs to protect people living in the farthest reaches of the chiefdom, thus representing an integral aspect in the eventual unification of Maui under a single chief and the ultimate establishment of a unified kingdom of the Hawaiian Islands. According to Ms. Kelly's report, sections of "The Piilani Highway," "The Piilani Trail," "The Kings Highway" and "The Hoapili Trail" exist today between Keoneoio and Nu'u, which is located near La Perouse Bay south of the project site and Puu Oia'i. Ms. Kelly's report also notes that this section of the trail was formerly designated on the State Register of Historic Places in the 1970's and assigned a rating of "valuable significance." In 1978, this site was proposed for nomination on the National Register of Historic Places. In 1980, due to an Attorney General's Opinion, all sites listed on the State Register of Historic Places, including the existing section of the Piilani trail near La Perouse Bay, were removed from the Hawaii Register of Historic Places, due to a procedural error relating to the notification of property owners. In her report, Ms. Kelly states that, "A trail system such as Maui had is a highly important part of Maui's history. Wherever it went and whatever its condition today, it should be preserved as an important window into Maui's past history. That its use changed over time, or that its character was altered as the needs of the population changed, should have no bearing on its present value, except perhaps to reconfirm its original purpose and value to the original Hawaiian communities that it once served." Ms. Kelly also notes, "Modern use of the present road through the Makena community maintains one of the most important cultural elements in Hawaiian society: accessibility... The mauka-makai access component of Hawaiian society reinforces this value. The ililele concept also reinforces the importance of access to all the resources of the land and sea. Meaningful access today is vehicle access, at least in areas where access has meant vehicle access for fifty years or more." Ms. Kelly also notes that there is a precedent for preserving and designating trails on the National Register of Historic Sites, such as the case of the De Anza Trail in California, a portion of which is a

two-lane black-top road. Ms. Kelly believes that the Piilani Trail is more important than the De Anza Trail and concludes that the proposed action to close the 1.100 foot section of the Lower Makena Road will have "a significant negative effect on Hawaiian cultural values and on Hawaiian cultural identity."

1. At its meeting of March 18, 1986, the Planning Commission received a letter dated March 17, 1986 from Edward Joesting, who is a historian. In his letter, Mr. Joesting cites an account by historian, Abraham Fornander, that Kiha-a-Piilani in the course of his reign "improved and caused to be paved the difficult and often dangerous roads over the Palis of Kaupo, Hana, and Koolau." According to Mr. Joesting, Fornander made reference to roads only in the areas of Hana, Koolau and Kaupo and not in any other district. Mr. Joesting also notes that the Atlas of Hawaii identifies Piilani's Highway as being a part of an upper trail which descends through UluPalakua, joining the coastal road in Kaupo. He points out that this would indicate that the Piilani Highway extended into the Makawao District of Maui along an upper trail and not part of the seaside road running through Makena. Mr. Joesting also notes that while Margaret Fleming in her pamphlet, "Old Trails of Maui," indicated that the Kiha-a-Piilani Trail extended around the entire island of Maui, her conclusion is not borne out by earlier historical accounts. Mr. Joesting also notes that prior archaeological excavations within the project site and adjacent sand dune have yielded no evidence of the remains of a Hawaiian trail. He points out that it thus appears likely that the ancient path through Makena was largely for the convenience of its local population. He also notes that according to Dr. E.S. Craighill Handy, Makena was important in pre-history times for its fishing. It is also noted that Dr. Handy believed that the population of Makena during pre-history times was greater than in later times, though no specific population figures were cited. Mr. Joesting cites an account in the Journal of La Perouse, who was the first Westerner to land on Maui in 1786, in which La Perouse observed that as he sailed westward along the coast from Kipahulu to the area now known as La Perouse Bay, there was a noticeable decrease in the population, with villages consisting of "only ten or twelve widely separated huts - a great contrast to the country which was being left behind." Mr. Joesting also notes that transportation around the Hawaiian Islands and along the leeward sides in particular, was not limited to walking, that it was common to use canoes, and that during normal calm weather, travel by canoe was an easier and often preferred means of transportation. Mr. Joesting also

notes that an examination of the reports of the Road Supervisors for the island of Maui indicates that the roads of Makaha Wepe of little significance in the mid-1800's, since there is no mention of any road work being done in Makaha in the twenty year period between 1851 and 1871. Mr. Joesting also notes that Makaha gained importance with the establishment and growth of the Ulupalakua Ranch which started as a sugar plantation in 1841. Shortly thereafter, a road to Makaha was built or improved. Because Ulupalakua needed to ship out its sugar and produce and later to transport its cattle, Makaha developed as an inter-island port and remained as such until the 1920s.

m. In his testimony presented to the Planning Commission on March 18, 1986 and in his affidavit dated January 7, 1986 (Attachment I, Exhibit 7), Charles Keau stated that based on his experience in archaeological work in the Wailea-Makaha area, the Piilani Road probably existed within the general alignment of the existing Lower Makaha Road rather than along the upper trail to Ulupalakua, as noted by Mr. Joesting. Mr. Keau noted that his conclusion is based on the proximity of the Lower Makaha Road to most of the known heiau in the area which were generally situated just mauka of a trail or road.

n. At its meeting of March 18, 1986, the Planning Commission also heard testimony from Rubellite Johnson, an assistant associate professor of Hawaiian at the University of Hawaii. Mrs. Johnson also noted that accounts by native historians, such as Kamakau and Malo, indicate that Kiha-a-Piilani, the son of King Piilani, was responsible for the construction of highways in Hana, Koolau and Kaupo but no mention has been made of his role in constructing a sea coast highway, paved trail, or other trail in Makaha. She also noted that based on archaeological test excavations within the project area, there is no evidence of any remains of an ancient Hawaiian trail. Mrs. Johnson also commented that she believes that cultural resources, in general, should be viewed within a broader cultural context, in terms of their contribution to the social and economic well-being of present and future generations of residents and not simply as features of the past to be preserved for their own sake.

o. At its meeting of March 18, 1986, the Planning Commission also heard testimony from Kahu Kealanahahele, who is a Christian minister and a kahuna with a Ph.D. in theology and Hawaiianology. Dr. Kealanahahele presented some background on concepts of Hawaiian religion and its spiritual basis. He noted that Hawaiian culture is based

fundamentally on a spiritual system and that remains of historically important Hawaiian sites, such as Mahakū (e.g. rocks or stones), are watched over by a spiritual force. Dr. Kealanahahele noted that it is his belief, based on his visits to the project site along Lower Makaha Road, that this site does not exhibit the spiritual aspects of an important historical site.

p. In reviewing the affidavits filed and testimony presented by various individuals, it is recognized that there is a sentiment that the existing Lower Makaha Road has cultural value, as a reflection of heritage, lifestyle and beliefs. Also, it has been noted in archaeological reports that although there is no physical evidence of any remains of an ancient Hawaiian trail within the area of the proposed action, namely the makai road parcel or adjacent sand dune, a coastal trail system most likely traversed this general area to facilitate the movement of people and goods along the coast. In summary, based on information herein, it can therefore be reasonably concluded that the existing Lower Makaha Road has cultural value.

q. However, although this section of the road has cultural value, it cannot be concluded that this portion of the road has cultural significance or significant cultural value for the following reasons:

- 1) The proposed action to close a section of the existing Lower Makaha Road for public vehicular access is substantially similar to and relevant to the previously accepted Seibu Makaha Master Plan EIS, which evaluated the overall impact of the Seibu resort development on the Makaha area and surrounding Kihei community. In particular, this EIS did not indicate nor was it an issue in the public review of this EIS that the section of the Lower Makaha Road under consideration had cultural significance or significant cultural value.
- 2) The proposed action to close a section of the existing Lower Makaha Road is specifically identified as such in the land use map and written policies of the adopted Kihei Community Plan. Other written policies in this Plan do not indicate or specify that this section of the Lower Makaha Road is considered to be of cultural significance or significant cultural value.
- 3) The site of the proposed action does not contain historic properties that are listed on either the Hawaii or National Registers of Historic Places or



that have been determined to be eligible for inclusion on either the Hawaii or National Registers of Historic Places. In her summary report dated March 16, 1986 (Attachment M), Marion Kelly refers to the former designation of a section of "The Piihoni Trail" on the Hawaii Register of Historic Places. However, this section of the trail is located near La Perouse Bay between Keoneoio and Nuu Puu Olai.

- 4) According to the archaeological report of test excavations within the makai road parcel and adjacent sand dune, there is no physical evidence of the remains of an ancient trail within this area.
- 5) Considerable testimony both oral and written, was received from and/or presented by residents and other knowledgeable persons "who may ascribe or be expert in the ascription of traditional cultural value." Based on the testimony received from or presented by these various persons, it cannot be concluded that the section of the Lower Makena Road under consideration has significant value as a historic site or that this portion of the road is in fact part of "The Piihoni Trail," as opposed to part of another ancient or historic trail or road that served to facilitate the transportation of goods and people in the Makena and outlying coastal areas.

In summary, based on the aforementioned, it can be reasonably concluded that this section of the Lower Makena Road has cultural value; it cannot, however, be concluded that this section of the road has cultural significance or significant cultural value.

- r. In recognition that the 1,100 foot long section of the Lower Makena Road under consideration has cultural value, the following mitigative measure is recommended: The existing section of the Lower Makena Road between the proposed north and south cul-de-sacs shall also be maintained as a public pedestrian right-of-way, in order to maintain the locational integrity of historic public access.

#### 5. Impact on Public Shoreline Access --

- a. The construction of the proposed beach walkway will provide access along the entire stretch of the adjacent sandy beach between the Makena-Keoneoio Road and the proposed south cul-de-sac and thereby improve public

access to and support public use of this beach resource and off-shore waters for recreational and fishing purposes.

- b. The existing public beach access to the shoreline is situated on the north side of the sand beach area. As part of prior SMA Permit approvals, the applicant was required to provide this beach access, with an adjacent vehicular turn-around along the Makena-Keoneoio Road and 25 paved public parking stalls and a restroom facility situated mauka of the nearby Keawalai Church. These improvements are currently under construction by the applicant and are expected to be completed during 1986.
- c. As previously noted, there are no remains of a historic or prehistoric coastal trail system either within or along the makai road parcel or within the sand dune formation. Also, there is no evidence or documentation to indicate the exact location of such a trail system in this area. The proposed action will provide a shoreline walkway atop the sand dune, which is along the section of the existing Makena-Keoneoio Road that will be closed, and in this sense will maintain, in concept, a coastal trail that is believed to have existed during either prehistoric or historic periods. In addition, as a mitigative measure, it is recommended that a public pedestrian right of way be provided within the existing section of the Lower Makena Road between the proposed north and south cul-de-sacs to maintain the locational integrity of historic public access and further facilitate pedestrian access to coastal resources in the area.

#### 6. Impact on Vehicular Access --

- a. The proposed cul-de-sacs will eliminate or restrict public vehicular access along a 1,100 foot long section of the existing Lower Makena Road. However, an alternate access road, the Makena Alanui Road has been dedicated to the County and is currently available for public use. There are existing lateral roadway connections between the Makena Alanui Road and Lower Makena Road to provide vehicular access to all Makena abutting private properties (other than those owned by the applicant) and public-owned properties within the area. As such, the proposed cul-de-sacs will not preclude or prevent vehicular access to surrounding properties in the area.
- b. Furthermore, the Makena Alanui Road from Wailea to Makena is a 60 foot wide right-of-way and a two-lane undivided road, as compared with the existing Makena-Keoneoio Road which varies in width from 10 to 20 feet and is in a

road parcel as an open space landscaped area without any structures. Further, the realignment of traffic along the mauka Makana Alanui Road will provide pedestrians and vehicle occupants with view vistas of the shoreline and the offshore areas, although at a greater distance than that along the Lower Makana Road.

8. Impact on the Sand Dune Formation --

a. It is anticipated that there will be minimal adverse impacts on this resource. As previously noted, the construction of the proposed gravel shoreline walkway will not involve any extensive earthwork (e.g. grading, grubbing or cut and fill) within the sand dune. Also, the landscape planting plan for the area of the sand dune will involve infill planting of existing vegetative species, the planting of grass and selective thinning of existing trees. The landscape planting will lessen any erosion of the sand dune and thus stabilize this formation.

b. With the improvement of public beach access to this beach and operation of the Seibu Prince Hotel, it is reasonable to assume that there will be increased public use of this area. No building improvements are proposed to be constructed on or immediately adjacent to the sand dune. The Seibu Prince Hotel complex currently under construction is setback approximately 300 feet mauka from the shoreline and the sand beach area. With proper maintenance and restrictions on the encroachment of buildings or structures within the sandy beach area or dune formation, increased public use of the area can be accommodated with minimal degradation of the shoreline environment. The proposed 1,300 foot long unpaved beach walkway will serve to enhance pedestrian access within the area and also discourage people from walking over beach vegetation. This walkway would have negligible impacts on beach erosion or coastal processes (e.g. movement of sand along the shoreline), since this structure is not designed to deflect wave action, as in the case of a seawall revetment, and therefore affect the transport of sand.

9. Social Aspects -- The proposed project implements adopted County policies relative to the development of the Makana area, in particular that of the adopted Kihei-Makana Community Plan. Given the relatively "rural" environment of the Makana area today, it is reasonable to assume that the hotel development under construction and the proposed project will contribute to perceptual changes in the physical environment and uses of the area. However, as previously noted, the proposed project is consistent with the adopted Kihei-Makana

generally substandard condition. As such, the Makana Alanui Road provides improved vehicular access to the Makana area over that of the existing Makana-Keoneoio Road.

c. With the proposed project and closure of a 1,100 foot long section of the Lower Makana Road, neighboring properties surrounding the proposed north and south cul-de-sacs will no longer be connected by a more direct and convenient vehicular access. Although the mauka Makana Alanui Road and its lateral accesses to the existing Lower Makana Road will generally provide improved vehicular access in the Makana area and allow than that owned by the applicant) and public-owned lands, this inconvenience to neighboring property owners or residents cannot be avoided.

d. As previously noted, the earliest available maps of the Makana area indicate that a government coastal road existed along the Makana coast generally following the alignment of the existing Makana-Keoneoio Road. Also, as previously noted, the makai road parcel does not contain historic properties that are listed on either the Hawaii or National Register of Historic Places or that have been determined to be eligible for inclusion on the National Register of Historic Places. Moreover, it is reasonable to assume that government roadways whether in the Kihei-Makana area or elsewhere in the State of Hawaii functioned and evolved to service the needs of its inhabitants for social and economic purposes. For example, in reference to the history of the Makana area, it has been noted that with the establishment of Torbert's Landing (also known as the "Old Makana Landing") perhaps as early as 1845, and with the regular coming and going of cargo and passenger ships at this facility, the use of the former road between Kihei and Makana was reduced and gradually reverted to that of a horse trail. Furthermore, in more recent times, there are precedents for similar actions involving the closure of government roads and rerouting of vehicular traffic along realigned coastal highways (e.g. at the Wailea Resort situated north of the Seibu resort properties). As in the case of the proposed action, the realignment of the coastal highway at Wailea (portion of Kihei Road) was undertaken at the sole expense of the private landowner, consistent with adopted County land use policies.

7. Impact on View Planes -- Presently, there are limited view vistas or corridors from the makai road parcel due to the presence of a large sand dune between the Lower Makana Road and the shoreline. The proposed action will leave the makai

Community Plan, which identifies land use, social, economic, and environmental policies appropriate for the Makena area and implements the broad policies set forth in the adopted General Plan of the County of Maui, pursuant to Ordinance No. 1052 (1980).

10. Impact on the Shoreline Setback Area --

- a. Pursuant to Section 6.C. of the Shoreline Setback Rules and Regulations, the parcels, identified by THK 2-1-05:57 and 59, proposed for portions of the unpaved beach walkway and landscape planting improvements qualify for a 20 foot shoreline setback, because the buildable area of the parcels are reduced to less than 50 percent of the parcel area after applying the 40 foot shoreline setback and other State and County requirements.
- b. The construction of the gravel shoreline walkway is not expected to alter the natural character of the existing shoreline. It should be noted that, pursuant to Section 13.e. of the County's Shoreline Setback Rules and Regulations, landscape planting is permitted within the shoreline setback area, subject to approval by the Planning Director.

11. Impact on Drainage and the Flood Hazard District --

- a. Based on comments from the Department of Public Works ("DPW") (see Attachment G), it is noted that the agency will require the submittal of a detailed drainage plan, as part of its subsequent review of construction plans. According to the DPW staff engineer, given the nature of the proposed project, it is not expected that the project will result in significant impacts relative to drainage or flooding within the surrounding area.
- b. Also, according to the DPW staff engineer, the proposed project is a permitted development, pursuant to Chapter 19.32, Maui County Code relating to flood hazard districts.

12. Design Requirements -- The DPW comments also specify various design requirements (e.g. installation of sidewalks; handicapped ramps etc.) that apply to the proposed project. According to the DPW staff engineer, these requirements should be incorporated in the detailed plans required in terms of subsequent construction approvals.

13. Construction-Related Impacts -- During construction, it is anticipated that the project will contribute to short-term adverse impacts associated with dust, soil erosion, noise and traffic-related impacts. These impacts can be mitigated by implementing appropriate measures during construction.

P. SPECIAL MANAGEMENT AREA OBJECTIVES, POLICIES AND GUIDELINES

The proposed action has been reviewed herein, in terms of the objectives, policies and guidelines as specified in Chapter 205A, HRS and Part II Section 2-3 of the Special Management Area Rules and Regulations of the County of Maui. The proposed action relates, in particular, to the following SMA objectives, policies and guidelines:

1. Objectives

- a) "Provide coastal recreational opportunities accessible to the public" (Section 2-8.1.a);
- b) "Protect, preserve, and where desirable, restore those natural and man-made historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture" (Section 2-8.1.b);
- c) "Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources" (Section 2-8.1.c); and
- d) "Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems" (Section 2-8.1.d).
- e) "Improve the development review process, communication, and public participation in the management of coastal resources and hazards" (Section 2-8.1.g).

2. Policies

- a) Recreation Resources
  - 1) "Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:
    - (a) Protecting coastal resources uniquely suited for recreation activities that cannot be provided in other areas;
    - (c) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;

- (d) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
- (e) Encouraging expanded public recreational use of County, State, and Federally owned or controlled shoreline lands and waters having recreational value; and
- (g) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits... (Section 2-8.2.a(2)).

b) Historic Resources

- 1) "Identify and analyze significant archaeological resources" (Section 2-8.2.b(1)).

c) Scenic and Open Space Resources

- 1) "Insure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural land forms and existing public views to and along the shoreline" (Section 2-8.2.c(2)); and
- 2) "Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resource" (Section 2-8.2.c(3)).

d) Managing Development

- 1) "Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life-cycle and in terms understandable to the general public to facilitate public participation in the planning and review process" (Section 2-8.2.g(3)).

3. Guidelines

- a) "All developments in the special management area shall be subject to reasonable terms and conditions...to insure that:
  - (1) Adequate access, by dedication or other means, to publicly owned or used beaches, recreational areas, and natural reserves is provided to the extent consistent with sound conservation principles";

- (4) Alterations to existing land forms and vegetation except crops, and construction of structures shall cause minimum adverse effect to water resources and scenic and recreational amenities and minimum danger of floods, landslides, erosion, siltation, or failure in the event of earthquake" (Section 2-8.3.a).

b) "No development shall be approved unless...found that:

- (1) The development will not have any substantial adverse environmental or ecological effect except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options;

- (2) The development is consistent with the objectives, policies, as enumerated in Chapter 205A, Hawaii Revised Statutes, and as recited...under Sections 2-8.1 and 2-8.2...and Special Management Area guidelines;

- (3) The development is consistent with the County General Plan, zoning, subdivision, and other applicable ordinances" (Section 2-8.3.b).

c) "...Seek to minimize, where reasonable:

- (2) Any development which would reduce the size of any beach or other area usable for public recreation;
- (3) Any development which would reduce or impose restrictions upon public access to tidal and submerged lands, beaches, portions of rivers and streams within the Special Management Area and the mean high tide line where there is no beach.
- (4) Any development which would substantially interfere with or detract from the line of sight toward the sea from the State Highway nearest the coast, or from existing public views to and along the shoreline;

- (5) Any development which would adversely affect water quality, existing areas of open water free of visible structure, existing and potential fisheries and fishing grounds, wildlife habitats, estuarine sanctuaries, potential or existing agricultural uses of land" (Section 2-8.3.c).

**Q. RECOMMENDED MITIGATIVE MEASURES**

As part of the review of the proposed project, in terms of the SMA Use Permit application and other required governmental actions, reasonable terms and conditions may be imposed to mitigate impacts of the proposed project. Based on the findings contained in the environmental assessment, recommended mitigative measures for the proposed action include but are not limited to the following:

- a. Requiring that appropriate measures shall be implemented during project construction to minimize the short-term impacts of the project relative to soil erosion from wind and rain and increased ambient noise levels from construction equipment.
- b. Requiring that the applicant shall retain a qualified archaeologist to appropriately monitor construction work. Further, that in the event any unanticipated archaeological, historic or cultural remains, sites, artifacts or resources are discovered during project construction, the applicant's consulting archaeologist shall cause work to stop and duly notify the State Historic Office, Department of Land and Natural Resources, State of Hawaii and the Department of Planning, County of Maui.
- c. Requiring that the applicant shall execute an agreement with the County of Maui to assume the responsibility for the maintenance and repair of the existing public beach access, public beach walkways and public parking area at the south cul-de-sac and maintenance of the landscaped area mauka of the shoreline.
- d. Requiring that the existing sand dune formation shall remain intact as a coastal resource. Also, that extensive grading, grubbing or removal of sand from this area shall not be permitted. Further, that no building(s) shall be permitted on the sand dune formation.
- e. Requiring that the applicant shall file an application for Permit to Perform Work Upon County Highway with the Land Use and Codes Division, Department of Public Works and comply with all related requirements.

- f. Requiring that the mauka edge of the shoreline walkway shall be constructed no closer than twenty (20) feet mauka of the certified shoreline and in accordance with Project Plans dated 12-20-85.
- g. Requiring that the applicant shall install traffic directional signs along the Makena-Keoneoio Road, as shown on the traffic control plan dated 12-20-85 and subject to approval by the Department of Public Works, County of Maui.
- h. Requiring that the existing section of the Lower Makena Road between the proposed north and south cul-de-sacs shall also be maintained as a public pedestrian right-of-way, in order to maintain the locational integrity of historic public access.
- i. Requiring that the applicant shall comply with the requirements of all other applicable Federal, State or County, statutes, ordinances, codes, rules and regulations, and agreements executed thereto.

**R. CONCLUSIONS**

Based on the aforementioned, the following are conclusions:

- a. The proposed action will not result in an irrevocable commitment or loss of any natural or historic-archaeological-cultural resource. More particularly, the proposed action will not result in an irrevocable commitment or loss of any such resource that has cultural significance or significant cultural value.
- b. The proposed action is consistent with the range of beneficial uses of the environment, in terms of adopted County land use policies.
- c. The proposed action does not conflict with the State's long-term environmental goals and guidelines, as expressed in Chapters 342 and 344, HRS.
- d. The proposed action will not substantially affect the economic or social welfare of the community or State.
- e. The proposed action will not involve substantial secondary impacts, such as population changes or effects on public facilities.
- f. The proposed action will not involve a substantial degradation of environmental quality.



XEROX COPY



EXHIBIT "C"

BACKGROUND HISTORY OF ALANUI 'AUPUNI,  
HONUA'ULA, MAUI

BY

MARION KELLY

For the 'Ohana o Makena

January 10, 1987  
The Marion Kelly Corporation  
4117 Black Point Rd.  
Honolulu, Hawai'i 96816

EXHIBIT "D"<sup>4</sup>





XEROX COPY

BACKGROUND HISTORY OF ALANUI 'AUPUNI,  
HONUA'ULA, MAUI

BY

MARION KELLY

For the 'Ohana o Makena

January 10, 1987  
The Marion Kelly Corporation  
4117 Black Point Rd.  
Honolulu, Hawai'i 96816

EXHIBIT "D"

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

February 6, 1987

F. J. RODRIGUEZ,  
PRESIDENT

Mrs. Dana Naone Hall  
Hui Alanui O Makena  
2087 Wells Street  
Wailuku, Maui, Hawaii 96793

Dear Mrs. Hall:

We have received the comments that you have provided on the Draft Environmental Impact Statement (DEIS) prepared for the Makena-Keoneolo Road Cul-de-sacs Plan. The comments have been provided to the applicant and technical consultants involved in the preparation of the DEIS. Responses provided to your comments will be made within the Rules of Chapter 200 of Title 11, Administrative Rules of the State Department of Health. Opinions expressed in the comments received will be responded to on the basis of their merit and appropriateness.

1. The relationship of the DEIS to the County of Maui's Environmental Assessment/Determination was discussed with John Hin, the author of County's document. There was understanding that our document could draw relevant and factual data from the County EA/Determination.

2. The work contained in Appendix A of the DEIS is not to be considered as the sole effort to provide a cultural resource study. The Final EIS provides an amended Appendix A that lists all of the works that have been done to date by the Bishop Museum, Mr. Edward Joesting, Stephan D. Clark, Marion Kelly, and Ann Joesting. Taken collectively, these works represent more than adequate discussion on the specific site of the Makena-Keoneolo Road that is under review.

Ms. Joesting chose not to include the results of previously conducted archaeological investigations since they are already part of the public record. The listed reports will all be included in the Final EIS together with the most recent Marion Kelly work as provided by the Native Hawaiian Legal Corporation.

3. The alternatives that were discussed in the DEIS will be supplemented by a requested alternative received from the Office of Hawaiian Affairs. This will be a study of a pedestrian walkway to be located under the Makena-Keoneolo Road. There is also costs and discussions for the County Standard Road and cobblestone Road alternatives provided in Appendix C.

4. Purpose and Need for Action is provided on page II-1. "Action" as defined in the Chapter 200 of Title 11, Administrative Rules, entitled Environmental Impact Statement Rules, Subchapter 2 is: "means any program or project to be initiated by an agency or applicant, other than a continuing administrative activity such as the purchase of supplies and personnel-related action."

Mrs. Dana Naone Hall  
February 6, 1987  
Page 2

5. The "Self-Serving" description is again, from the reviewer's point of view. The Alternatives provided in the various figures were provided by the civil engineering firm of Richard H. Sato & Associates and the source of information for the County's EA was our Environmental Assessment/Negative Declaration that was prepared initially for this project.

I. Summary

The preparation of the amended Summary section is in accordance with the requirements of the Chapter 200 of Title 11, Administrative Rules, entitled Environmental Impact Statement Rules. This section is provided in the format prescribed by those rules.

II. Project Description and Statement of Objectives

This section has been amended to provide the component items listed in this section. Their availability was not provided in the Draft EIS in the specific format requested, but has been revised for the Final EIS. We regret any inconvenience this may have caused the reviewer.

The reviewer's opinions that formal studies for traffic, wind, air and noise quality, functional beach access and cultural resource studies were required are strictly her own and are not shared by our office. It was our opinion that these formal studies were not warranted and the applicant concurred. The reasons they were not conducted apply equally for each: cul-de-sacs do not warrant their preparation, particularly in view of the estimated cost of approximately \$57,000.00. The impacts attributed to cultural impacts on Makena-Keoneolo Road by the proposed closure have been discussed in the works conducted by the Bishop Museum. The Hall response includes comments on the ownership of the parcels upon which the cul-de-sacs are to be built. It states that there are two pending legal actions, Ferreira v. Seibu, Civ. No. 86-0364 and Hui Alanui O Makena v. County of Maui, Civ. No. 85-0187 which affect ownership of the subject parcels.

In response, it is noted that "ownership" information is not mandated by the applicable Regulations. The absence of this requirement may be obvious. An Environmental Impact Statement is addressed to environmental impacts and not to challenges to legal ownership of property. Lawsuits, such as those indicated (in which the Hui Alanui O Makena is represented by Mr. Isaac Hall, the commentator's husband) is society's vehicle for such ownership challenges. Unless and until the extravagant claims by the Plaintiffs in such actions is determined by an appropriate Court, ownership of the subject parcels remains as indicated in the draft EIS.

The purpose of the construction of the cul-de-sacs is to complete the Selbu Maui Prince Master Plan which provides for the completion of the hotel's shoreline frontage. Again it is only the reviewer's opinion that the intent is to "block, terminate and prevent all further public pedestrian and vehicular access along a 1100' segment of the Makena Road in front of the Maui Prince Hotel." Vehicular traffic will be re-routed along the existing Makena Alanui and pedestrian access will be provided for at the cul-de-sac locations situated at the north and south ends of the 1100' segment.

The reviewer is correct in the physical description of the action, but lacks understanding of the intent and purpose which is proceeding in accordance with prescribed and approved procedures.

Hall's comment relating to the applicant's stated objective of direct access to the shoreline is argumentative. Direct access to the shoreline from adjacent hotels which own or control the land in question is not unique to the Maui Prince Hotel. Such direct access for hotel properties include those on the Kaanapali Coast, Wailea, the North Kohala Coast, Waikiki, Poipu, Hanalei. In fact, direct access to the shoreline is characteristic of virtually every upscale hotel property in Hawaii, with perhaps the exception of the Hyatt Regency in Waikiki and appears to be a prime requirement for any destination resort hotel.

Hall's argumentativeness is evident in her request (at p. 4) to identify all public policies and land use policies which state that "a private hotel's need for direct access is more important than existing forms of public access along a coastline." First, the Regulations do not require such identification. Second, the question is stilted and without appropriate perspective. A more appropriate question from a broader societal perspective is whether our society has determined that our need for social and economic progress is furthered by the successful development and maintenance of upscale hotel properties.

#### IV. Alternatives Considered

The discussions on the various alternatives has been done on the basis that the road closure was of concern to interested parties; there has been another alternative request that will be included in the FEIS and this is the one received from OHA that requested the possible use of an underground pedestrian walkway (under Makena-Keoneolo Road). Traffic counts were conducted by Selbu-Hawaii on the Makena Alanui and Makena-Keoneolo Roads in both north and south bound directions for the dates and time periods listed below. These counts indicate the total number of trips generated in both directions and the trips being re-directed to Makena Alanui since the completion of that bypass road.

Roadway	Time Period	Northbound	Southbound	Date
Makena-Alanui	9:00 a.m. to 4:30 p.m.	249	203	1/4/87 Sunday
Makena-Keoneolo	Same	33	28	
Makena-Alanui	9:00 a.m. to 4:00 p.m.	133	159	1/7/87 Wednesday
Makena-Keoneolo	Same	26	28	
Makena-Alanui	7:30 a.m. to 7:00 p.m.	627	666	1/15/87 Thursday
Makena-Keoneolo	Same	126	126	
Makena-Alanui	6:00 a.m. to 6:00 p.m.	610	608	1/25/87 Sunday
Makena-Keoneolo	Same	125	90	
Makena-Alanui	6:00 a.m. to 6:00 p.m.	653	635	1/26/87 Monday
Makena-Keoneolo	Same	107	98	
Total Trips		2264	2271	
Makena-Alanui		412	369	
Makena-Keoneolo		2676	2640	

Again, the opinion of the reviewer conflicts with the DEIS in the evaluation of the impacts that traffic have as a causal factor in the road closure; the higher traffic percentages traveling the Makena Alanui can be viewed that there has been a successful re-routing of traffic to the bypass road which is a total distance of 1.6 miles and takes approximately seven minutes to traverse.

Alternative Number 1 - Overpass - We regret that the reviewer finds the overpass contained in the Draft EIS "ugly"; it was provided by the engineering firm for cost purposes and does not present any final design planning for an overpass. The 14'6" height for the overpass as cited in the description, is a requirement from Maui County, and to meet this height requirement, the setback and grade necessary to design and build an overpass for this height could result in enormous space demands for both sides of the overpass to minimize the steep gradient for the steps leading up and down

estimates are complete and available. This proposed improvement would be self-defeating for the completion of the Makena Alanui since the improvements would result in increased traffic along the Makena-Keoneolo Road and attendant increases in Noise and Air Pollution for hotel and beach users.

Alternative Number 6 - Cobblestone Road

This alternative is the County Standard Road with pavers installed in the roadway proper to encourage lower vehicle speed. It would result in potentially increased noise impacts.

Alternative Number 7 - No Action Alternative

The reviewer is correct in her assumptions that there were no guarantees for the siting of the Maul Prince Hotel at the time the respective land exchanges were taking place. Discussions of these facts contained elsewhere in this response so state that land exchanges between the applicant, the State, and the County did not provide assurances of final siting. The decision to build the hotel in its present location does indicate that there was review of all site plans insofar as location was concerned and there was approval granted. The applicant has obtained legal possession of the section of the Road and is seeking to implement the final portion of the site that fronts the shoreline.

The decision is not to propose alternatives which would keep the Road open was done on the basis that the Cul-de-Sacs Plan was the subject of the EIS; we have discussed the cultural and historical aspects of the Road section in other sections, and have found that the closure does not constitute the significant impacts that the reviewer portrays.

V. The Affected Environment

The date contained in this section describes the physical condition of the specific road section, the adjacent sand dune and beach resource, and the ambient conditions of wind, temperature, etc. The closures that have taken place at Wallea and other locations on Maui have not been discussed in the detail as the reviewer would prefer; this decision was based on the fact that the cultural and historical review of the specific road section indicated that it was not considered significant by the consultant retained, the Bishop Museum. The dissenting point of view as to the cultural significance is still to be resolved and needs to be decided on the facts provided by historical record.

both sides. Cost estimates developed by the engineering firm were preliminary and not intended to be considered final or permanent costs.

Alternative Number 2 - Underground Tunnel

The single most impacting factor for any of the underground alternatives is the flooding of these alternatives during the seasonally heavy rain periods during the winter months. The portion of Makena-Keoneolo Road in which either the vehicular or pedestrian tunnels would be installed is extremely low and the water table does not permit much leeway to excavate and build a tunnel without risking flooding. Drainage would become a problem at these times of water buildup since pumping of the flood waters and disposal of the excess would create a potentially serious problem to the offshore area with pumping releasing stormwater runoff into the offshore waters.

Air and Noise pollution is calculated to be unimproved to the hotel users as well as users of the Makena beach area. Delivery trucks that provide goods and services to the hotel are located at the service entry areas of the hotel, which is separated from the hotel public and room areas.

Alternative Number 3 - 56 Feet Right-of-Way

This alternative was also prepared and cost estimated by the engineering firm for discussion purposes. As such, the analysis was based on prior experience by the engineer and the basic assumption that continued traffic would not compare with the zero traffic alternative that would be realized with the closure alternative.

Alternative Number 4-Pedestrian Underground Tunnel

The Office of Hawaiian Affairs requested consideration of an underground pedestrian tunnel as an alternative to consider in this section. The engineering firm prepared cost estimates sheets for this alternative and also indicated that the principal concern was the potential flooding due to the low elevation of the Makena-Keoneolo Road where the tunnel would be placed. This situation is similar to the vehicular tunnel in that flood waters would need to be pumped out and the offshore receiving waters would be the only disposal area available.

Alternative Number 5 - County Standard Road with Pedestrian Traffic Signal

This alternative is offered for review and discussion since the cost

Archaeological and Historical Characteristics

The Bishop Museum and Mrs. Edith K. McKinzie, Instructor, Hawaiian Studies, Honolulu Community College provide the following responses to the reviewer's comments:

- a. The use of the term "Lower" as in "Lower Makena Road" is acknowledged as incorrect; its usage is discontinued.
- b. (McKinzie) "Hall's seeming insistence that the trail is next to (sloping into, in her words, or cut from) a sand dune is not proven either, for just because the road is there now does not necessarily mean that it was there at that exact location 100 years, 300 years, or 1000 years ago. The lack of awareness of the effects of climate on terrain (i.e. wind, rain, etc. such common natural Hawaiian phenomena as tsunami (See Kelly pg. 36)." The Wall of the fishpond at Keone'o'o was broken by a tsunami" how many more have there been?, volcano eruptions, and hurricanes (high wind) is rather surprising for a person who professes profound geological knowledge of this site. All of these phenomena could have resulted in the "road/trail" being pushed back from where it was before, since Makena is on the leeward side of the island and leeward winds would blow inland. To quote from Kelly (page 55)"... Wind and high seas as well as seasonally shifting sand beaches have always been highly unstable footings for any kind of man-made constructions. Hawaiian's knew this and therefore, did not build any kind of permanent structure where these elements existed."
- c. (McKinzie) "Dana Hall's use of this statement from Stephan Clark may support her point of view, but it also can support the Bishop Museum as well. For lack of archaeological remains does not necessarily mean there was not a trail there. Thus, lack of evidence can be used by either party to support their claim but most scientifically oriented people would state that physical evidence would be required to prove existence; this is not a logical argument."
- d. "Next, the statement by Edward Chang that the Alanui Kahiko road ran past the rock wall near the dune merely indicates that there was a road/trail there during his time and some time before; but it does not indicate that this was the original location of the road from all time. There might have been another "road/trail" at a slightly different location at an earlier time before Mr. Chang's memory.

Furthermore, to conclude that the current road is not necessarily the original road, may I quote from Mrs. Kelly's report, page 55, where she states: "Today sections of the original trail have been destroyed along the coast coming from the north into Makena Bay and continuing on south past the bay. Some of the road has been built on, superceded by the present Government Road, which according to the early maps (has) taken approximately the same route as the old Alanui Aupuni through Makena, as well as north and south of the village (emphasis my own). Thus, Mrs. Kelly admits in her own report that the current road is not really the original road (only approximately), although Hall's report dated January 22, 1987 is more insistent that this is indeed the road, and it has never changed over time inspite of climate, geological factors, or any bulldozers after WWII."

- e. (Bishop Museum) " This quoted statement on the use of canoes as a means of travel merely points out the fact that canoe travel is documented for the area. No suggestion of it being the sole mode of transportation is being made."
- f. (Bishop Museum) " The interpretation that the coastal alignment is 'not well traveled' was based upon comparing the general condition of all the roads shown on the aerial. Some of the other alignments, most notably the inland ones are wider and more devoid of vegetation than the coastal one."
- g. (Bishop Museum) " Some definite differences in the road alignments can be seen in the earlier maps between 1845 to 1928. Judging from the similarity of diagnostic details in other parts of the maps, the variation in alignment can be considered purposeful rather than carelessness on the part of the draftsman."
- h. (Bishop Museum) " Please refer to Appendix A for a summary narrative of the basis for the Museum's evaluation for the subject road segment and a discussion of the significance criteria."
- i. The Final EIS discusses with specific references, the evaluation process that has been conducted to determine on an impartial basis, the cultural values of the segment of road under review. The material contained in the amended Appendix A provides a chronological listing of works and investigations conducted to date that arrive at the conclusion that the Makena-Keoneoio Road segment fronting the Maui Prince Hotel has cultural value. It cannot however, be concluded that this section of the road has cultural significance or significant cultural value. The Bishop Museum has provided this conclusion in their works and

has advised the Department of Land & Natural Resources that the 1985 Clark & Kelly report, supplemented by the Ann Joesting work contained in the Draft EIS resulted in no substantial new data.

Surrounding Land Uses

We would refer the reviewer once again to the cultural values as cited by the Bishop Museum in their analysis as provided in Appendix A. The evolution of the Pihani Trail has been reviewed and analyzed with the conclusions that the traditional trail as described by the reviewer is either the Alaloe o Kihara-Pihani or the Alanui Aupuni of Hoapili; the Makena-Keoneolo Road has also been reviewed in the description in Grant 835 to Mahoe where a reference to an "Alanui Kahiko" would put the "ancient road" mauka of the Makena-Keoneolo Road. On this basis, we cannot discuss the merits of system of unrestricted access.

VI. Relationship to Plans, Policies, and Controls

We will respond directly to the quoted sections of the Hawaii State Plan (Revised) approved May 2, 1986 and issued by the Hawaii State Plan Policy Council Department of Planning and Economic Development State of Hawaii. Section VI of the Final EIS contains the references and details for the State Plan compliance.

- a. The closure of Makena-Keoneolo Road would be in conflict with Section 226-12(b)(1), (2), & (4) if it can be determined impartially that the road has significant cultural value. For discussion purposes, the cultural values of the road provide sufficient evidence that there is reasonable doubt for compliance with the above described sections.
- b. Section 226-25(a) has been met with the materials contained in Appendix A as amended. There has been extensive investigations conducted on the Makena-Keoneolo Road and surrounding areas by the Bishop Museum and other investigators that would "enhance cultural identities, traditions, values, customs, and arts of Hawaii's people."
- c. Section 226-8(b)(4) states "encourage cooperation between the public and private sectors in developing and maintaining well designed, adequately services visitor industry and related developments which are sensitive to neighboring communities and activities." The Cul-de-sacs Plan meet this criteria in that they are well designed and reflect cooperation between the public and private sectors in the development of a visitor industry related development.

d. Section 226-17(b)(10) provides improvements to the existing road facility that will enhance beach access, providing parking, comfort station, and reduce air pollution and noise impacts to visitor industry guests and local users of the beach frontage.

e. Section 226-11(4)(9) provide for "multiple use" and increased accessibility to the shoreline without generating costly or irreparable environmental damage. It is felt that the closure and subsequent landscaping plan with designated walkways designed to protect the sand dune resource, will accomplish the intent of the sections cited.

f. Section 226-104(b)(12) cites "Utilize Hawaii's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the availability of the shoreline, conservation lands, and other limited resources for future generations." We agree with the intent of the Section and feel that the Cul-de-sacs Plan will achieve this objective as stated.

g. Section 226-103(b)(4) has been complied with on the basis that the Cul-de-sacs Plan has been designed to meet the concerns of the appropriate governmental agency to mitigate the impacts of the road segment under discussion. The key word in the compliance is "significant" and the application would be to the cultural aspects of the road segment; from our consultant's findings, the roadway segment has no significant cultural value.

VII. Anticipated Impacts and Mitigative Measures

The entire repetitive discussion by the reviewer in this section again rests her case on the "significant" cultural value that the road segment possesses. As Mrs. McKinzie stated in earlier statements, "Dana Hall's use of the statement from Stephan Clark may support her point of view, but it can also support the Bishop Museum as well." Other unsupported points raised by the reviewer on Mr. Joesting's works, the oral testimonies of Rubellite Johnson and Kahu Kealanahale that are based on the "lack of both a thorough archival research and informant interviews" is disputed by the materials now presented in the amended Appendix A. We would not comment on the oral and written testimony provided by kama'aina informants of Makena in the manner that the reviewer has done to Johnson, Kealanahale, and Joesting. We would rather the testimonies rest as provided and a more impartial authority render judgemental value decisions as to the veracity and credibility of the materials presented.

Impact on Public Shoreline Access

The reviewer again presents her one-sided version of the shoreline access discussion; the fact that it has always been possible to walk along the beach and a trail exists across the top of the sand dune is fact and not a benefit. What is omitted is the fact that previous or historical access has been for the most part, illegal since there was fencing along the Makena-Keoneolo Road placed there by the prior owners, Ulupalakua Ranch. Sebu will provide legal and proper access to the shoreline with improvements as described in earlier sections of the DEIS and restated in the Final EIS. There is no dispute as to the descriptions of the previous practices and to some extent, the descriptions of the future practices when the road closure is completed. Social impacts notwithstanding, the proposed plan will bring into legal compliance the access to the shoreline by the public, local resident as well as tourist visitor. The request for thorough studies for various subjects is subjective to the reviewer and we as preparer of the EIS document; we have elected not to provide the studies she requests based on the premise that they were not warranted.

Impact on Vehicular Access

The Final EIS will not "admit" that the closure will restrict or eliminate the vehicular access to the road segment; it will clearly state that the closure will be exactly that, the closure of the road fronting the Maui Prince Hotel. Traffic data was conducted by the Security staff of the Maui Prince Hotel on the dates and days indicated with the total numbers of vehicles as well as the hourly breakdown provided.

Impact on the View Planes

The comments provided regarding View Planes does not disagree that there are limited view vistas from the Makena Road parcel. However, the reviewer subjectively prefers sand dunes to other natural land forms and this comment may be discounted as a subjective personal one. She comments further, that a traveler may feel ocean mist and spray on the makai roadway on the mauka side of a 30-foot sand dune. This assertion is questionable and even if susceptible to proof, cannot be viewed as significant. The ocean mist and spray is well afforded to pedestrians by legal access.

Impact on the Sand Dune Formation

The descriptions for impacts on the sand dune formation as provided on VII-20 are adequate. Mitigation measures are described.

Social Aspects

Discussion of the road closure received due process and review during the Kihel-Makena Community Plan review prior to adoption. The fact that the road closure is shown on the Community Plan indicates that environmental consequences as well as other consequences were discussed and reviewed. The Final EIS adequately addresses these concerns on Social Aspects as provided in VII-21.

VIII. Irreversible/Irretrievable Commitments of Resources

The Final EIS states that vehicular access will be rerouted to the Makena Alanui when the road closure is completed; the pedestrian access will not be restricted since the cul-de-sacs will provide the access points to the public with the previously stated improvements; the attempt to terminate an Hawaiian aboriginal right-of-way has not been discussed since the validity of the right-of-way is unresolved; even after review of the comments, we have been unable to identify specific native Hawaiian traditions and customary rights associated with the roadway parcel in question; the termination of a continuous coastal access route is not valid since the Makena Alanui reroutes the traveler, but does not prevent his ability to continue on his route; the destruction of the significant historic and cultural site is in question since the significance has not been determined; and finally, the giving up of public lands for private use is incorrect since the lands in question have been legally acquired and public access is still unimpeded.

IX. Adverse Environmental Effects Which Cannot Be Avoided

The final EIS provides amendments to this section that address the requirements as stated in 11-200-17(L). Unfortunately, the discussion on Seibu's need for direct access being more important than the termination of all of the public rights for travel along Makena Road, and the appropriate public or governmental policies that offset the proposed action is not covered in the rules section. Again, we view the reviewer's juxtaposition of direct access versus the public right for travel along the Makena Road as being inappropriate and without proper perspective. The impacts which attend direct access to the shoreline have been discussed; perhaps not to the extent that the reviewer would desire, but there is acknowledgement that impacts will accrue with the closure of the road segment. Mitigation measures are correctly discussed in Section VII which deals with adverse impacts and mitigation measures.

X. Summary of Unresolved Issues

1. The cultural significance of the Makena Road. This subject is



Mrs. Dana Naone Hall  
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fully covered and discussed in Appendix A as amended and deals adequately with the subject. We will refrain from the reference to Mr. John Min's qualifications on the basis that we are not conversant with his formal training or expertise. However, we note that the reviewer assiduously avoided inclusion of a discussion of her own qualifications.

2. Studies to support DEIS not done. Specific studies for traffic, wind, air, and noise quality, and functional beach access have not been performed. Cultural resources studies are provided in Appendix A. The reasons for not providing the studies indicated have been stated previously as not being warranted in the view of the preparer.

XI. Organizations and Agencies Consulted/EIS Preparation Notice Comments

The DEIS did not ignore the comments contained in a letter from the Hui Alanui O Makana dated September 19, 1986; we responded on December 12, 1986 in detail to the comments raised.

Conclusion

The opinions of the reviewer are once again her own and we do not share them for the many obvious reasons stated throughout this response as well as in the Final EIS. The text has been revised for purposes of the Final EIS in accordance with the appropriate administrative rules governing Final EIS content requirements.

We do not share the reviewer's opinion that the DEIS is the County's EA; the allegations that the DEIS is merely analyses presented in the County's EA is specious and inflammatory.

The reference to the Declaratory Ruling is erroneous in the usage since the Ruling did not disqualify the content of the EA, but addressed the incorrect application by the Planning Commission on procedural correctness.

The DEIS did provide data beyond that provided in the County's EA and the Final EIS will complete the content and procedure requirements as provided in Administrative Rules, Chapter 200 of Title 11, Administrative Rules.

The Environmental Quality Control Office will distribute the Final EIS

Mrs. Dana Naone Hall  
February 6, 1987  
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in accordance with their rules and we will provide their office with the indicated number of Final EIS documents.

Thank you for your comments and continuing concern.

Very truly yours,



F. J. Rodriguez

FJR:ls



COPY

Mr. Christopher L. Hart  
January 22, 1987  
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January 22, 1987

Mr. Christopher L. Hart,  
Planning Director  
County of Maui Planning Department  
200 S. High Street  
Maliuku, Hawaii 96793

Dear Mr. Hart:

Subject: Environmental Impact Statement for the  
Makana-Keoneo Road Cut-De-Sacs Plan

The Office of Hawaiian Affairs' Culture and Land Divisions have reviewed the Draft Environmental Impact Statement (EIS) for the proposed project and wish to offer the following comments at this time.

HISTORIC PRESERVATION CONCERNS

1. The comments of the State Historic Preservation Officer should have been solicited and included. Comments provided by the State Parks Administrator are welcome but should not be used exclusively.

2. The archaeological investigations and reports provided by the Bishop Museum are inadequate. The main problem lies in the research strategy employed on the project. The Museum operated using the anachronistic perspective that archaeology is the collection of artifacts through scientific excavation techniques. Using this approach, it is not surprising that test excavations produced no artifacts to prove the existence of a prehistoric road in the project location. A more up-to-date, site oriented, settlement pattern approach could have recognized the existence and function of trails and roads in the region from prehistoric times to the present, and the evolution of this site type in response to cultural changes. This would have placed the Makana Road in its proper cultural and historical perspective, and would have provided the basis for establishing the historical significance of the existing Makana Road, using the Federal criteria.

Thus, it is irresponsible to assert that "no remains of a road or trail have been located in the subject area," as stated

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Kenneth A. Marwala III

1600 Kapiolani Blvd., Suite 1500  
Honolulu, Hawaii 96814  
(808) 946-2044

In the Bishop Museum's letter of November 8. Neither should it be said that "there is no archaeological evidence of the existence of a Hawaiian trail on, around or under this section of Lower Makana Road," as stated in the Museum report of March 1985. The existing roadway and historical records both constitute strong archaeological evidence of the existence of a Hawaiian trail in the project area.

3. Furthermore, it is not true that the Makana Road does not appear to fit any of the Federal criteria for evaluating site significance. Both criteria A and B could be applied to the Makana Road with success. A road is a site type that is associated with events that have made a significant contribution to the broad patterns of our history, such as the construction of a coastal road system to accommodate the needs of the ruling chiefs, and the adaptation of the coastal road system to the needs of foreigners and new modes of transportation. (criterion A) A road is a site type that helps to analyze and interpret coastal settlement patterns, and thus provides information important in prehistory and history. (criterion B)

CONCERNS RELATED TO ACCESS

The Draft EIS represents that the proposed road closure, consistent with the State Plan, will promote increased public access to the shoreline. Unfortunately it does not adequately substantiate how this goal will be accomplished.

HRS 11-200-17(h) requires that draft EIS' shall discuss the conformance of the proposed action to land use policies which apply to the affected area. Policy 226-11(b)(9) of the Hawaii State Plan contains the following policy: "Promote increased accessibility and prudent use of the inland and shoreline areas for public recreational, educational, and scientific purposes." This policy clearly applies to the affected area.

In regards to the project's impact on vehicular access the Draft EIS states that "The proposed cut-de-sacs will eliminate or restrict public vehicular access" along the 1,100 foot stretch of Makana Road that is designated for closure. The Draft EIS refers to the Makana-Alanui Road as an alternate accessway which would provide lateral roadway connections to certain properties in the area. The specific locations of these properties are not identified. Moreover it does not indicate whether the public will be afforded vehicular access over all of these accessways and how the public would access shoreline which is not contiguous with these properties.

The Draft EIS neither makes clear whether the limited public parking that the developer is making available is sufficient nor does it indicate how far the public would then have to walk to access the shoreline after parking their cars.

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

February 6, 1987

F. J. RODRIGUEZ  
PRESIDENT

Mr. Christopher L. Hart  
January 22, 1987  
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The Maintenance of continued access is an issue of particular concern to persons who utilize the free access on and along the Makena Road. The currently afforded them, to practice traditional fishing methods. The significance of this concern is demonstrated by the State Parks Administrator's recommendation that a cultural study of Makena be undertaken based on the fact that the existing Makena Road "appeared to be vital for the established fishing community of Makena." (p. VII-7)

As traditional fishing methods involve extensive movement along the shoreline the provision of access to isolated parcels will not represent meaningful access to the Makena fishermen.

As the report fails to describe how the public would actually access shoreline areas it is impossible to conclude based on the Draft EIS that access is indeed preserved in tune with the policies stated in the State Recreational Plan.

MISCELLANEOUS COMMENTS

1. Possible alternatives to the proposed road closure which were not discussed in the Draft EIS include the construction of a pedestrian tunnel walkway underneath the Makena Road and the construction of improvements, such as paving, parking, curbs, drains, sidewalks, and traffic lights, to the Makena Road.

2. Documents referenced in the Draft EIS such as the letter from the State Parks Administrator dated October 15, 1986 and the supplemental archaeological and historic study dated March 1985 by Clark and Kelly should have been included in the appendices.

3. The Draft EIS does not indicate the existence of a pending lawsuit, Civil #95-0187, Hui Alanui O Makena, et al. vs. County of Maui, et. al., which may affect the legality of this proposed action.

CONCLUSION

Based on these concerns, the Office of Hawaiian Affairs finds this Draft EIS deficient in significant areas of interest to our beneficiaries. Left unaddressed, this proposed project could be subject to the Office of Hawaiian Affairs' opposition.

Thank you for the opportunity to comment on this Draft EIS.

Sincerely,  
*Kamak A. Kanahahele*  
Kamak A. Kanahahele, III  
Administrator

Mr. Kamak A. Kanahahele III  
Administrator  
Office of Hawaiian Affairs  
1600 Kapiolani Boulevard, Suite 1500  
Honolulu, Hawaii 96814

Dear Mr. Kanahahele:

We have received the comments on the Draft Environmental Impact Statement (DEIS) for the Makena-Keoneolo Road Cui-de-sacs Plan from Office of Hawaiian Affairs (OHA) dated January 22, 1987. The comments have been provided to the applicant and the technical consultants involved in the preparation of the DEIS. We respond in the following:

Historic Preservation Concerns - Bishop Museum

1. The State Historic Preservation Office commented in correspondence dated January 22, 1987 and have reiterated many of the similar concerns expressed by your Office. Our responses and their comments are appended in the Final Environmental Impact Statement (FEIS).

2. The OHA reviewer should be aware that neither the March, 1985 Clark and Kelly report nor the Joesting work contained in Appendix A are isolated one-time attempts at archaeological and historic research. Both studies benefit from the background of more than a decade of involvement in extensive as well as intensive investigations of the Wailea/Makena area by the Museum. In the immediate vicinity of the subject area, six major archaeological investigations have been completed.

It is the Museum's considered opinion that when dealing with a specified area such as a 1100' section of an existing roadway, it would have been irresponsible not to have objectively reported on the negative results of a subsurface search within that area. We disagree that any strong archaeological evidence exists that places a Hawaiian trail within the subject parcel.

3. On the Federal significance criteria, the Museum feels that this kind of broad interpretation of significance criteria is irresponsible as well as ill-advised. There is no evidence that the existing roadway, especially near the subject area, is or represents the remains of a coastal trail that was "constructed . . . to accommodate the needs of the ruling chiefs." Additionally, with the origin and character of the road itself in question, we fail to see, how it would help in conducting reliable analyses and interpretation of settlement patterns and other data important in prehistory.

Mr. Kamaki A. Kanahale III  
February 6, 1987  
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Concerns Related to Access

Compliance with Hawaii State Plan Policy 226-11(b)(9) is achieved by the improvements that Seibu has already made to date and is planned for implementation as the closure of the Makana-Keoneolo Road is accomplished. Seibu has already developed, made available to the public and is in the process of dedicating to the County, a public beach access in the area which comprises a convenient drop-off point at Maluaka or Naupaka Beach, twenty-five (25) parking stalls and a comfort station containing restrooms and shower facilities. Due to the narrow width of the beach parcel and the presence of a sand dune on said parcel and the unavailability of contiguous land owned by Seibu, the parking and comfort station are located approximately 400' north of the beach drop-off point. In addition to this public beach access, Seibu will construct a paved foot path on the makai side of the sand dune parallel to and approximately 20' from the vegetation line open to the public. This walkway will connect the public beach access drop-off point at the north end of Maluaka Beach to the cul-de-sac at the south end of Maluaka Beach. In addition, Seibu will be providing an additional ten parking stalls at the south cul-de-sac.

To more identify the various accessways that connect the Makana Alanui to the Makana-Keoneolo Road, an additional map that will provide the locations and their relationships will be included in the FEIS. The public will have access to all of the roadways in the area, the public beach access parking, the ten additional stalls at the south cul-de-sac, and the pedestrian walkway along Maluaka Beach.

The closure of 1100' segment of the Makana-Keoneolo Road will require that if a person wanted to get from the north cul-de-sac to the south cul-de-sac, he would do that by way of connector roads to Makana Alanui and back down to the Makana-Keoneolo Road, resulting in a trip of approximately 1.6 miles which would take approximately seven (7) minutes.

Seibu has indicated that in the event it appears that the twenty-five (25) parking stalls at the north end of Maluaka Beach and the ten (10) parking stalls at the south cul-de-sac are inadequate to meet the demands of the public, Seibu will consider the provision of additional parking stalls at the public beach access parking lot.

The access to the shoreline and the subject of traditional fishing methods has been a subject of serious discussion on many shoreline related projects. It should be noted here that the closure of the Makana-Keoneolo Road portion under review, should not impede the practice of shoreline fishing. It could more clearly define the parking and beach access points, but the traditional practice of moving along the shoreline would not be impeded since the activity continues to take place in the ocean.

Mr. Kamaki A. Kanahale III  
February 6, 1987  
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Miscellaneous Comments

1. The addition of a pedestrian tunnel walkway underneath the Makana-Keoneolo Road is included as an additional alternative to those previously identified and discussed.
2. There are no objections to the inclusion of October 15, 1986 letter from the State Parks Administrator and the supplemental study dated March, 1985 by Clark and Kelly. They will be included as appendices.
3. A brief synopsis and present status of the present litigation, Civil No. 85-1087, Hul Alanui of Makana et al. vs. County of Maui et al. is provided as Appendix B to the FEIS. It is not anticipated that the Circuit Court will rule against the Defendants; however, in an unlikely possibility, Seibu will continue to work with the County of Maui to correct any acts to permit the proposed actions to proceed.

We hope that we have adequately responded to the concerns of OHA and thank you for your comments and continuing concern.

Very truly yours,

*F. J. Rodriguez*

F. J. Rodriguez

FJR:ls

Attachment

This synopsis and status report on the Civil Action No. 85-0187(3) was provided by Foley, Machara, Judge & Nip, Attorneys at Law. It is provided as part of the response to the Office of Hawaiian Affairs (OHA) comments.

I. PARTIES TO THE ACTION

A. Plaintiffs:

1. Hui Alanui O Makana is a group of native Hawaiians who actively use the Makana area and seek to maintain their traditional native Hawaiian lifestyle.
2. Leslie Kuloloio, Charles Keau, George Ferreira, Helen Peters, Alice Kuloloio, Edward Chang, and Esther Campbell are adjacent landowners in the Makana area.
3. Dana Kaone Hall, Hokulani Holt Padilla, and Ned I. Goodness are persons who use the Makana area for cultural, religious and medicinal purposes.

B. Defendants:

1. County of Maui is the previous owner of the Makana-Keoneoic roadway ("Roadway") in question prior to its abandonment and conveyance of the Roadway to its successor in interest, Seibu Hawaii.
2. Rick Medina, Toshio Ishikawa, Ralph Hayashi, Hannibal Tavares, and various County of Maui officials who were involved in the abandonment and conveyance of the Roadway to Seibu Hawaii.
3. Seibu Hawaii, Seibu Fudosan K.K. is the owner of the Maui Prince Hotel and successor in interest to the Roadway.
4. State of Hawaii, State Land Survey Division of the Department of Accounting and General Services, various state agencies involved with the abandonment and conveyance of the Roadway to Seibu Hawaii.

C. Third Party Plaintiff:

1. Seibu Hawaii, Seibu Fudosan K.K., see above, institutes a third-party action against its predecessors in interest, surveyor and title company under its title insurance policy.

D. Third Party Defendants:

1. Ulupalakua Ranch, Charles and Edith Cooke, Mary M. Cooke, Samuel A. Cooke, Hattie K. Piltz, and Adolph A. K. Piltz are predecessors in interest to Seibu Hawaii. Third-party Defendants Piltz and Cooke were later dismissed without prejudice.
2. R.M. Tovill Corporation, surveyor who conducted a 1965 survey of the Makana area that allegedly altered some of the Kuleana boundaries. Defendant Tovill was later dismissed without prejudice.
3. Title Insurance and Trust Company and Safeco Title Insurance Company are issuers of title insurance for the Makana area in question.

II. CLAIMS OF THE PARTIES

A. Plaintiffs:

- Plaintiffs seek to keep the Roadway open to the public, in particular native Hawaiians who, it is alleged, used the Roadway since the 16th century. The Roadway is alleged to be part of the old Hoopili trail. Specifically, Plaintiffs claim that the action of the County of Maui and the State of Hawaii abandoning and conveying the Roadway to Seibu Hawaii constitutes:
1. A violation of various County and State statutes.
  2. A violation of the State Constitution. Plaintiffs allege that the Constitution guarantees access of the public to public lands and, in the event that the Roadway is conveyed to Seibu, Plaintiffs are entitled to just compensation as beneficiaries of the public interest.
  3. A violation of State and County zoning laws as there was no Special Management Area Permit and no environmental assessment prior to the subdivision application of the County of Maui.
  4. A wasting of assets and a breach of the government fiduciary duties as trustee of the public lands.
  5. An improper conveyance to Seibu Hawaii, Plaintiffs seek quiet title in favor of the public.

B. Defendants:

1. Defendants have generally denied the allegations contained in the complaint of Plaintiff. In addition, Defendants have asserted that Plaintiffs are without standing to contest the abandonment and conveyance of the Roadway to Seibu. Defendants have also asserted that there is no evidence at the present time to show that there is any historical significance of the present time Roadway site. Finally, Defendants State and County and their respective officials deny that there was any impropriety in conveying the roadway to Seibu Hawaii.

C. Third-Party Complaint:

1. Third-Party Plaintiff Seibu Hawaii has filed a third-party complaint against third-party defendants named above in section I, alleging that its predecessors in interest, Ulupalakua Ranch, Defendants Cooke and Defendants Piltz are liable to Seibu for their failure to convey to Seibu title to their subject parcels and clear of and from all encumbrances.

Second, Seibu alleges that R.M. Towill was negligent in his preparation of the 1965 survey of the Makena area and that his survey induced Seibu into purchasing the subject parcels.

Third, Seibu alleges that Title Insurance and Trust Company and Safeco Title Insurance are liable on their title insurance policies issued for the subject parcels.

2. Third-Party Defendants have generally denied the allegations made by Seibu. Seibu has dismissed certain third-party defendants without prejudice from this action.

III. PRESENT STATUS OF THE CASE

On July 14, 1986, Plaintiffs and Defendants stipulated to stay the Special Management Area Permit process until Seibu has conducted an environmental impact statement in accordance with chapter 343 and accepted by the proper authorities. Plaintiffs agreed to dismiss Plaintiffs' chapter 343 claims against all Defendants.

On August 6, 1986, Seibu filed a motion for preliminary injunction against Plaintiffs seeking to prevent them from trespassing and protesting on Seibu property. On September 17, 1986, the Plaintiffs filed a motion for a temporary restraining order and preliminary injunction regarding Seibu's maintenance of the Roadway and seeking to prevent Seibu from (1) draining liquids onto the Roadway and (2) placing a uniform guard alongside the Roadway. A hearing on both motions was set for September 30, 1986.

At the hearing, Judge McConnell urged both parties to reach an out of court settlement and did not rule on either party's motion for injunctive relief. This matter has been continued indefinitely unless and until events arise that require judicial intervention and resolution.

On December 15, 1986, Plaintiffs refiled a statement of readiness for trial. The parties are presently trying to arrange a trial date in October, however, no trial date has been set by the Court.



**SIERRA CLUB, HAWAII CHAPTER  
MAUI GROUP  
P.O. BOX 2000 KAHULUI, HAWAII 96732**

F. J. RODRIGUEZ  
PRESIDENT

January 22, 1987

Mr. F. J. Rodriguez  
Environmental Communications, Inc.  
P. O. Box 536  
Honolulu, HI 96809

Dear Mr. Rodriguez:

The Maui Group, Sierra Club, has been involved and concerned about the Makena Road for years.

We have reviewed the Draft Environmental Impact Statement and find it inadequate. The final EIS must evaluate the cultural and social impacts to the "ongoing society or cultural system".

Copies of the Draft should have been in all Maui public libraries as this project affects the recreational as well as cultural concerns of all citizens. The final should be in all libraries.

The Sierra Club will continue to support the Native Hawaiian groups working to prevent abandonment of the roadway at the Seibu Hotel site. By demonstrating to the people of Maui a spirit of sharing, rather than of taking, of our limited resources Seibu can better assure acceptance of its hotel in our community.

*Mary M. Evanson*  
Mary M. Evanson  
Maui Group, Sierra Club  
P.O. Box 694  
Makawao, HI. 96768

JAN 23 1987

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

February 6, 1987

Ms. Mary M. Evanson  
Maui Group, Sierra Club  
P.O. Box 694  
Makawao, HI 96768

Dear Ms. Evanson:

We are in receipt of your group's comments dated January 22, 1987 on the proposed Makena Road Cul-De-Sacs Plan, Makena-Keoncolo Road Plan DEIS. The comments have been provided to the applicant and we respond in the following:

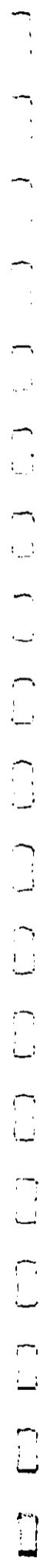
1. The Final EIS will be responding to the numerous comments made regarding the cultural and social impacts. The Bishop Museum and Ms. Ann Joesting will be responding to the comments made and their responses will be provided in the FEIS as Appendix A.
2. The Environmental Quality Council makes a distribution of the 65 copies of the DEIS and will also be responsible for the distribution of the 25 copies of the Final EIS. We provide the copies to them for their distribution.

Thank you for your comments and continuing concern.

Very truly yours,  
*F. J. Rodriguez*

F. J. Rodriguez

FJR:is  
Attach.



XEROX COPY



John Waihee

TELEPHONE NO. 546-8811

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
400 SOUTH KING STREET, ROOM 104  
HONOLULU, HAWAII 96753

744 KEOHAKAHI,  
KIHEI, MAUI,  
HAWAII, 96753  
December 24/86

Office of Environmental Quality Control,  
Honolulu,  
Maui, Hawaii

January 20, 1987

Ms. Elvira C. Bryant  
74 Hoonani  
Kihei, Maui, Hawaii 96753

Dear Ms. Bryant:

I am responding to your letter of December 24, 1986,  
commenting on Seibu Hawaii's Makana Road Project.

Seibu Hawaii has prepared a draft environmental impact  
statement on their Makana-Keonooio Road cul-de-sac plan.

Your letter has been forwarded to the consultants  
preparing the EIS. They will be responding to your  
comments.

Sincerely,  
*F. J. Rodriguez*  
Roy Sakamoto  
Environmental Technical Specialist

bcc: F. J. Rodriguez

JAN 22 1987

Dear Ms. or Madam:  
In our education level, Hawaii has  
protected that section of Maui many  
already with the Maui Pine Hills, as  
far as the visible eye is concerned.  
We have had no complaint in regard  
to noise from the old Makana Road and  
we have heard of the hill, which is much  
more prominent on the ground floor level.  
The impact about the road was impact  
is certainly a trumpet of noise. If  
could be that much an impact for people  
to get over the road to the hill? That  
would result in required public access  
from the hill.  
It is the road sound of many being  
forward with Maui county and paid my  
will soon have it sound and paid my  
other part need see. The claim of the  
hill and will be about to look on the  
same way, and get the guarantee would  
remain as a sound attraction and  
a tribute to those who have used the  
road in the past and of some.  
Yours truly,  
Elvira C. Bryant

cc: Ms. Maui Road  
Elvira C. Bryant



XEROX COPY

Office of Environmental Control - Dec. 26, 1986  
Regarding Seibu Hotel and The Kings  
Trail at Makana:

The road was there long before the  
present & post land owners, ranches, and  
Hotel. The hotel should have to prove beyond  
a doubt that the road is not the trail,  
before others would have to prove it is.  
If that is not the original main trail,  
road around the island in that area, then  
what is?

Once these things are gone, that's it -  
no more.  
The trail was 4 to 6 ft. wide paved  
with smooth black stones.  
Please take your time and do this right -  
respect the traditions and native rights of  
Hawaiians - all of us. Sincerely, Jim Christensen  
P.O. 337  
LAHAINA, HI. 96767

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

F. J. RODRIGUEZ,  
PRESIDENT

February 6, 1987

Mr. J. Christerson  
P.O. Box 337  
Lahaina, Hawaii 96767

Dear Mr. Christerson:

The Office of Environmental Quality Control forwarded to us a copy of your recent handwritten letter dated December 26, 1986 on the Seibu Hotel and Makana Road Draft EIS. The comments contained in your letter have been provided to the applicant Seibu Hawaii, Inc. who shares your concern for ascertaining the validity and cultural significance of the Makana Road which fronts the Maui Prince Hotel. Further, every effort is being made to determine to the satisfaction of Maui County and the appropriate agencies that all decisions to be made that will affect the road site will be made only on the basis that all mitigative measures will have been reviewed. There is a compendium of cultural data in Appendix A of the Final EIS; this data was prepared by the Bishop Museum, and they have conducted these investigations in the Makana area over the past ten (10) years.

Thank you again for your letter and continuing concern.

Very truly yours

F. J. Rodriguez

F. J. Rodriguez

FJR:is

F. J. RODRIGUEZ,  
PRESIDENT

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

February 6, 1987

Ms. Elvira C. Bryant  
74 Hoonani  
Kihel, Maui, Hawaii 96753

Dear Ms. Bryant:

The Office of Environmental Quality Control has forwarded to our attention, your letter dated December 24, 1986 which commented on the Maui Prince Hotel and the Makena Road closure. The applicant has been provided a copy of your letter and we respond to your comments as follows:

Without debating the aesthetics with you, it is the applicant's belief that it has developed a world class hotel utilizing a structure which complements rather than "pollutes" the sloping land forms at Makena. The proposal for a pedestrian overpass was an alternative considered in the draft environmental impact statement. However, in view of the costs involved in such an overpass and the continued noise, dust, automobile emissions and visual impacts which would remain with the provision of such an overpass, that alternative has been rejected by the applicant.

Public beach access in the area remains unhindered and, in fact, has been and will continue to be improved by the applicant with comfort stations, containing showers and restrooms including two (2) separate parking areas containing twenty-five (25) and ten (10) stalls respectively. Prior to the provision of these parking stalls, beach goers had to park along the narrow Makena-Keoneolo Road causing a traffic hazard to both vehicles and pedestrians.

Your comments are appreciated and taken in the spirit of constructive criticism.

Yours very truly,



F. J. Rodriguez

FJR:ls

XEROX COPY

DEZENDORF-STARR RESEARCH AND DEVELOPMENT COMPANY

James N. Dezendorf

Starr Dezendorf

January 8, 1987

Office of Environmental Quality Control  
State of Hawaii  
465 King Street, Room 104  
Honolulu, HI 96813

Dear People:

This letter is prompted by a recent article in the Maui News on the study of Makana Road done for the Maui Prince Hotel.

As we live in Kihai we have frequented the hotel often and had lunch in the outdoor cafe Friday, January 2, 1987. Our experience was so completely different than the conditions the study described that we feel compelled to write.

We were seated directly on the roadside of the cafe. We were not even aware of the several dozen cars that passed until we could see them beyond the hotel. There was no noise or even minor noise irritation from the cars on the road. We were there 1 1/2 hours and there was continual traffic.

There was absolutely no dust. We noticed that the area had been watered and our table and food were completely clean - chair and food also. Of course, if they paved the area, if there was a problem, dust would be eliminated.

We had no problem whatsoever with access to the beach. It was clear, easy, and a pleasant walk with no obstructions or difficulties. We did not notice any lack of access to the beach whatsoever.

The entire report so vastly overstated what is actually occurring there that you think you are in the wrong place. The commission should go there entirely unannounced and judge for yourself. The report does not reflect the actual conditions with even the slightest accuracy.

While we are sure the road is an inconvenience, we can see no reason why the community should be cut in half and another beach basically cut off from local and public access. The road is a wonderful asset to Maui and the Kihai-Makana community. The hotel chose to join that community and should be part of it - not an island by itself, cutting

Investment, Specialty Fundraising and Travel Consulting  
Post Office Box 767, Kihai, Maui, Hawaii 96753  
(808) 879-3774

Office of Environmental Quality Control  
Page 2

off all other parts of what exists around it. It is a terrible shame that the hotel was not built to fit into the area - but an outrageous concrete monstrosity that is an enormous detraction for the area in general. The era of developer money selecting out most of the elements of the community they choose to become a part of is not correct and needs to end. We believe that monstrosity is actually improved by the road and the locals using the beach. To arbitrarily destroy that substantially detracts from everyone's quality of life. We implore you to keep the road, the local access (parking along the road) and all other aspects of the community that can possibly be retained. It is time for co-existence to be taken seriously - exclusion is not a workable concept for anyone - especially the Maui-Makana communities.

Thank you in advance for your consideration.

Sincerely,

*James N. Dezendorf & Starr Dezendorf*  
James N. & Starr Dezendorf

JND:tr

Enc.

F. J. RODRIGUEZ  
PRESIDENT

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

February 6, 1987

Mr. and Mrs. James Dezendorf  
Dezendorf-Star Research and Development  
Company  
P.O. Box 767  
Kihei, Maui, Hawaii 96753

Dear Mr. and Mrs. Dezendorf:

The Office of Environmental Quality Control forwarded to us, your letter dated January 8, 1987 that expressed your comments on the Makana Road/Maui Prince Hotel Draft EIS. The letter has been forwarded to Selbu-Hawaii and we are able to respond to your comments as follows:

1. The applicant was pleasantly surprised that you frequented the Maui Prince Hotel, although you consider the same "an outrageous concrete monstrosity." The hotel staff based upon comments from employees and guests believe that there continues to be a fugitive dust and noise problem caused by the existence of traffic along the Makana-Keoneolo Road. These same impacts also impact users of the shoreline area. In an attempt to minimize the fugitive dust problem, the hotel has engaged in a dust control program which includes the sprinkling of water in the road periodically. This had drawn complaints from persons claiming that the road then becomes muddy and dangerous. Other alternatives to the closure of the road were considered in the draft environmental statement and further alternatives are discussed herein. However, for the reasons stated therein, the same were rejected.
2. Beach access is not going to be restricted insofar as pedestrian access is concerned; it is the vehicular access that will be re-routed to Makana Alanui which has been completed and provides an alternative route south of Makana. The cul-de-sac plan provides for parking and beach access at both ends of the proposed road closure and the future planned use of the existing Makana Road bed will provide the Maui Prince Hotel the opportunity to improve the landscaped portion of their frontage towards the ocean. No structures or other improvements are planned for this area.

Thank you for your comments and concern.

Very truly yours,

*F. J. Rodriguez*

F. J. Rodriguez

FJR:ls

XEROX COPY

178 Makena Rd.  
Kihei, HI. 96753  
January 16, 1987

Mrs. Christopher K. Cockett  
178 Makena Rd.  
Kihei, Hawaii 96753  
1/29/87

Gentlemen: That because  
I'm very sorry  
of an incorrect address given  
me by the office of the  
Co. Major, this enclosed letter  
failed to reach you prior to  
Jan. 23, 1987. Nevertheless, I'm  
sending the letter to you anyway  
any chance I feel that my  
reasons are legitimate and  
I hope you can agree -  
Sincerely -

Mary Luck Cockett  
Christopher K. Cockett  
JAN 31 1987

Comm. Dept. of Environmental Control  
680 Hale Kaula St. Room 301  
Honolulu, HI. 96813

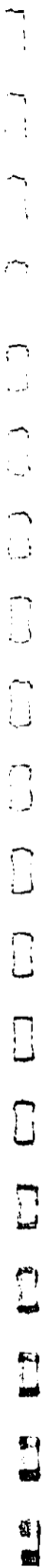
After reading The Maui News' article as of December 24th, 1986  
in which Seibu gave their reasons for wanting the Makena Road  
closed, which was it would be beneficial to the Prince Hotel  
I feel that the reason they gave is too weak to stand up: dust  
and noise from the traffic. If the re-routed road now carries  
90% of the traffic, how much noise and dust can the remaining  
traffic cause after they pave this portion in front of the hotel?  
How many first class hotels can we name that ARE LOCATED on very  
busy streets?

As for safe crossing to the beach, many of you have driven U.S.  
Highway #10 that runs along the Gulf Coast through Gulfport,  
Mississippi and Panama City, Florida. These two cities have  
many lovely, large hotels and when their guests want to go to  
the beach they have to find their way across this sometimes  
bumper to bumper traffic. Some of these hotels have erected  
overhead walkways. Why can't the Prince Hotel do likewise if  
they are concerned over this hazard?

I would like to ask all of the people who live in Makena how  
far we would have gotten had we tried to close this old road to  
the large trucks that carried material for the building of the  
Prince Hotel and in so doing they tore up our road and brought  
much dust and noise to us?

Would there be a difference in the area served in this situation?

Sincerely,  
Mary K. Cockett  
Christopher K/Mary R. Cockett  
Makena Residents



F. J. RODRIGUEZ  
PRESIDENT

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

February 6, 1987

Mr. and Mrs. Christopher K. Cockett  
178 Makena Road  
Kihel, Hawaii 96753

Dear Mr. & Mrs. Cockett:

We have received your comments January 16, 1987 on the Makena-Keoneolo Road Cul-de-sacs Plan Draft Environmental Impact Statement (DEIS). We have reviewed your comments and they have also been expressed by other individuals and groups.

The alternatives you have mentioned have been discussed in the Draft EIS; in addition, the Office of Hawaiian Affairs (OHA) has also requested review and comment on a pedestrian underground tunnel walkway that would be placed under the Makena-Keoneolo Road. This alternative as well as the other will be reviewed by the Maui Prince management and the Selbu Hawaii owners.

Please be assured that in the final determination for this project, the decision will be made in the best interest of all concerned.

Thank you for your comments and also for your perseverance in getting them to our office.

Yours very truly,



F. J. Rodriguez

FJR:ls

# Native Hawaiian Legal Corporation

1164 BISHOP STREET, SUITE 900, HONOLULU, HAWAII 96813 TELEPHONE (808) 521-2302

January 21, 1987

Mr. F.J. Rodrigues  
Environmental Communications, Inc.  
P.O. Box 536  
Honolulu, Hawaii 96809

Re: Comments to Environmental Impact Statement,  
Makana - Keoneolo Road Cul-de-sac Plan

Dear Mr. Rodrigues:

Enclosed is a copy of Marion Kelly's study of the Makana Road. Please incorporate this report with the comments to be submitted under separate cover by Hui Alanui o Makana and its members. This report should be appended to the Environmental Impact Statement as part of the comments provided.

Should there be any questions, please feel free to call me.

Sincerely,



Alan T. Murekami  
Litigation Director

ATM/li

Enclosure

cc: Isaac Hall, Esq.  
Mrs. Marion Kelly  
Mr. Les Kuloloio

ENVIRONMENTAL  
COMMUNICATIONS  
INC.

F. J. RODRIGUEZ  
PRESIDENT

February 4, 1987

Native Hawaiian Legal Corporation  
1164 Bishop Street, Suite 900  
Honolulu, Hawaii 96813

Attn: Alan T. Murekami, Esq.

Re: Makana-Keoneolo Road Cul-de-sac Plan Environmental Impact  
Statement

Gentlemen:

The following is in response to your letter, dated January 21, 1987, which covered a copy of a study by Marion Kelly entitled Background History of Alanui Aupuni, Honouaia, Maui, dated January 10, 1987. You requested that the study in its entirety be incorporated in the appendix of the above referenced environmental impact statement (EIS) as part of the comments provided. The same will be included in the appendix as you requested, however, we do not feel that the study which we understand was prepared for litigation purposes is in the proper format to be presented as comments to the subject EIS. At any rate, we will attempt to address the same to the extent that it may be relevant to the subject matter of the EIS.

1. District of Honouaia.

It is not believed that the background information with regard to basic land divisions and specific land divisions on Maui are irrelevant to the subject EIS. We acknowledge that land commission awards for the district of Honouaia may have crossed the lines from one ahupuaa to another. We acknowledge that this may have necessitated travel by claimants between the various parcels to which they were awarded. We further acknowledge the fact that there were probably numerous trails running across and between ahupuaa and also mauka-makai within single ahupuaa.

2. Evidence from the Register of Claims.

We have no comment with regard to this section.

3. Traditions of Honouaia.

We have no comment with regard to this section.

7. Makana, A Community Among Communities.

We have no comment with regard to this section.

8. Life at Makana.

We have no comment with regard to this section.

9. Alanui Aupuni.

Based upon maps and land grants during said period, there is no doubt that there was a road or government road roughly in the alignment of the present Makana-Keoneoio Road prior to 1850.

In response to claims by Eddie Chang that the road leading south from Makana was marked by a stone wall on the makai side of the road, the Bishop Museum conducted a specific field trip to view the area where the wall was claimed to be. As stated in further detail in a memorandum to this office from Aki Sinoto, Anthropology Department, Bishop Museum, dated February 2, 1987, and attached hereto as Exhibit "A", the Museum concluded that a wall of presently undeterminate function may have existed somewhere between one to fifteen meters west or makai of the present roadway; however, a lack of locational integrity is indicated for the specified segment of roadway that parallels that dune area. The report further concludes that a prehistoric traveler would most certainly have walked along the beach or at the top of the same dune in this area and it was not until the requirements in the historic period of the need for a corridor for wheeled vehicles that a permanent and established roadway would have moved the access corridor mauka of the sand dune.

At the request of the Bishop Museum, Ms. Edith K. McKinzie, Instructor of Hawaiian Studies at Honolulu Community College, also reviewed the Kelly Report. As is stated in her letter to the Bishop Museum, dated February 2, 1987, attached hereto as Exhibit "B", she notes that on page 55, Kelly acknowledges that the present government road takes "...approximately the same route as the old Alanui Aupuni through Makana...". Further, the recollections of Edward Chang do not confirm that the original "Alanui kahiko" ran along the present location of the Makana-Keoneoio Road.

10. Alanui Aupuni at Palaeas.

We have no comment with regard to this section.

4. The Piiilani Tradition.

We have no comment with regard to this section except to note that in the past, portions of the Makana-Keoneoio Road were referred to as Piiilani Highway or the Piiilani Trail after the high chief Piiilani of Maui. However, the discussion with regard to Piiilani in this section makes no reference to any involvement of Piiilani with the creation of a trail, let alone any reference of such a trail in the Honuaula or, more specifically, Makana area.

5. Kiha's Trail Building.

The discussion with regard to Kiha-a-Piiilani which commences on page 18 makes numerous references to roadway construction attributed to Kiha-a-Piiilani. However, all of those roadways set out in the discussion relate to portions of roadways along east Maui from Koolau to Hana and around the south of Maui to Kaupo. Further references are made to improvements to roads on Molokai and improvements to the heiau mauka of Kawiiki in Hana and the Kanaha fish pond in Kahului. There is no reference with regard to a Kiha-a-Piiilani Highway or trail in the Honuaula district.

On page 22, Kelly reports from Fleming's recording that the Kiha-a-Piiilani trail extended all of the way around the island "...although the earlier accounts do not mention that fact." Accordingly, apparently Fleming who was writing in 1933 makes the first statement that the Kiha-a-Piiilani trail went all of the way around Maui. There does not appear to be any other confirmation of that fact by older native Hawaiian historians or other missionary accounts prior to Fleming, nor is there any other independent source of confirmation subsequent to Fleming that the Kiha-a-Piiilani trail in fact went all around the island. On page 23 based upon Fleming's statement, the author apparently indicates that the Kiha-a-Piiilani trail can be seen today in Hana, Keaneae, Kaupo and Kaanapali. Even if we assume that Fleming was correct, there is still no evidence to support the fact that the Kiha-a-Piiilani trail, if it in fact circumvented the island of Maui, was placed in the Makana-Keoneoio Road corridor.

6. Hoopili, Maui Trail Builder.

This section while it discusses road building by violators of the Moa Kolohe law is devoid of any discussion with regard to the construction of any specific roads on Maui let alone in the Honuaula or Makana area.



11. Cultural and Historic Significance.

In this section Kelly recites the opening paragraph of the National Register criteria as follows:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history, or
- (b) that are associated with the lives of persons significant in our past, or
- (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that have yielded, or may be likely to yield, information important in prehistory or history. (emphasis added)

The language indicates that an object of significance must possess integrity of location, design, setting, materials, workmanship, feelings and association. There is no shown association with any historic figure to date. Further, any object of significance must further (a) make a significant contribution to history, or (b) be associated with persons of significance, or (c) embody the distinctive characteristics of a type, period or method of construction that represent the work of a master or that possess high artistic values or that represent a significant and distinguishable entity, or (d) yields or is likely to yield information important in pre-history or history.

To date, the Kelly study does not conclusively show that the subject section of the Makena-Keoneoio Road meets any of the criteria (a) through (d).

On page 64, Kelly continues with reference to criteria (f) wherein it is stated "a property primarily commemorative in

intent if design, age, tradition or symbolic value has been invested it with its own exceptional significance...". To date, there is no exceptional significance displayed with regard to the Makena-Keoneoio Road.

The author then goes on to suggest that both the Alaloa o Kiha-a-Pilani and the Alanui Aupuni of Hoapili fall into the category of a property or object of exceptional significance. It should be noted that there is still no evidence that the Makena-Keoneoio Road is in fact one of the other above-named roads. Please refer to the description in Grant 835 to Mahoe. There is a reference to a "alanui kahiko" which would put the "ancient road" mauka of the Makena-Keoneoio Road.

The author then follows describing the "district" category and the "site" category and it should be noted that in both of those definitions, there is reference to "significant concentration", "continuity of sites", "significant event" and other descriptions of criteria which have not been met in this case.

12. Conclusions and Recommendations.

There is no dispute that the Honuauia district on the island of Maui had a well developed trail system including both coastal and mauka-makai trails. Further, there is no denial that there was a pedestrian, horse and eventually vehicular corridor approximately in the present Makena-Keoneoio Road corridor and the use of that corridor probably dated back before 1850. Further, there is no dispute that the Kupunas of present Makena residences or persons with Makena familial and property ties used that road corridor in years past. However, there is no showing or evidence that the particular Makena-Keoneoio Road corridor is tied with any historic figure, nor that it is associated with events that have made a significant contribution to history or are associated with persons significant in our past or is constructed in a distinctive characteristic of type, period or its method of construction or represents the work of a master or possesses high artistic value or represents a significant and distinguishable entity or has yielded or is likely to yield information important in pre-history or history.

13. Appendix A: The Alanui Aupuni, Papakakai to Pohakuloa.

We have no comment to this appendix which describes a trail system five (5) to ten (10) miles south of the subject area.

Native Hawaiian Legal  
Corporation  
February 4, 1987  
Page 6

14. Appendix B: The Alanui Kihapalilani, Kaupo District.

We have no comment to this appendix which discusses a trail system which is over twenty (20) miles southeast of the subject area.

15. Appendix C: The Alanui Kihapalilani, Keawalaue, Kaanapali District, West Maui.

We have no comment to this appendix which discusses a trail system which is approximately twenty-five (25) miles northwest of the subject area.

Very truly yours,

Fred Rodriguez,  
of Environmental Communications, Inc.

FR:sn

Attachments



**B I S H O P M U S E U M**  
1525 BERNICE STREET • PO BOX 1949A • HONOLULU, HAWAII • PH: (808) 947-5111

DATED: FEBRUARY 2, 1987  
MEMO TO: FRED RODRIGUEZ, ENVIRONMENTAL COMMUNICATIONS, INC.  
FROM: AKI SIMOTO, DEPT. ANTHROPOLOGY, BISHOP MUSEUM  
RE: FIELD ASSESSMENT MAKENA ROAD

On Friday, Jan. 30, 1987, Dr. Paul Cleghorn and myself from the Dept. of Anthropology conducted an on-site assessment of the remains of the stone wall described in Kelly's 1987 report. Mr. Roy Figueroa, of Seibu Hawaii, Inc., met us at the airport and showed us the area.

Generally, the character of the surface remains appears as described in the report. Some pertinent additional current observations not included in the Kelly report, are as follows:

- 1) further disturbance must have occurred following the bulldozing, since at present, the volume of stones near the area does not represent enough to have constituted a wall 4-500 ft. in length,
- 2) based on the nature of the existing remains, it was not possible to accurately determine what the original location and orientation of the wall alignment were, although the existing rubble occurs in sand from 5 to 15 a makai of the existing roadway,
- 3) the Kelly report did not specify whether the wall continued beyond the McPhes driveway, to the south where no current indications are present, and
- 4) the only substantial rubble alignment occurs northward from the McPhes driveway where it joins a relatively intact wall alignment that runs seaward along the driveway edge, however this disturbance appears to be of more recent origin as evidenced by the debris and fine dirt intermixed with the stones.

The following conclusions and interpretations are based on the observed remains as well as the existing topographical conditions.

- 1) a wall of presently indeterminate function--property boundary, animal enclosure/enclosure, or sand dune retaining/barrier--may have existed somewhere between 1-15 a makai of the present roadway,
- 2) the existing walls and structures in the area may have utilized the stones dislodged from the wall, resulting in the paucity of rubble observed,

EXHIBIT "A"

**HONOLULU COMMUNITY COLLEGE**

UNIVERSITY OF HAWAII

February 2, 1987

Mr. Aki Sinoto  
Public Archaeology Contract Manager  
Dept. of Anthropology  
Bishop Museum  
P. O. Box 19000-A  
Honolulu, Hawaii 96817-0916

Dear Aki:

Although time was too limiting to allow for a formal scholarly review, here are a few general observations and remarks regarding Marion Kelly's 1987 report as well as Dana Hall's review comments.

Dana Hall's use of the statement from Stephen Clark may support her point of view, but it also can support the Bishop Museum as well. For lack of archeological remains does not necessarily mean there was not a trail there. Thus lack of evidence can be used by either party to support their claim but most scientifically oriented people would state that physical evidence would be required to prove existence; this is not a logical argument.

In addition, however, Hall's seeming insistence that the trail is next to a sand dune is not proven either, for just because the road is there now does not necessarily mean that it was there at that exact location 100 years, 300 years, or 1000 years ago. The lack of awareness of the effects of climate on terrain (i.e., wind, rain, etc.) such common natural Hawaiian phenomena as tsunamis (See Kelly, page 36) "The wall of the fishpond at Keone'o'io was broken by a tsunami," how many more have there been? volcanic eruptions, and hurricanes (high wind) is rather surprising for a person who professes profound geological knowledge of this site. All of these phenomena could have resulted in the "road/trail" being pushed back to its present location over a number of years from where it was before since Makena is on the leeward side of the island and leeward winds would blow inland. To quote from (Kelly, page 55) "...Wind and high seas as well as seasonally shifting sand beaches have always been highly unstable footings for any kind of man-made constructions. Hawaiians knew this and and therefore did not build any kind of permanent structure where these elements existed."

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- 3) the prehistoric traveller would most certainly have walked on the beach or atop the dune from where the neighboring landmarks, Holokini Island, Maluaka and Meshuna Points, and the ocean are clearly visible.
- 4) The necessity for a permanent, well established and protected roadway would have served the access corridor back of the dune during the historic period only after the introduction of wheeled vehicles.
- 5) A lack of locational integrity is indicated for the specified segment of roadway that parallels the dune area. The bulldozing conducted by the military to widen the road as described in the Kelly report is an example. It appears that until recently the access-corridor has been shifted in accordance to the needs of the user.

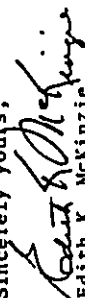
If you have any further questions, please contact either Dr. Paul Cleghorn or myself at 848-4110.

Next, the statement by Edward Chang that the Alanui Kahiko road ran past the rock wall near the dune merely indicates that there was a road/trail there during his time and some time before; but it does not indicate that this was the original location of the road from all time. There might have been another "road/trail" at a slightly different location at an earlier time before Mr. Chang.

Furthermore to conclude that the current road is not necessarily the original road, may I quote from Mrs. Kelly's report, page 55, where she states: "Today sections of the original trail have been destroyed along the coast coming from the north into Makena Bay and continuing on south past the bay. Some of the road has been built on, superceded by the present Government Road, which according to the early maps /has/ taken approximately the same route as the old Alanui Aupuni through Makena, as well as north and south of the village /emphasis my own/. Thus Mrs. Kelly admits in her report that the current road is not really the original road (only approximately), although Hall's report dated January 22, 1987 is more insistent that this is indeed the road, and it has never changed over time inspite of climate, geological factors, or any bulldozers after WWII.

As for Mrs. Kelly's conclusion, although she does make a few good points about the value of preserving Hawaiian culture, she also makes a number of comments that are irrelevant to the argument about the road. What, for example does the study of Hawaiian Language have to do with the 1100 feet of road which may or may not be the original road?, mortality rates of Hawaiian infants, and drug use by Hawaiians would also seem to be on a tangent from a discussion of the road at Makena.

Sincerely yours,

  
Edith K. McKinzie  
Instructor, Hawaiian Studies  
Honolulu Community College

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BACKGROUND HISTORY OF ALANUI 'AUPUNI,  
HONUA'ULA, MAUI

BY

MARION KELLY

For the 'Ohana o Makena

January 10, 1987  
The Marion Kelly Corporation  
4117 Black Point Rd.  
Honolulu, Hawai'i 96816

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Introduction

This report represents over a year of work. The author was first contacted by members of the 'Ohana o Makena in October 1985. On October 7, 1985, the author was picked up at the Kahului Airport and taken out to the Makena Bay area for the early part of the afternoon. Subsequently a week of field work was arranged and carried out.

The field trip to Maui and interviews took place between December 10, 1985 and December 17, 1985:

- Dec. 11 - Hiked Keone'o'io Trail to Pohakuloa
- 12 - Interviews and field visit to Makena with Edward Chang and to Keone'o'io to interview Marie Olsen
- 13 - Interviews with kupuna in A.M. and to West Maui field trip in P.M.
- 14 - East Maui field trip
- 15 - Return to Keone'o'io and hiked to top of Pu'u Kanaloa.
- 16 - Interviews with kupuna
- 17 - Library research, aerial photographs, maps and interviews with kupuna.

The author wishes to thank all the good people of Maui who helped on this research project, particularly the members of the 'Ohana o Makena and friends who gave so much of their time to be interviewed.

Marion Kelly

January 10, 1987

Honolulu, Hawai'i



#### District of Honua'ula

Early references to Honua'ula identify this land as a district of the Island of Maui.

According to one expert, the Island of Maui in ancient times had the largest number of districts of any of the Hawaiian Islands. These were listed as Ka'anapali and Lahaina in west Maui; and the nine districts of Hamakuapoko, Hamakualoa, Ko'olau, Hana, Kipahulu, Kaupō, Kehikinui, Honua'ula, and Kula in east Maui (King 1935:214; Fig. 1). The general terms for districts were "moku'aina," or "moku-o-loka." As moku referred to the whole island, these were qualifying terms that described the district as a division of land within the island. The boundaries of most districts radiated out from a point on the mountain top down to the sea, often outlining large land divisions of a generally out-pie shape.

One prominent early surveyor had this to say about the land divisions in East Maui:

On East Maui, the division in its general principles was much the same as on Hawaii, save that the radial system was better adhered to. In fact, there is pointed out, to this day, on the sharp spur projecting into the east side of Haleakala crater, a rock called the "Pohaku oki aina,"--land-dividing rock, to which the larger lands came as a centre. How many lands actually came up to this is not yet known. (Lyons 1875).



The District of Honua'ula is said to have been named after a companion of Moikeha, the famous Hawaiian traveler who visited Tahiti with his brother Olopana, and later returned to his homeland, Kaua'i Island. Moikeha's friend and follower, Honua'ula asked to be "permitted to land" on the coast of Maui as the canoes "coasted along the island shore" (Fornander 1969:2:52). One version of the story says that Honua'ula was left at Hana by Moikeha (Fornander 1974:6:2:323).

The name Honua'ula has been translated "Red Earth" (Fornander 1974:6:2:267). The making of the first man out of red earth, spittle, and clay gave him the name Honua'ula (Fornander 1974:6:2:267).

The District of Honua'ula in the historic era "after being for a time incorporated into the Wailuku District, was finally in 1909 absorbed into the Makawao District where it remains (King 1935:216-217; Barrère Ms.:30).

#### Kalana and 'Ilikupono of Maui

In addition to the usual "ahupua'a" being a sub-district division of land, Maui also had a sub-district land division called "kalana." According to King, each "kalana" was located inside a district. For example: The land of Kahakuloa was in the District of Ka'anapali and the lands of Olowalu and Ukumehame were in the District of Lahaina. According to Curtis Lyons, an early surveyor, Lahaina was also a kalana, or a smaller division than the "moku" (Lyons 1875). Other land divisions occurred on Maui which were independent of any district. These were the 'ilikuono of Waihe'e, Waiehu, Wailuku and Waikapu: Na-wai-'eha, the four wai(s). They belonged to no district, no "moku" (Lyons

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1875; King 1935:214-215) and were politically independent of any ahupua'a (King 1935:216-217, 219; Barrère Ms.:30). As Pukui and Elbert explain, 'ili kupono were

A nearly independent 'ili land division within an ahupua'a, paying tribute to the king and not to the chief of the ahupua'a. Transfer of the ahupua'a from one chief to another did not include the 'ili kupono located within its boundaries (Pukui & Elbert 1971:92).

Ahupua'a in the District of Honua'ula

In the District of Honua'ula W. D. Alexander recorded on his map (1866-1879) at least 16 ahupua'a, and perhaps as many as 17 or 18. Several are recorded on the map in smaller type than the others. However, it would seem that these should not be considered less than ahupua'a, although the difference in type size on the map lacks an explanation. In the list of Government Lands printed in the Indices of Awards (1929:37-39) all the lands in the District of Honua'ula are identified as ahupua'a.

On Alexander's map (1866-1879) one ahupua'a has two land sections (Papaka Kai and Papaka Iki), and Kalihi is a large land section between Kualapa and Papaka Kai, as well as a small area between Keauhou and Waipao. Papa'anui is repeated in two different places, which is unusual for ahupua'a.

The Indices of Awards (...1929:37-39) lists Kalihi 1 and Kalihi 2, and the two Papaka and Papa'anui are listed as merely as Papaka and Papa'a, respectively. As a result of the Mahele of 1848, the government lands in Honua'ula are listed as the following: Ka'eo 1/2, Kalihi 1 & 2, Kaloi, Kanaio, Kaunua'hane,

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Kualapa, Mokopilo 1 & 2, Mo'oiki, Mo'oloa, Mo'omuku, Onau, Paeahu 1 & 2, Papa'a, Papaka, and Waipao (Indices of Awards...1929:37-39).

Ahupua'a varied in size; they were not uniform. It appears that only one ahupua'a in Honua'ula actually made it all the way up to the rim of Haleakala and across the crater floor to sweep up Paliku on the northern rim to the famous "Pohaku 'oki 'aina," the "land-dividing rock" (Lyons 1875). Kanaio sweeps up to approximately the 7,000 foot elevation of Haleakalā after which a section of Papa'anui took over and continued on up to the summit where several districts met (U.S.G.S. map 1957, Lualualei Hills Quad. and Makena Quad.). Lyons suggested that when one ahupua'a takes over a larger portion of the mountain than the others, the reason may be that the residents of that large ahupua'a possessed some specific right to the resources of the area within its domain. Perhaps they alone "possessed the right to kalai wa'a, to hew out canoes from the koa forest," or the right to collect feathers from some particular mountain inhabiting bird for the chiefs, such as was the case of the residents of Ka'ohē Ahupua'a in Hamakua, Hawai'i (Lyons 1875).

Lyons explained that the term "ahupua'a" was derived from the words "ahu" or altar;

(literally, pile, kuahu being the specific term for altar) which was erected at the point where the boundary of the land was intersected by the main road, alaloa, which circumferented (sic) each of the islands. Upon this altar at the annual progress of the akua makahiki (year-god) was deposited

the tax paid by the land whose boundary it marked, and also an image of a hog, puaa, carved out of kukui wood and stained with red ochre (Lyons 1875).

Lyons continued to describe the importance of the mauka-makai ahupua'a land divisions.

The Ahupuaa ran from the sea to the mountain, theoretically. That is to say the central idea of the Hawaiian division of land was emphatically central, or rather radial. Hawaiian life vibrated from uka, mountain, whence came wood, kapa, for clothing, olona, for fishline, ti-leaf for wrapping paper, ie for ratan lashing, wild birds for food, to the kai, sea, whence came ia, fish, and all connected therewith. Mauka and makai are therefore fundamental ideas to the native of an island. Land ...was divided accordingly (Lyons 1875).

The basic practical result of the Hawaiian principle in land division was to permit access to the resources of the land by the residents of that land. So basic is this concept of accessibility to resources or sharing resources to Hawaiian culture that the principle of sharing whatever is available is identified as "Hawaiian style" even today.

One informant has referred to the large sub-district divisions of land as 'ili, but the data suggest that the primary subdistrict land divisions follow the common island pattern and are ahupua'a within the District of Honua'ula.

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Evidence from the Native Testimony of 1849.

In testimony taken August 9, 1849 for 70 Land Commission Awards in Honua'ula, 53% of the awardees located parcels of land in two or more ahupua'a. Requirements of the testimony taken included identifying the number of parcels of land being claimed and their location. Testimony of the land use and inheritance pattern was not always included, still, there is enough information on acquisition and crop cultivation to provide some general trends.

Number of Claimants with Parcels in More than One

Ahupua'a\*

<u>No. of Claimants</u>	<u>No. of Ahupua'a in which claimants had land parcels.</u>
20	2
8	3
5	4
3	5
<u>1</u>	6
37	

-----  
\*Note: Data taken from Native Testimony, Hawaii State Archives.

Sixty claimants had at least one parcel in pasture land. Fifteen were growing taro, and four, haole potatoes, according to information provided by those who testified on the claimant's behalf.

Twenty-four (34%) had inherited their land, most of them from their parents, in-laws, or other relatives. Thirty-one

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(44%) had occupied their lands since the time of Kamehameha I, or from "ancient times." Twenty-two (31%) had at least one land section with the sea as a boundary, most of these being identified as houselots.

The testimony identified sixteen ahupua'a: Ka'eo, Kalihi, Kalihi-iki,\* Kanahena, Kanaio, Keauhou, Maluaka, Mohopilo, Mo'oiki, Mo'oloa, Mo'omuku, No'u, Paeahu, Palauea, Papa'anui, and Waipao. Many more names were given as 'ili within these ahupua'a.

Many claimants located their land parcels in more than one ahupua'a.

The testimony taken in 1849 further revealed that 74% of the claimants who became awardees in Honua'ula had been utilizing between two and five parcels of land each: 17.1% used five parcels, 20% used four parcels, and 18.5% used two and three parcels. The spread of their land parcels among ahupua'a is detailed in the following table:

---

\*Note: In one case this ahupua'a was identified as Kalihili'ili'i, the small Kaihi.



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No. of Claimants who located land parcels in one or more  
Ahupua'a

<u>No. of</u> <u>Claimants</u>	<u>No. of</u> <u>Parcels</u> <u>Claimed</u>	<u>No. of Ahupua'a in which parcels were</u> <u>Located</u>					
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
1	1	1	-	-	-	-	-
13	2	7	6	-	-	-	-
13	3	6	6	1	-	-	-
14	4	8	5	1	-	-	-
12	5	5	2	2	2	1	-
6	6	4	1	1	-	-	-
7	7	3	2	1	-	-	1
2	8	-	-	-	-	2	-
1	9	-	-	-	1	-	-
<u>1</u>	11	-	-	-	1	-	-
70							

-----  
\*Note: Data taken from Native Testimony, Hawaii State Archives.

Of those claiming two parcels of land, seven located both of them in one ahupua'a, and six located them in two different ahupua'a. The claimants, each with 3, 5, 7, 8, 9, or 11 parcels, had more of them in multiple ahupua'a than in a single ahupua'a. Claimants with 2, 4, or 6 parcels had more of them in a single

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ahupua'a than in multiple ahupua'a. The difference between them was only one or two parcels either way, and over-all, 34 (48.6%) of the claimants located their parcels in one ahupua'a, and 36 (51.4%) of them located their parcels in two or more ahupua'a.

Most of the multiple-ahupua'a land claims occurred between the lands of Paeahu and Mo'oloa, and the bulk of these between Pālauea, Maluaka and Mohopilo (see map, Fig. 2 ).

One of the important aspects of the multiple-ahupua'a land claims is the significance of the road across ahupua'a. Under such circumstances, it would be imperative to have secure access to your land parcels provided by roadways or trails running across and between ahupua'a, as well as the mauka-makai trails within any single ahupua'a. The latter were referred to in the testimony as "ascending trails" or "descending trails." The former, a road across and between ahupua'a, was referred to variously as "government trail," "government road," or "highway."

#### Evidence from the Register of Claims

In the written claims made to the Land Commissioners between December 1847 and February 1848, the claimants from Honua'ula used many of the usual descriptive terminology referring to land parcels, such as mo'o, kihapai and mala. They also used one term, "moku mau'u," which is not to be found as a land term in any Hawaiian dictionary known to the author, but which has been translated as "arable pockets of soil in rocky terrain" (Register of Native Claims, translation, vol. 6, pages 290-292, footnote, Hawaii State Archives).

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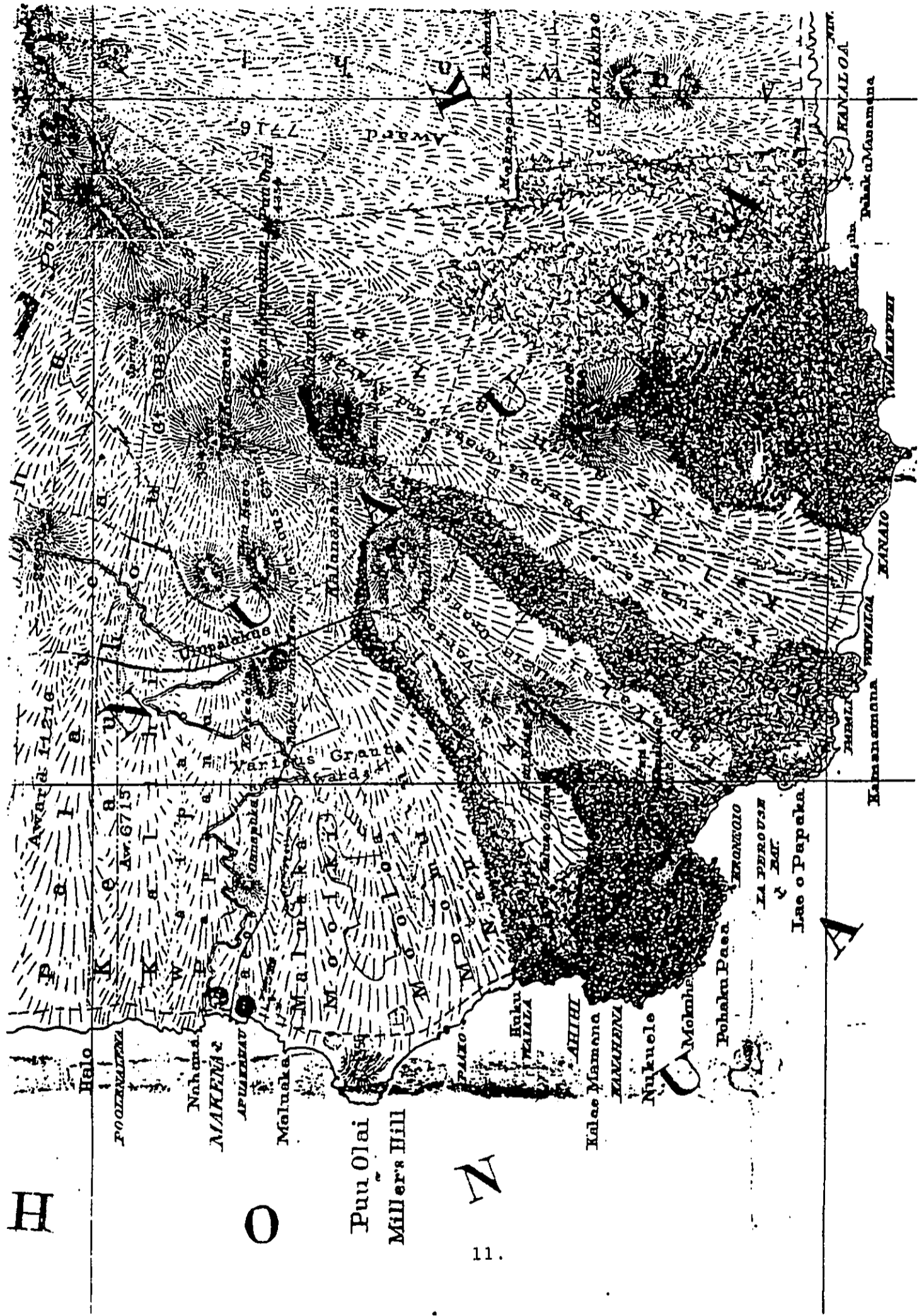


Fig. 2 . Portion of Map by F. S. Dodge, based on surveys by W. D. Alexander and S. E. Bishop, 1885. Scale 1:60,000. Note Ahupua'a Palauea south to Moluaka and Mo'ololo where most of the multiple ahupua'a land claims

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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Many claimants described their sweet potato gardens and Irish potato gardens, as well as cattle enclosures, kula land, and even "clumps" of hala. Claimant Hiapo (L.C.Aw. 8071), Feb. 3, 1848, included two sections of forest land, as well as Irish potato and sweet potato gardens. He mentioned that one "potato kula" at Mohopilo was a "place to cultivate in the winter time" (Register of Claims, Translation, Vol. 6, p. 455, Hawaii State Archives).

Other claimants described some of their land sections as "grass land" (Register of Claims, Translation, Vol. 6, page 481). Some claims mention the "government fence" or "land fence" which may be the stone wall that was probably built to keep cattle from coming down into the plantings and houses of those who lived along the seashore (see Map, Fig. 3 ).

#### Traditions of Honua'ula

Kauholanuimahu was the son of a high chief ("king") of Hawai'i Island (Malo 1951:255). When his father, Kahoukapu, died, "the kingdom passed into the hands of Kauholanuimahu" (Malo 1951:255). Malo explained that after Kauholanuimahu had reigned for a few years, he left Hawai'i and went to Honua'ula, Maui. There Kauholanuimahu is said to have "constructed that fishpond at Keoneoio" (Malo 1951:256). A revolt occurred on Hawai'i, and "Kauholanuimahu returned to Hawaii and recovered it by war" (Malo 1951:256; Fornander 1974:6:2:320).

Fornander added a few details.

. Kauholanuimahu's wife, Neula, is said in some

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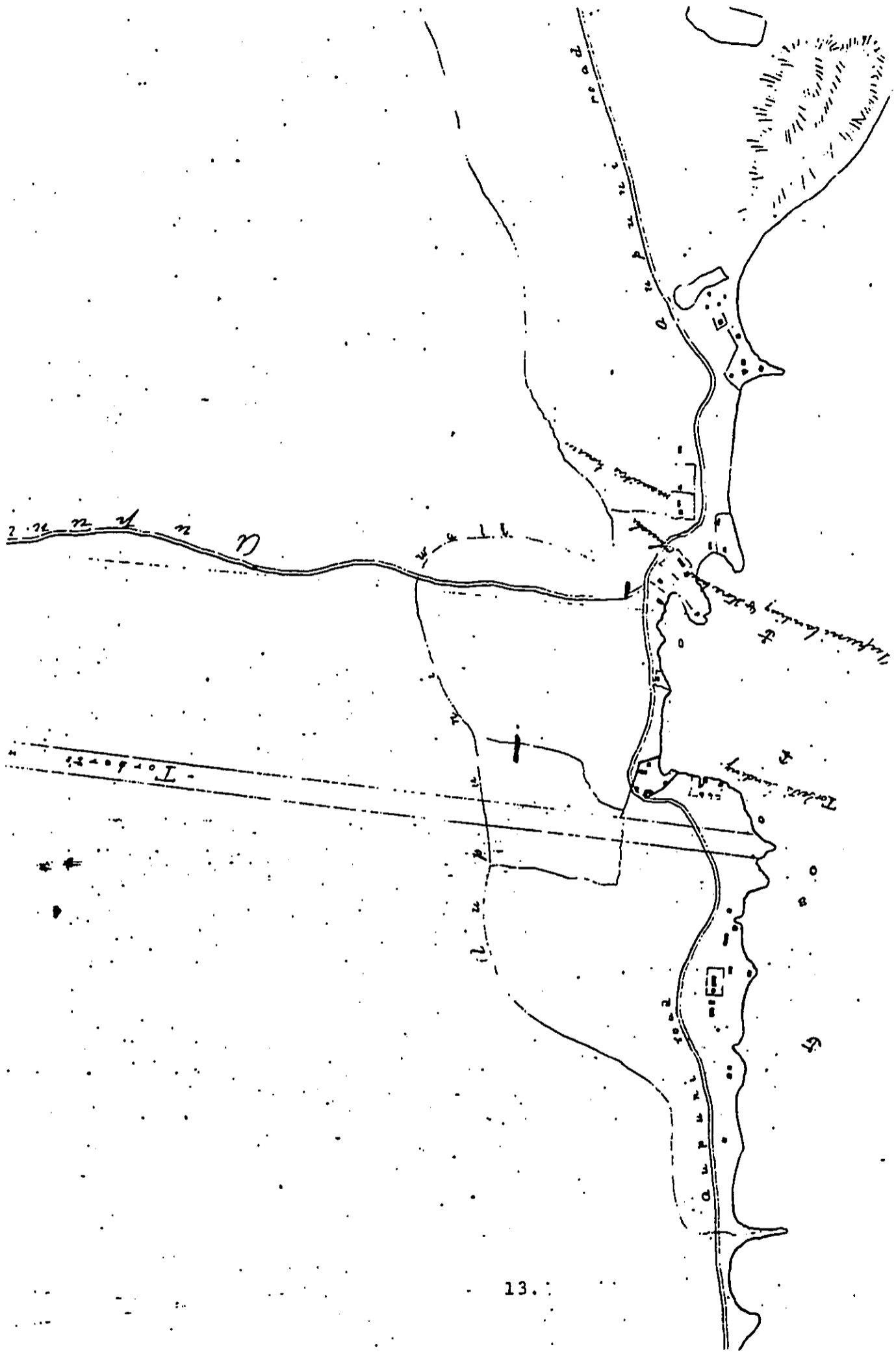


Fig. 3 . Portion of Torbert's Map of 'Ulupalakua, showing coastline at Makena and "'Aupuni Wall" placed there to protect habitation area from intrusion of cattle. State Survey Office.

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traditions to have been a Maui chiefess; if so, the district of Honuaula may have been her patrimonial estate, and that may account for the frequent and protracted residences there by Kauholanui (Fornander 1969:2:71).

A chief by the name of Aikanaka was "born at Holonokiu, Mulea, Hana, Maui. He died at Oneuli, Puuolai, Honuaula, and his bones were laid to rest at Iao" (Malo 1951:246; Fornander 1974:6:2:319).

One of the best known places in Honua'ula is the land of 'Ulupalakua. There are several stories about how 'Ulupalakua got its name. The usual translation is "ripe breadfruit of the gods" but, as one writer recorded, "the most ancient of old timers in the district cannot remember ever having seen a breadfruit tree at 'Ulupalakua, nor can they remember their parents speaking of trees, this translation is discounted by some" (Kearns 1939:9).

Another story translated 'Ulupalakua as "the breadfruit that ripened on the back" and accompanied this with a legend of "three Hawaiians who made a trip to Hana where they were given breadfruit which they carried back to 'Ulupalakua on their backs. While enroute from Hana to their home at 'Ulupalakua the breadfruit ripened, and thus the place was named "the breadfruit that ripened on the back" (Kearns 1939:9). Another version of this story recounts that "Hawaiians once followed a footpath through the area from Kaupo on the south to Wailuku, carrying

breadfruit on their back. The breadfruit would ripen along the way. Thus the name" (Head 1959:30).

Mary Kawena Pukui suggests that pala also means softened - "the breadfruit would be soft when they carried it that far" (Sterling Ms.:Honuaula).

In more recent times, when Kamehameha I sailed his fleet to Maui to fight the forces of Kalanikupule at Iao Valley, it is said that:

It was one of the more renowned of Kamehameha's battles, on account of the great number of canoes, of the people, and of the damming of the waters of Iao. This trip of the canoes from Hawaii was called the Great Fleet, which was the first trip of Kamehameha's large peleleu (canoes) to Maui. It is said that the canoes which came in this single trip were so numerous that they covered the whole landing place from Keonecio to Olowalu without a space intervening (Fornander 1974: 5:470).

Perhaps one of the reasons that Honua'ula is fairly well known today is that it was the site of the latest volcanic activity on Maui, the flow near Keone'o'io called Hanakaie (Fornander 1974:6:2:232). It is generally believed that this flow occurred after the visit of La Perouse to Maui in 1786. This is based on the drawing done of La Perouse's two ships, anchored off the coast of Maui. The drawing does not show the

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large cape that was created by the latest flow from Kalua o lapa.  
Population

The missionary censuses for the years 1832 and 1836 gave the population of Honua'ula as 3,340 and 1,911 respectively, a drop in four years of 42%. The 1832 census recorded 1,057 males, 962 females, 601 male children and 720 female children for a total of 3,340 (Schmitt 1973:18, 38). In 1832, only Lahaina, Hana and Hamakualoa had larger populations than Honua'ula on Maui.



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### The Pi'ilani Tradition

High chief Pi'ilani of Maui took as one of his wives the daughter of Keleanuinochoanaapiapi (M) and Kalamakua (L), (Fornander 1969:2:86-87). Kalamakua was an O'ahu chief famous for his building of lo'i (wet taro terraces) in the Waikiki area (Handy & Handy 1972:481). Kalamakua was the grandson of Mailikukahi, who was renowned for "marking out land boundaries" and taking "the firstborn son of each family to be educated in his own household. He honored the priests, built heiaus, and discountenanced human sacrifice" (Beckwith 1940:383). At about the same time as land reforms and political consolidation were taking place on O'ahu, they were also taking place on Maui. During the time of Kakaalaneo of Maui "the division of lands is said to have taken place under a kahuna named Kalaihachi'a (Hew the bark of the ohia tree) which portioned out the island into districts, subdistricts, and smaller divisions, each ruled over by an agent appointed by the landlord of the next larger division, and the those under control of the ruling chief over the whole island or whatever part of it was his to govern" (Beckwith 1940:383). Pi'ilani and Laielohelohe had a daughter by the name of Pi'ikea. She became a wife of 'Umi-a-Liloa, who lived in Kailua, Kona, during the later years of his reign over Hawai'i.

Pi'ilani and Laielohelohe also had two sons, Pi'ilani (also known as Lono-a-Pi'ilani, or Lono-a-Pi'i) and Kiha-a-Pi'ilani. When Pi'ilani died, the reign went to his eldest son, Pi'ilani, or Lono-a-Pi'ilani. Lono treated his younger brother, Kiha-a-Pi'ilani with disrespect causing Kiha to run away. Kiha went

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looking for someone who would kill Lono for him. Finally he went to his brother-in-law, 'Umi-a-Liloa for help. 'Umi finally agreed to assist Kiha-a-Pi'ilani to wrest the rule of Maui away from Lono. By the time the Hawai'i fleet reached Maui, Pi'ilani was dead and his son had taken control of the Island. After a great struggle to take Ka'uiki hill, 'Umi-a-Liloa finally succeeded in defeating Pi'ilani's supporters. 'Umi then turned the government over to his wife's brother, Kiha-a-Pi'ilani (Fornander 1974:4:2:236-254).

By Fornander's estimate of 30 years per generation, Kiha-a-Pi'ilani is thought to have reigned during the end of the 15th century and the beginning of the 16th century (Fornander 1974:6:2:313-314).

According to Fornander, Kakaalaneo, the chief who reorganized Maui's land divisions, lived three generations before Kalamakua, the O'ahu chief who did much the same thing for his island. This would place Kakaalaneo and all the organizing and advances he performed early in the 15th century. Kauholanuimahu, the Hawai'i Island chief who spent considerable time at Keone'o'io, reigned in the last half of the 14th century by Fornander's estimated length of a generation (Fornander 1974:6:2:313).

#### Kiha's Trail Building

Kiha-a-Pi'ilani took the advice of 'Umi-a-Liloa and decided to do something substantial for the good of all the people. The project he undertook was to upgrade the roads, particularly those that were dangerous, those that led down into and out of steep valleys, particularly those in the Hana and Ko'olau Districts,

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but his works were not limited to those. One tradition indicated that it was Kiha-a-Pi'ilani "who caused the road from Kawaipapa (Hana) to Kahalaopaka (Ko'olau) to be paved with smooth rocks, even to the forests of Oopuloa in Koolau, Maui" (Fornander 1974:5:176, 180). Fornander also explained that Kiha-a-Pi'ilani "...kept peace and order in the country, encouraged agriculture, and improved and caused to be paved the difficult and often dangerous roads over the Palis of Kaupo, Hana, and Koolau--a stupendous work for those times, the remains of which may still be seen in many places, and are pointed out as the 'Kipapa' [pavements] of Kihapiilani" (1969:2:206). It was also in the reign of Kiha-a-Pi'ilani "that the road on Molokai was made and paved with shells instead of rocks" (Fornander 1974:5:180).

Kiha-a-Pi'ilani, having been the younger of the two male siblings and ineffective himself in getting his older brother to recognize him as an equal, having had to seek help from his brother-in-law, the famous 'Umi-a-Liloa of Hawai'i Island, must have felt a great deal of pressure to gain the confidence of the people of Maui over whom he purported to rule. It is not inconceivable that, to strengthen his image and make his presence felt among the people, Kiha selected the upgrading of roads as solving two problems: it would make travelling easier for the people, and it would provide him with access to all parts of his kingdom should any dissident group take action against his rule. This was a period of consolidation of power for many of the high chiefs of the Hawaiian Islands.

Herrère (Ms.:65) reported that a portion of the famous trail "had been traversed by a group of missionaries--William Richards,

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Lorrin Andrews, and Jonathan Green on their tour around Maui in 1828" (Barrene Ms.:65).

[August 22, 1828]...At five o'clock, P.M., we reached Halehaku, a small village on the sea shore.

[August 23, 1828]...proceeded on our way. This day, we came to a pavement said to have been built by Kehapilani [Kiha-a-Pi'ilani], a king contemporary with Umi, an ancient king of Hawaii. He is said to have built it, that his name "might not roll out." It extends more than thirty miles, and is a work of considerable assistance in travelling, as we ascended and descended a great number of steep and difficult parties [pali]. In the vallies, there ran brooks, some of them of considerable size. Several miles of our way lay through a wood.

...About 5 o'clock, P.M., we reached Honomanu...

(Missionary Herald (1829:248-249).

In one version of the story about Kiha-a-Pi'ilani and his trail building, it was upon the advise of 'Umi-a-Liloa that Kiha decided to place his efforts on road building in order to be remembered. According to Moses Manu's version of the story 'Umi said:

Here are the deeds which will make your name famous to the generations in the future...

When the island of Maui and the fortress of Ka'uiki are yours, then you and the people will restore the heiau of Honua'ula just mauua of the hill of Ka'uiki...After this you will begin to

pave the road from Pihehe at Hana at the  
 Koolau at the forest of Uopulou, as well as all  
 the other bad places on the roads of Maui.  
 Then make a dividing wall between the pond of  
 Karaha, separating Mauoni...When you are finished  
 with Maui, you will go on to Molokai to restore  
 the walls of the fishponds and you will construct  
 a road on the depression of Kaluako'i from the dry  
 hot shore of 'Iloli and turning on the far side of  
 the sands of Molekoni, and you will put white  
 shells on that side and this side of the road  
 between the rocks... (Manu 1884, July 12; Sterling  
 trans., Ms.:14, quoted by Barrère Ms.:66).

Moses Manu described the method of road building used by  
 Kiha-a-Pi'ilani and the people who worked on the road:

...so, the transporting of the hard alā stones  
 by the alii and the commoners was begun. The  
 construction of the road was begun at the stream  
 of Kawaipapa and at Pihehe where it would start to  
 enter the hala grove of Kehalaowaha. From here  
 to the forest of Akialaa at Honome'ele the alā  
 stone paving was set at intervals on the road and  
 the paving has probably not been moved. At Kipanulu  
 the paving of alā stone was begun, from Alee-iki  
 to Kukui'ula (Moses Manu 1884 July 12; Sterling  
 trans., Ms.:17-19; quoted in Barrère Ms.:66).

Beckwith, who grew up on Maui, was well acquainted with the  
 Kiha-a-Pi'ilani trail and those portions that still were visible.

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She wrote:

The name of Kihara-pi'ilani is preserved locally about the island of Maui in connection with his feats of leaping from a height into a pool of water, called lelekawa, and for the famous paved road about the island with the building of which he oppressed the people. Men are said to have stood in line and passed the stones from seashore to upland. Parts of the road are still in place and may be followed where the trail cuts in a straight line up and down the deep gorges which break the windward slope of the island (Beckwith 1940:387).

Fleming, another author who was well acquainted with the old Kihara-pi'ilani trail, reported that it extended all the way around the island, although the earlier accounts do not mention that fact. Fleming provides more details about the method of construction.

...The Alii had a line of men stand from the sea and hand stones along the line till it reached the required place. Here the stones were artfully put into position. The trail was paved with flat, hard beach stones. Those on the steeper grades were flat, while those in less sloping country were more rounded. In open country, each side of the trail was flanked with large field boulders solitary and into the ground and standing above the center from one to five feet: a parapet, as it were. On the

steep gullies, only one side of the trail had the guard. The stones, or flags, on the floor of the trail were placed horizontally to the abutments in quite regular lines. It took four or five stones to make a line across. The second row of horizontal stones was placed parallel to the other in a checker-board fashion in order to prevent wash. The width of the trail between the balustrades was from four to five feet, giving a regular appearance as it stretched over the country. There were few turns in the trail, even where the grade was steepest (Fleming 1933:4-6).

Fleming placed the building of the Kiha-a-Pi'ilani trail about the year 1516 (Fleming 1933:4-6).\*

Portions of the Kiha-a-Pi'ilani old trail can still be seen today in Hana, in Ke'anae, in Kaupō, and in Ka'anapali. Appendices A - C provide photographs and a brief description of the portions of the trail visited by the author.

\*Note: Fornander's use of 30 years to a generation for ruling chiefs has been criticized, particularly by John G. F. Stokes, who for several reasons selected 20 years as the length of time for one generation of Hawaiian ruling chiefs (Stokes 1933). Using Stokes 20-year generation length, Kiha-a-Pi'ilani would be estimated to have ruled during the first half of the 17th century; thus, the trails built under his rule would probably date around 1650. By Stokes' count, the trails would be over 350 years old; by Fornander's count, they would be about 250 years old.

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As the description by Fleming carefully details the construction technique of the Kihaha-Pi'ilani trails, it is quite clear that not all the trails around the island are built in that same manner. But there are remnants still to be seen today that bear a resemblance to the type of construction described by Fleming.

Hoapili, Maui Trail Builder.

Hoapili, also known as Ulu-maheihēi Hoapili, was the son of Kamehameha I's most ardent supporter, Kame'eiamoku and grandson of Maui's high chief Kekaulike. Hoapili inherited his father's place on Kamehameha's Council of Chiefs when he died (Kamakau 1961:190). Hoapili became a war leader during Kamehameha's reign and under his command "some rebels were slain and mercilessly treated, their bodies cast to the hogs; some were taken captive (Kamakau 1961:353).

In 1823 Hoapili was appointed governor of Maui "to fill the vacancy caused by the death of Ke'eaumoku," Ka'ahumanu's brother (Kamakau 1961:254). Hoapili remained in that position until he died in 1830 at the age of 64 (Kamakau 1961:352).

In 1823 Keopuolani, the queen mother and widow of Kamehameha I, asked for and received two American missionaries from the reinforcements that arrived that year to live with her in Lahaina. She had a strong interest in Christianity, as did her pūnaluā, Ka'ahumanu. When she died, Hoapili refused to allow any death companions, saying, "It was the command of your lord that there should be no death companion, no wild mourning, because she had given herself God (Kamakau 1961:255).



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As she was dying, Rev. William Ellis "proceeded at length to administer the sacred ordinance which entitled all who received it to the name Christian." Thus, Keopuolani "was initiated into the visible church of God..." (Stewart 1839:167).

Through Hoapili's close relationship with Keopuolani and the Lahaina missionaries, he became Christianized and gained the reputation for being an extremely hard taskmaster. He was not hesitant to judge his fellow Hawaiians by foreign inspired laws that jailed people indiscriminately for "vagrancy," or not having visible means or support. In the 1820s and 1830s, this was tantamount to placing many Hawaiians in jail whose only "crime" was not having a job, or not being "attached" to a chief. This was the period in Hawaiian history when chiefs were exploiting the ho'a'aina, tenants living on their lands, forcing them to spend weeks in the mountains cutting sandalwood for the foreign traders. People leaving the land of such exploitative chiefs, a practice permitted in Hawaiian times, became prime targets for vagrancy laws. Once jailed, prisoners were forced to work, and one of the most frequent tasks was road work.

Another source of prison labor was through the persecution of "image worshipers." The law against "image worshiping" was originally made to prevent Hawaiians from practicing their own religion. By labelling Catholics "image worshipers" the same law was used by Hoapili and others to prevent Catholics from gaining followers among Hawaiians (see Appendix A).

Then, of course, there was the mae kulanu law that made another prevalent Hawaiian custom illegal in post-1820 times. The jails were filled with prisoners who were forced to

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work on the roads, upgrading the ancient trails for commercial transport, making them capable of use by horses and horse-drawn carts.

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Mākena, a Community among Communities

At the time that Captain James Cook sailed his ships among the Hawaiian Islands in 1778, the Hawaiian people had been residents of the Islands for perhaps 1,500 or more years and had developed a culture that was unique to them, although it was based on many of the cultural values of their Polynesian ancestors. Their culture included their language, religion, world view, kinship relations, legends, myths, work relations, intimate knowledge of their environment, techniques of horticulture, aquaculture, and fishing, treatment of disease, belief in a connection between interpersonal relationships and mental and physical health, and a myriad of other cultural elements that were developed by Hawaiians over the centuries.

When the Polynesians first settled in these islands, there were only a few of them. Initially, they probably settled along the shoreline where fresh water and good fishing conditions were available. As the population increased, they created new settlements, spreading out laterally along the coastline, and even establishing some settlements inland where the residents concentrated on cultivating productive food gardens. Upland settlements are described by Mary Kawena Pukui as "'ūmeke 'āi" "that which filled the poi bowl: that is, taro was planted there." The coastal settlements were described as "'āpuakai," the "meat bowl," "where fish could be found" (Grandy and Pukui 1972:4).

Slowly the population increased, and for a long time there

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were few people in the some four million acres of land in the Hawaiian Islands. Over the generations a large population was achieved until Capt. Cook arrived and found a thriving civilization.

Jan 16th. This morning seeing the appearance of a Bay a Boat from each ship was sent to examine it. We have had more Canoes about us today than in any place this Voyage; we counted 150 large sailing Canoes many of which contained thirty & forty men--we reckoned that all together there could not be less about the 2 Ships than 1000 Canoes & 10,000 Indians, so many of them on board that there was no moving for them (Samwell 1967:1158).

The people of the Hawaiian Islands at the time of Cook's visit were a prospering people, having populated all the main islands and developed a way of life that supported a large population. Some writers estimate a precontact population of 120,000. others prefer 200,000 to 300,000 (Schmitt 1968:42). Still others make a substantial case for a population of 500,000 or more (Stannard ms.). As S. M. Kamakau, the Hawaiian historian, put it:

In ancient times the land was covered with people. All the lands from Hawaii to Ka'ula were peopled except the low coral reefs. From the summits of the mountains to the shore are to be found the remains of their cultivated fields and sites of their houses. (Kamakau 1961:260).

The Hawaiians were in old days a strong and hard-

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working people skilled in crafts and possessed of much learning. In hospitality and kindness they excelled other peoples of the Pacific. Cultivation of the land was their main industry (Kamakau 1961:237).

Fishing was one of the chief occupations in old days....Fish were caught in deep-sea fishing grounds of a depth of from thirty to forty fathoms, or sometimes of four hundred fathoms...Fishermen went in search of such fishing grounds and learned to locate a particular spot and to return to it again and again (Kamakau 1961:237).

The lower population estimates are not predicated on any inability of the Hawaiians to feed themselves adequately in order to prosper and multiply.

Kamakau pointed out also that on Maui "women worked outside as hard as men, often cooking, tilling the ground, and performing the duties in the house as well" (Kamakau 1961:239).

Kamakau went on to describe how hard women on Hawaii and Maui worked:

At the time when Kamehameha took over the rule from Hawaii to Oahu it was not uncommon to see the women of Hawaii packing food on their backs, cooking it in the imu, and cultivating the land or even going fishing with the men. On Maui the men showed their wives where their patches were and while they went to do other work the women brought the food and firewood from the uplands and cared for the imu (Kamakau 1961:239).

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One of the key cultural values of Hawaiian society is that of sharing whatever there is to share, no matter how meager. Reverend William Ellis of the London Mission Society visited the Hawaiian Islands in 1823 and 1824, upon the invitation of members of the American Board of Christian Foreign Missions who were in the islands. Rev. Ellis wrote a great deal about Hawaiian culture and customs. He made the connection between "aloha" and sharing whatever was available at the moment.

The usual salutation is Aloha (attachment), or Aroha nui (attachment great); and the customary invitation to partake of some refreshment is, "The food (a karou) belonging to you and us is ready; let us eat together"; always using the pronoun kakou, or kaa, which includes the person addressed, as well as the speaker.

On entering a chief's house, should we remark, Yours is a strong or convenient house, he would answer, "It is a good house for (or belonging to) you and me."

If, on entering a house, or examining a fine canoe or piece of cloth, we should ask who it belongs to, another person would tell us the possessor's name; but if we happen to inquire of the owner himself, he would invariably answer, "It is yours and mine." The same desire to please is manifested in a variety of ways.

The manner in which they frequently ask a favour of each other is singular, usually prefacing it with, "I see ee." If pleasing to you. Hence we often have a request or note to the following effect: "If pleasing to you, I

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should like a sheet of writing paper or a pen; but if it would not give you pleasure to send it, I do not wish it." (Ellis 1963:274).

In another description of Hawaiian customs, Ellis has this to say:

...even the poorest would generally share their scanty dish of potatoes with a stranger.

Not to entertain a guest with what they have, is, among themselves, considered reproachful; and there are many, who, if they had but one pig or fowl in the yard, or one root of potatoes in the garden, would cheerfully take them to furnish a repast for a friend.

Ellis goes on to describe the great affection Hawaiians had for family members and close friends:

It is not unusual for a family, when they have planted their field with sweet potatoes, &c. to pay a visit for four or five months to some friend in a distant part of the island. When the crop is ripe they travel home again, and in return are most likely visited by a friend, who will not think of leaving them so long as any of their provisions remain unconsumed. This, however, is only the case where friendship has previously existed between the parties.

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In another chapter, Rev. Ellis answers the question "Why the Natives Live Along the Shore." Although he was using Puna, Hawai'i, as his example, it was his belief that the Hawaiians had very good reasons why they chose to live along the seashore. Ellis wrote:

The population of this part of Puna [between Kealakomo and Pulana] though somewhat numerous, did not appear to possess the means of subsistence in any great variety or abundance; and we have often been surprised to find the desolate coasts more thickly inhabited than some of the fertile tracts in the interior; a circumstance we can only account for, by supposing that the facilities which the former afford for fishing, induce the natives to prefer them as places of abode; for they find that where the coast is low, the adjacent water is generally shallow.

We saw several fowls and a few hogs here, but a tolerable number of dogs, and quantities of dried salt fish, principally albacores and bonitos. This latter article, with their poi and sweet potatoes, constitutes nearly the entire support of the inhabitants, not only in this vicinity, but on the sea-coasts of the north and south parts of the island.

Besides what is reserved for their own subsistence, they cure large quantities as an article of commerce, which they exchange for the vegetable products of Hilo [Hilo] and Mamakua [Mamakua], or the mamake and other tapes of Ula [Ula] and the more fertile districts of Hawaii.



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When La Perouse sailed along the coast of Maui and Kipahulu and Kaupō, and on down to Honolulu in May 1786, he noted that "dwellings were so numerous that a single village extends for three or four leagues."\* (Valentin 1909:20). He continued:

All the houses are at the edge of the sea, and the mountains are so near that the habitable land does not appear to be more than a quarter-league wide. (Valentin 1909:20).

La Perouse anchored his ships in Keone'o'io Bay about a mile off shore. The next day they took four boats and went ashore (Fig. 4). A large group of people greeted them.

Two of them, who seemed to be men of authority, approached. They made a long, serious speech to La Perouse, who did not understand a single word, and presented him with a pig, which he accepted. In return he gave them some medals, hatchets, and pieces of iron, which they valued very highly. By this generosity, the French succeeded in winning the friendship of the islanders.

\*Note: A French league was approximately 2.5 miles long; thus, La Perouse estimated the West Maui coastal villages to have been scattered along the coast a distance of from 7.5 to 10 miles.

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LE PORT DE LA BAYE DES FRIGATES FRANÇAISES A L'ILE DE MOUETI

Fig. 4 . The French Frigates Boussole and Astrolabe anchored at Kcone'o'io Bay (La Pérouse Bay) of the French expedition under the command of John Francis Galaup De La Pérouse May 30, 1786. (Bishop Museum Neg.20552).

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During his reconnaissance, La Perouse saw four small villages of ten or twelve houses (Valentin 1969:24).

When he returned aboard, the commander learned that Captain Clonard, his executive officer, had received a chief and had bought a cape and a fine red helmet from him; he had also acquired more than one hundred pigs, some bananas, yams, taro, mats, and various small objects made of feathers and shells (Valentin 1969:25).

#### Life at Mākena

On the Island of Maui, the coastline from Kihei to Makēna, and much of the coastline between Mākena and Nu'u, could be described as being adjacent to excellent fishing grounds. Many communities were scattered along the Honua'ula coast. Mākena was famous for its lau fishing and akule (Eddie Chang, Interview). Keone'o'io is known for its akule and 'o'io, the 'o'io that have been caught there weighing between seventeen and thirty-five pounds (Marie Olsen & Esther Campbell Interviews). The bay at Papakakai next to the 'a'a flow is known as a place where aholehole, moi, 'o'io and mullet gather to feed on the papa where various kinds of edible limu grow. Even akule enter the bay in season (Leslie Kuloloio Interview). The cliffs of Papakakai are known for their excellent 'opihi (Esther Campbell Interview), Keawanaku for akule (Esther Campbell Interview), and Paena for its large 'o'io (Esther Campbell Interview).

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Several of the communities continued to be inhabited with fisher families until just before World War II. Even after taking up residence in the upland communities of 'Ulupalakua, Kanaio, or Kanahena, the families continued to return to fish at the old fishing sites. Most often transportation was by car or truck, but sometimes by horse or mule, or even on foot (Esther Campbell Interview).

Roads between the communities were used to transport school children from their homes to the school at 'Ulupalakua after the Makena school was closed. Esther Campbell's father, Eddie Chang, and later, Abner De Lima were the drivers responsible for transporting the students to and from school. When the students graduated, most young people moved to urban centers for jobs, or to continue their education.

The wall of the fishpond at Keono'o'io was broken by a tsunami. Part of the wall is still visible. The pond was dredged at the time a slaughter house was constructed by Ulupalakua Ranch about 1916. The slaughter house was used by the ranch until about 1923. In 1916 Keono'o'io was a fishing village with about eleven families and a church. The minister was Ka'ulalena, Esther Campbell's father. The residents raised potatoes, pumpkin and squash. The village had a canoe house then, but it was bulldozed in recent years by the property owner (Marie Olsen Interview).

There are remains of house sites scattered throughout the area inland from the main village around the bay, indicating a considerable population at some time in the past. These sites, though scattered, are connected by trails. Among them are burial

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caves with skeletal material still visible, but in disarray (Marie Olsen interview).

Mākena itself is a bay known to be one of the places where the favorite fish akule [Trachurops crumenophthalmus, or Bigeyed scad] schools in season.

...During the spawning season, which extends from February through August, the fish forms large schools in shallow, sandy- or flat-bottomed areas less than 12 fathoms in depth and is very vulnerable to seine fishing. (Gosline & Brock 1960:173).

Several Hawaiian kupuna have attested to participating in or watching the laying of nets and trapping of large schools of akule at Makena Bay when they were young. In addition, they also told about residents from up and down the coastline and from the uplands of 'UluPalakua and Kula coming to Makena to obtain a share of the fish that were caught. This sharing of the resources of the sea with ones friends, neighbors and relatives and even with passing strangers, was one of the hallmarks of Hawaiian social and economic life. Actually, in our thing-oriented western life, we are able to separate social life from economic activity. In Hawaiian society, however, it seems much more correct to refer to the harvesting and sharing of food and many other things as part of their social life as well as the foundation of their economic activities. Even the building of taro terraces and an irrigation system to provide the terraces

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with water is a combination of economics and their social life, so important to Hawaiians for enjoying a well integrated life, a sense of togetherness, feeling of security, and continuity as a people.

Helen Peters is 78. She was raised at Mākena by her grandmother, Moloa Kukahiko Auwelo, from the time she was nine or ten years old. She helped her grandmother raise her cousins and siblings, because two of her aunts and her mother had died in childbirth. She stopped going to school at Mākena to help her grandmother with about sixteen mo'opuna, who had to be cared for. She presently lives in the Kukahiko family homestead. When she was about thirteen years old, she went to work at a hospital in Kula. Later she worked for the McPhee family in Pāia. There she met Peters, married him in 1929, and raised her children there.

Many times she and her family returned by car to Mākena to visit her grandmother and other family members, often on weekends. The women and children went to Mākena on Friday afternoon after school was out and the menfolk went on Saturday afternoon after work. Helen Peters returned to Mākena to live after World War II, about 1951.

When Helen was a youngster living with her grandmother, Moloa, and helping to raise her cousins and siblings, the primary method of transportation was by horse or donkey. Grandmother Moloa sent her grandchildren to Kīhei with large horses to transport her friends to Makena for the church gatherings (ho'ike). Philip Chang, Eddie's brother also took horses to Kīhei to help transport the tutu ladies on Saturday, in

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time for the church concert and Sunday services, and return to Kihei Sunday afternoon. Visits to the church at Keone'o'io were made when a ho'ike was held there, or to Kanaio or 'Ulupalakua, or Kihei. They also sometimes crowded into a horse-drawn, two-wheeled buggy to go from Kihei to Wailuku. Sometimes they hired a taxi to take them to Lahaina to go shopping, usually for special foods such as 'opelu and breadfruit, or cloth for a mu'umu'u which they sewed on a treadle Singer sewing machine, or materials for making hats. Money to hire the taxi came from selling fish, mostly akule, caught at Mākena.

Mākena was known primarily as a fishing village from early times. It contains all the traditional elements of a Hawaiian fishing community: a pohaku kilo, a large heiau, a ku'ula or ko'a shrine, and it is a place known for schools of akule entering the bay during spawning season.

The kilo watched for the first school of akule of the season to come from the sea into the sandy bottom of the inshore waters of Honua'ula. He would station himself on the top of Pu'u 'Olai and survey the sea for that tell-tale dark spot. When the fish did come the kilo would go off to inform the people in Mākena that the "malihi" has come. Helen Peters remembers seeing the dust flying from the horses hoofs along the road from Pu'u 'Olai as the kilo rode his along the road.

In the morning hours when the sun was at his back, the kilo climbed the sand dunes at Naupaka Beach and hid behind the foliage, watching the school of akule as they made their way into the bay. In the afternoon hours he sat on the hill at the north end of the bay; a rock marks the spot.

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From the oral histories, it was also a gathering place for many people to come together for hukilau and sharing the catch among those gathered at the beach. During and after World War II, it was the residence of a fisherman who set traps for large ulua in the deep waters between Kaho'olawe and Molokini (Marie Olsen Interview). While living at Keone'o'io, Esther Campbell's father used to fish at Molokini and sometimes collected 'opihi there (Esther Campbell Interview). In Hawaiian traditions, Molokini and Makena are connected in a "Myth Concerning Molokini." A lizard (mo'lo) named Pu'uoinaina lived on Kaho'olawe (Kohemālamalama). Once Pu'uoinaina left Kaho'olawe Island and went into the sea. The lizard body of Pu'uoinaina stretched from Kaho'olawe to Mākena. Pele, who resided at Mahikinui at the time, was angry with Pu'uoinaina for having taken Pele's lover, Lohiau, as her husband. When Pele found Pu'uoinaina stretched out in the sea, she "cut the lizard tail in two, right in the middle, separating the tail from the head. The tail became Puuolai at Makena, and the head became Molokini" (Fornander 1974:5:518).



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Alanui 'Aupuni

The earliest map that has been found for the Mākena Bay area is called "Torbert's Map of 'Ulupalakua" (Fig. 5 ). The coastal portion of this map shows a road labelled "'Aupuni Road" (Government Road) coming into Mākena from the north, generally following the coastline through Mākena and continuing on in a southerly direction. Although undated, this map was probably made between 1845 and 1850. Torbert had purchased from the Hawaiian Government the land for "Torbert's new road" in 1850 (Gr. 223, 68 acres), or so it appears.

Torbert's map also identifies the old Government Road going mauka from an intersection with the coastal road, just north of the church. Undoubtedly, this road provided access to and from 'Ulupalakua for materials unloaded and loaded at the Government Landing just makai of the church (Fig. 6 ).

The coastal road, or 'Aupuni Road (Government Road) appears on the W. D. Alexander map (Fig. 7 ), as well as the Jackson map (Fig. 8 ). Even the sketches and boundary descriptions for Government lands purchased along the Alanui 'Aupuni (Government Road) also indicate the presence of this road (Figs. 9 - 17 ).

The presence of this road ('Aupuni Road) on the early maps and its continued presence makes the present road a historic landmark, and eligible for National recognition, its age being at least well over a hundred years, established by documentation.

It would be inconceivable that the Alanui 'Aupuni did not predate 1850. Its beginnings are probably rooted in the economic

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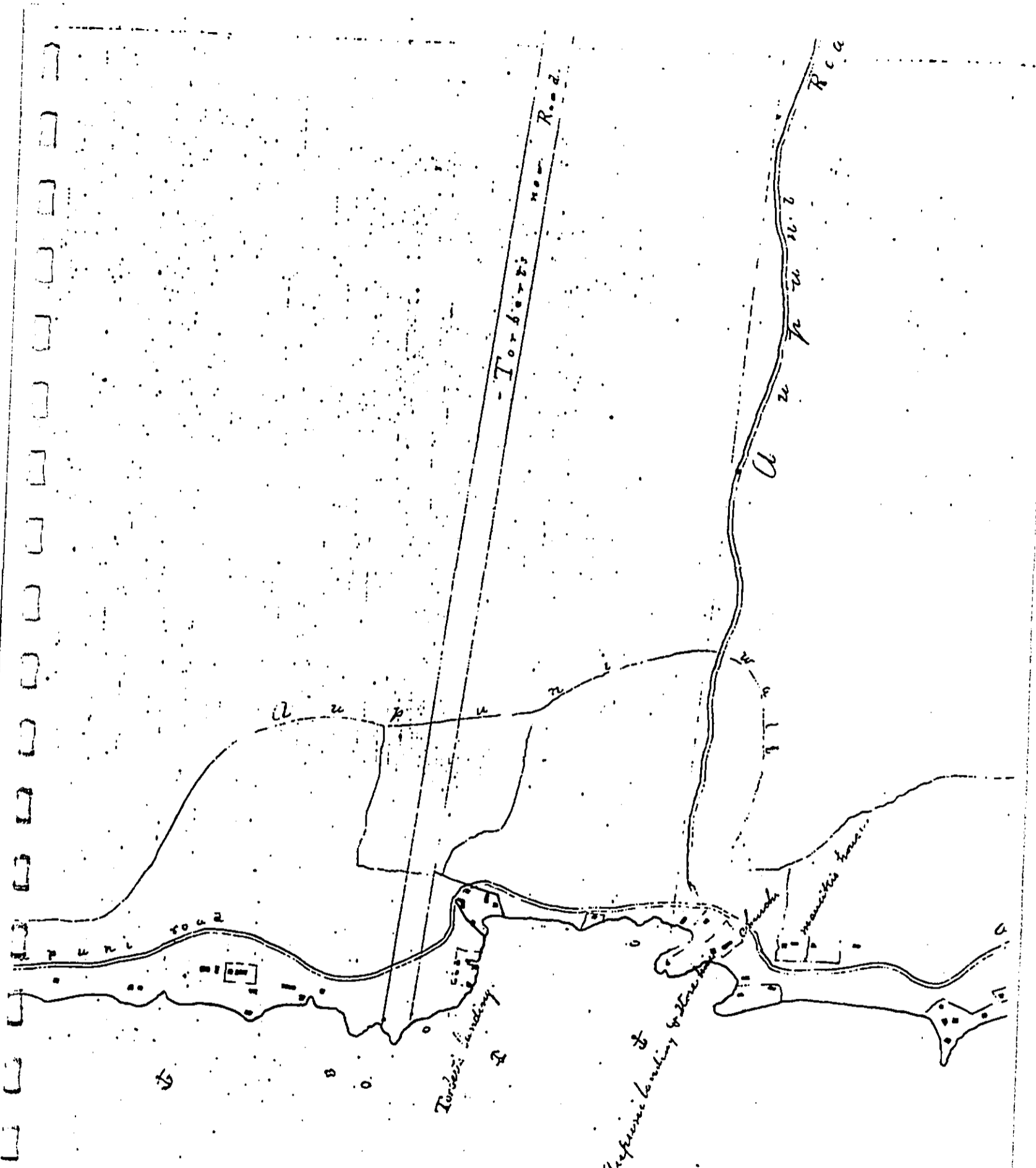


Fig. 5 . Portion of Torbert's map of 'Ulupalakua (and Mākena) showing the church, two landings (Torbert's Landing and 'Aupuni Landing (Government Landing), a Government road leading up to 'Ulupalakua, and Torbert's "new road." Reg. Map 1202, State Survey Office. 42.

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FIG. 6 . Stone Platform makai of old fishpond, Mākēna, Honua'ūla. Site of old Government Landing, Keawala'i, next to the Mākēna church. Cf. Torbert's map of 'Ulupalakua which located the site at this place. (Photo by S. Clark).



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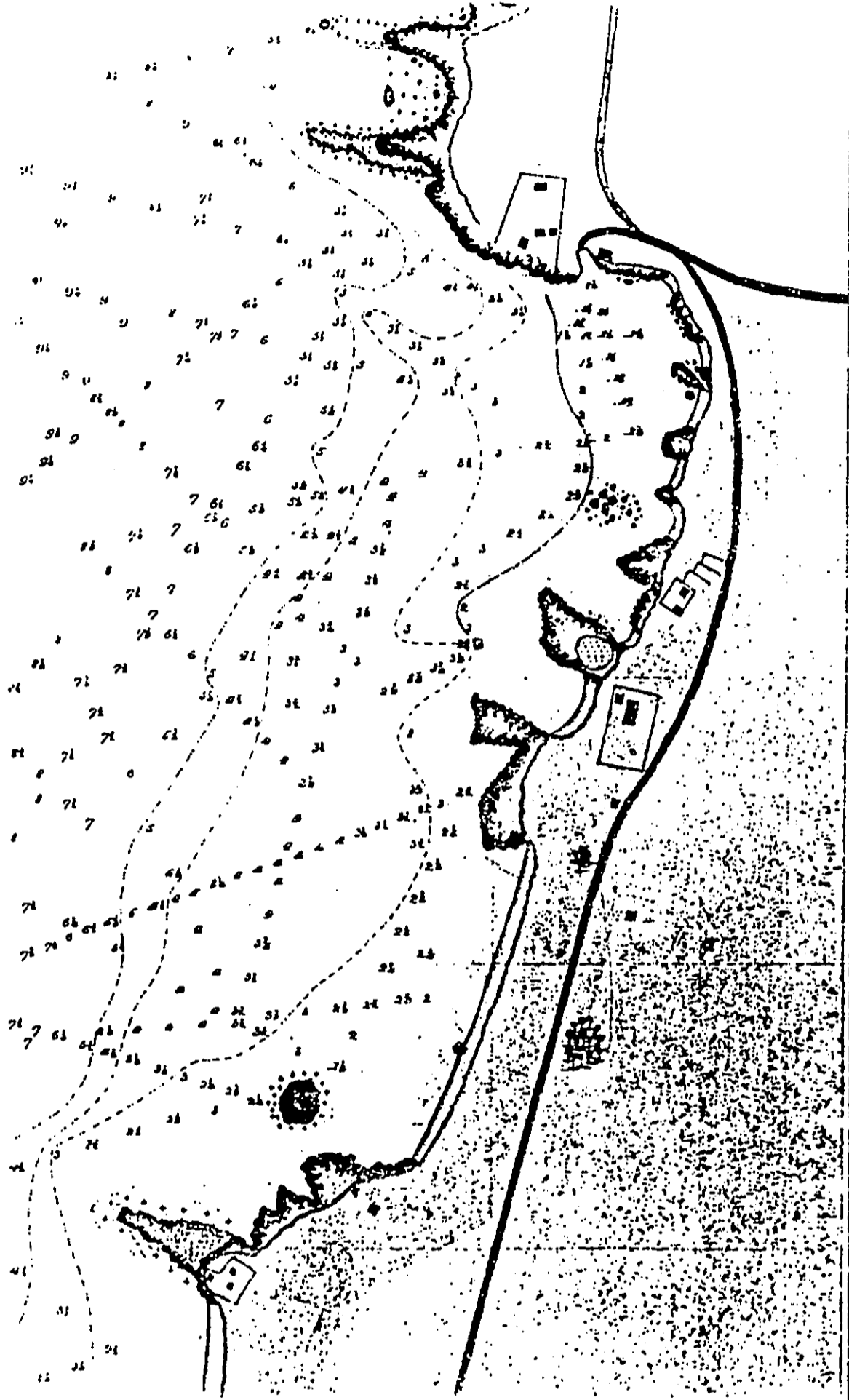


Fig. 8 . Portion of Map of Makena Bay by George Ed. Gresley Jackson, Surveyed in 1885. Shown is the alanui 'aupuni (Government road) running from the north, through the village of Makena, past the walled compound of the church and on south toward Keone'o'io. Also shown is Torbert's new road to 'Ujupalakua. Jackson's map ignores the road that led to the ... of ...

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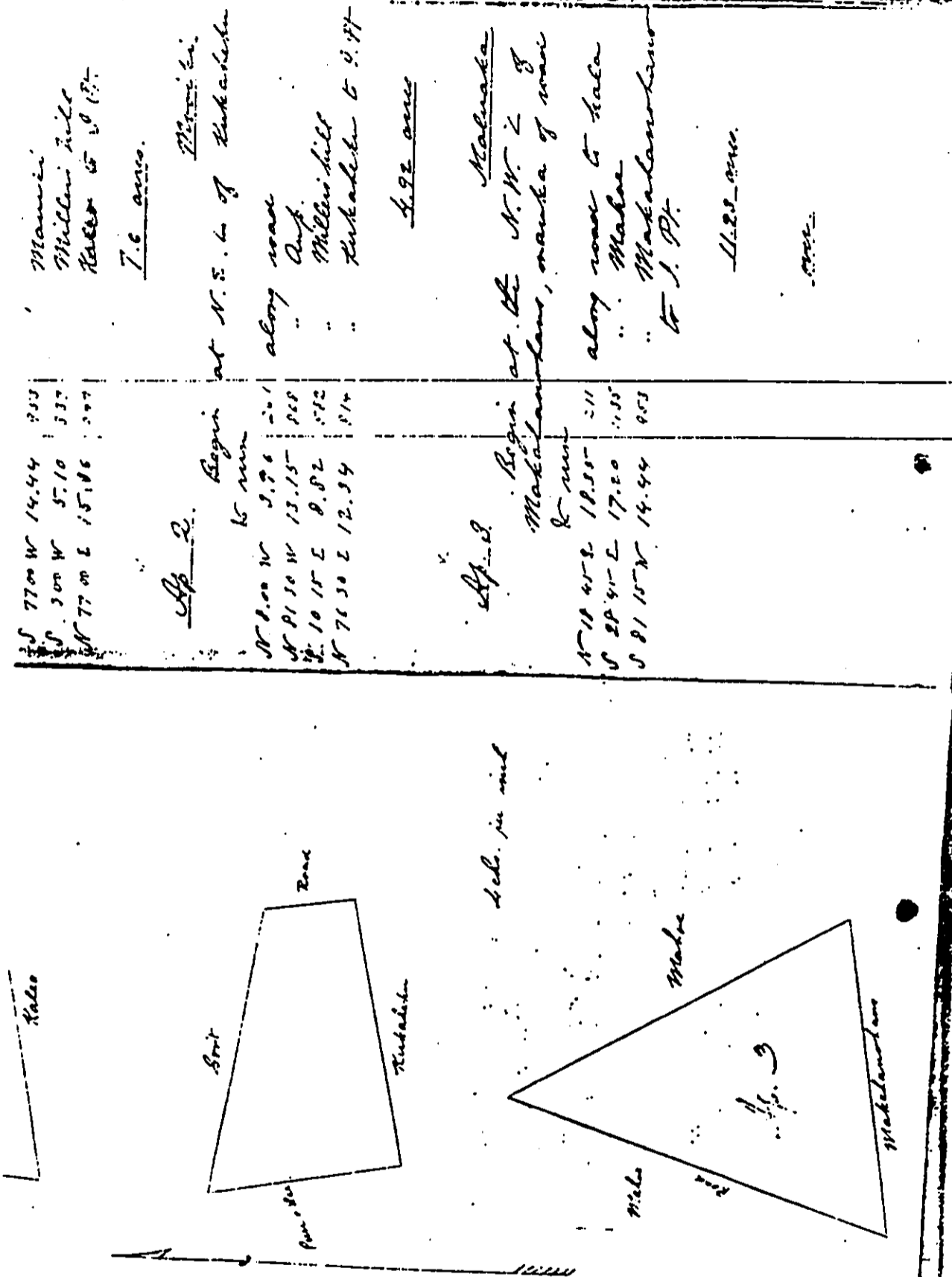


Fig. 9. Apana 2 and Apana 3 of Grant 1441 to L. L. Torbert, in Mo'oihi and Maluaka respectively. Sketches and boundary descriptions. Note one boundary on each Apana is along the alanui 'aupuni (government road). Cf. Alexander's map.



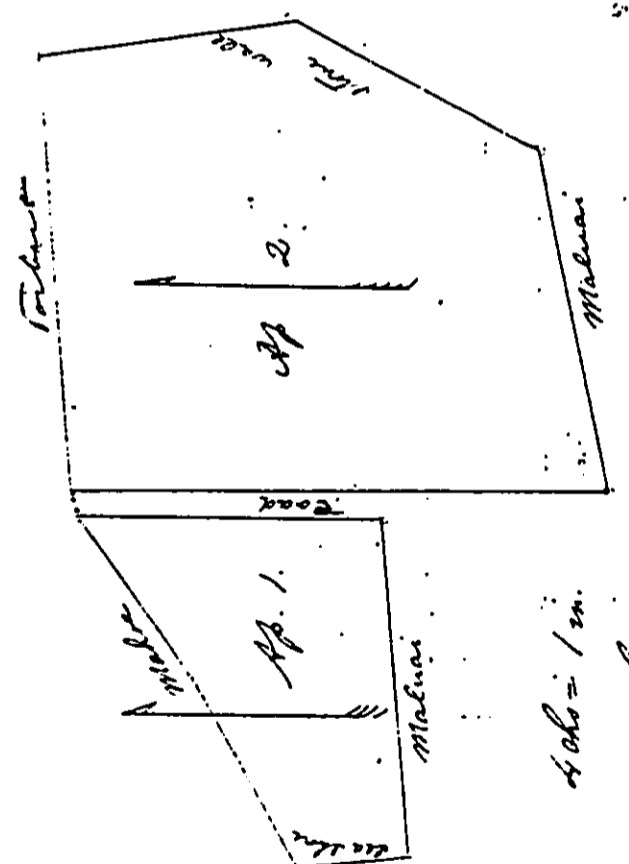
113

Grant 1508 Makahano

Ap. 1.		Begin at N.E. of Ihu and run to N.E. near Toke-t. S.P.		along Maluaka	
S 81 15 W	72	231 1/2	231 1/2	sec shore	
S 52 15 W	6.22	299 1/2	299 1/2	Maluaka	
S 60 00 W	7.23	277	277	road side to S.P.	
S 6 15 E	3.50				
N 84 00 E	11.05				
N 11 15 W	3.85				
					2.66 acres

Ap. 2.		Begin at N.E. of Toke-t. S.P.		
N 81 15 E	14.44	293	293	along Toke-t.
S 5 45 E	2.87	293	293	stone wall
S 26 30 W	2.87	293	293	Maluaka
S 75 00 W	11.30	293	293	road side to S.P.
N 1 15 W	17.34	293	293	



112

Fig. 11 a. Grant 1508 to Makahanohano at Maluaka, Honua'ula. Sketch & description of boundaries. Note alanui 'aupuni (road) between Apana 1 and Apana 2 (Cf. Alexander's Map, Fig. 48).

114

Grant 2481 Mooki

Maluaka & Ihuole

Begin at S.W. L. of this adjoining Maluaka		Run along Maluaka		along Maluaka	
N 44 00 E	1.81	119	119	Aupuni	
N 18 30 W	1.53	101	101	Maluaka	
N 11 00 W	2.84	117	117	stone road	
S 21 45 W	1.14	75	75	Aupuni	
N 80 15 E	6.97	115	115	Maluaka	
S 6 15 E	6.52	110	110	stone road	
S 78 30 W	5.85	55	55	Aupuni	
S 87 15 W	1.14	76	76	Toke-t.	
					2.321 acres

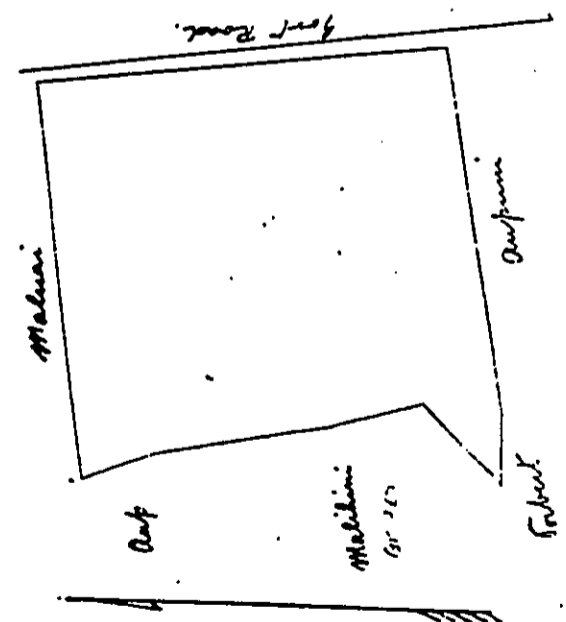
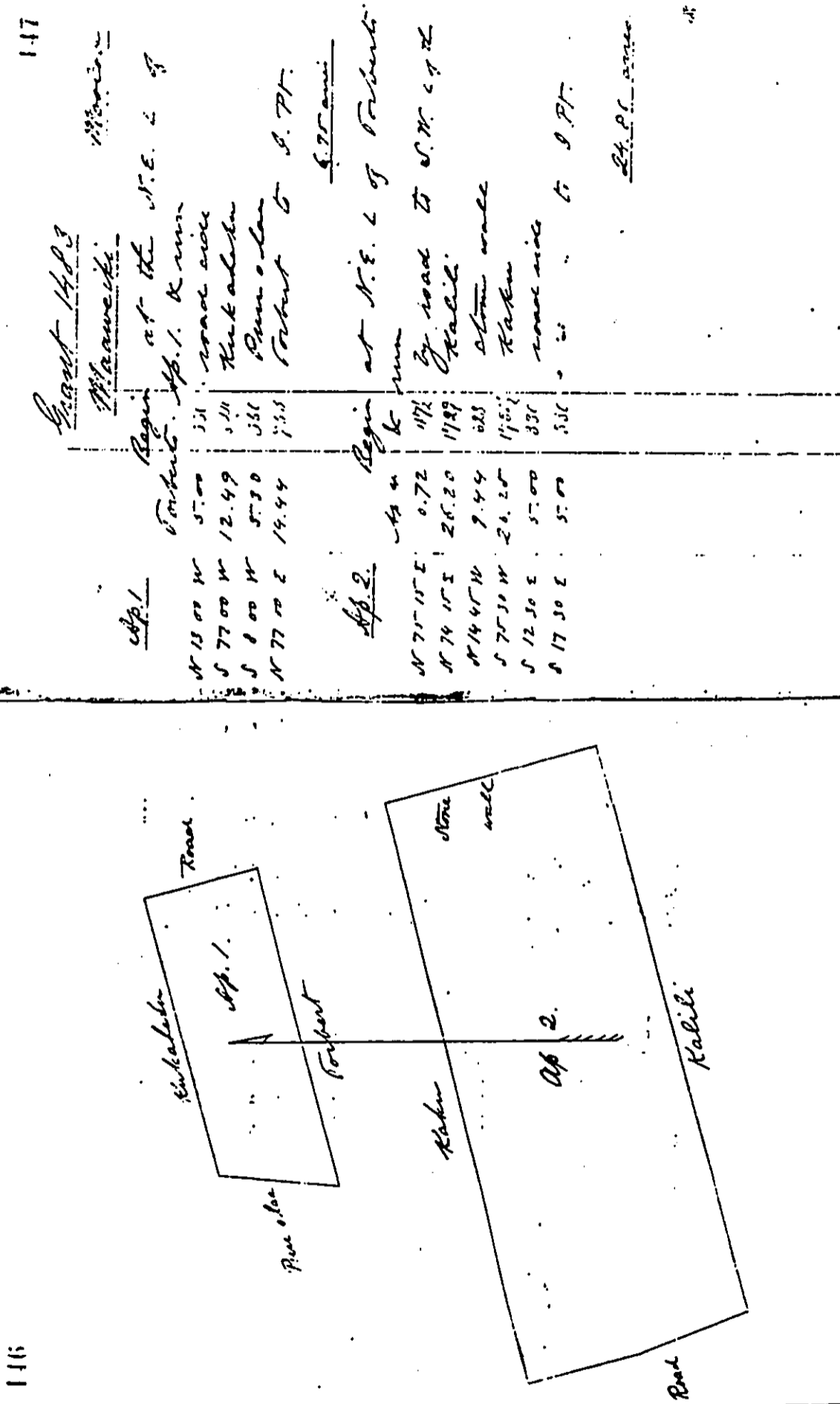


Fig. 11 b. Grant 2481 to Mahiai & Ihuole, at Mooki, Honua'ula. Sketch & description of boundaries. Note alanui 'aupuni (road).







146

147

Grant 1483  
Ma'aweiki

Apana 1		Apana 2	
N 13 00 W	5.00	As 4 to run	Begin at N.E. c of Tokubutu
S 77 00 W	12.49	N 75 15 E	0.72
S 8 00 W	5.30	N 74 15 E	26.20
N 77 00 E	14.44	N 14 45 W	9.44
		S 75 30 W	24.25
		S 12 30 E	5.00
		S 17 30 E	5.00

Tokubutu at the S.E. c of Ma'aweiki  
 road side  
 Kakahu  
 Puna o Lanu  
 Tokubutu to S.P.T.  
 S.P.T. area  
 by road to S.W. c of Kakahu  
 Stone wall  
 Kakahu  
 road side to S.P.T.  
 S.P.T. area

Fig. 13. Grant 1483 to Ma'aweiki in Mo'olooa. Apana 1 & 2. Sketch and description of boundaries. Each Apana has one boundary on the alanui 'aupuni (government road). Cf. Alexander's map.

Grant 1481  
Kaku  
Mo'oi  
Mo'oloa

Begin at N.E. c. of Ma'auiki (1/2 mile) along Ma'auiki

N 78° 00' E	25.00	5.00	stone wall Ma'auiki (1/2) road side to S. P.T. 26.11 acres.
S 22° 30' E	5.00	2.00	
S 7° 15' E	4.61	1.00	
S 78° 30' W	25.75	6.00	
N 13° 00' W	10.00		

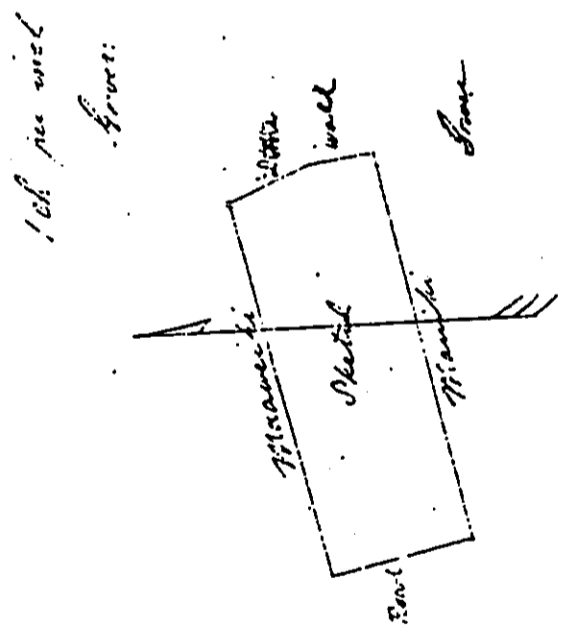


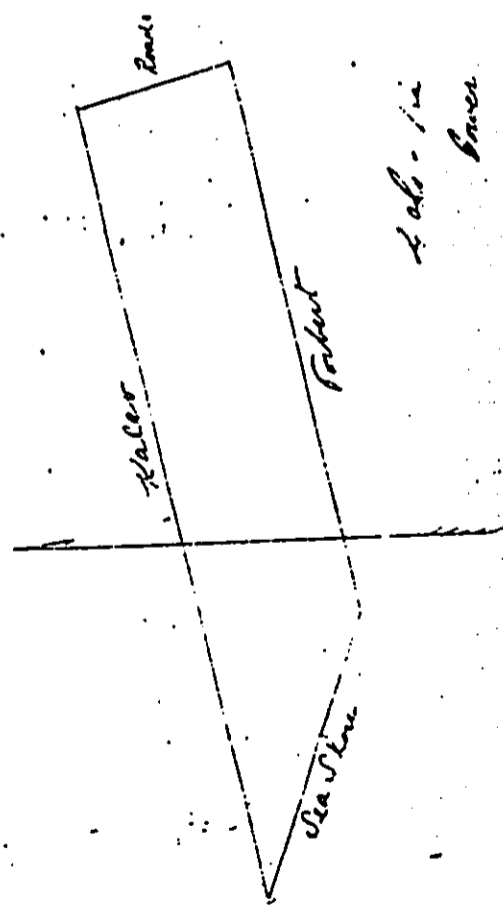
Fig. 14 a. Grant 1481 to Kaku at Mo'oiiki and Mo'oloa. Sketch & description of boundaries. Note alanui 'aupuni (road) on one boundary. Cf. Alexander's map.

Fig. 14 b. Grant 1482 to Nahualala'au at Mo'oloa, Honua'ula. Sketch & description of boundaries. Note alanui 'aupuni (road).

Grant 1482  
Nahualala'au  
Mo'oloa

Begin at the N.E. c. of Tahutu (1/2 mile)

N 17° 15' W	5.00	road side
S 77° 00' W	21.00	Kales
S 70° 15' E	7.66	Sea
N 77° 00' E	18.50	Tahutu to S. P.T.
11.18 acres		



Grant 1499  
Kalili

Mo'oloa

Begin at the S.W. c. of this on road, S 71 15' E 72 links from the N.E. c. of Maunū & Paalūki 6 min

10.00 ... along road side  
26.20 ... Maunū & Paalūki  
3.81 ...  
27.07 ... Paalūki & Kenui to S. Pt.

23 acres

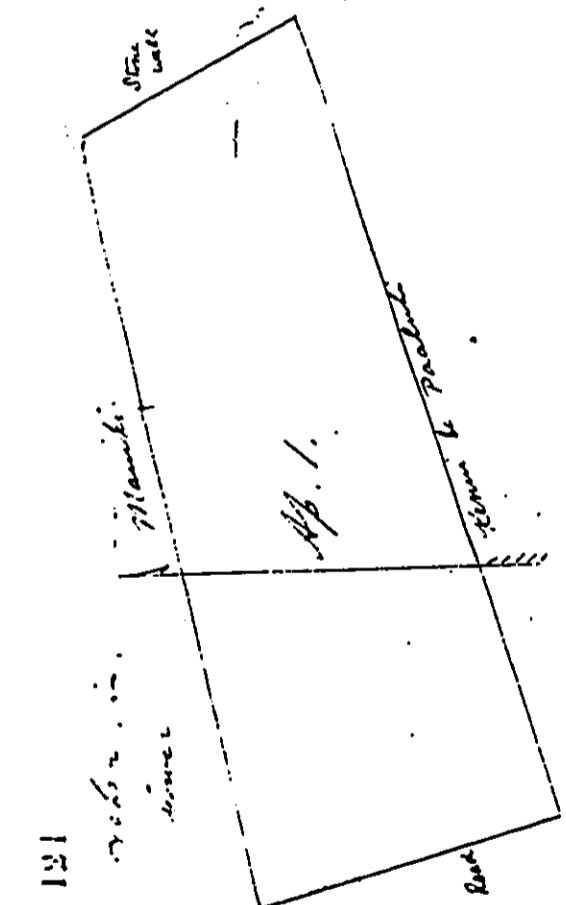


Fig. 15 a. Grant 1499 to Kalili at Mo'oloa, Honua'ula. Sketch & description of boundaries. Note alani 'aupuni (road). Cf. Alexander's map. 52..

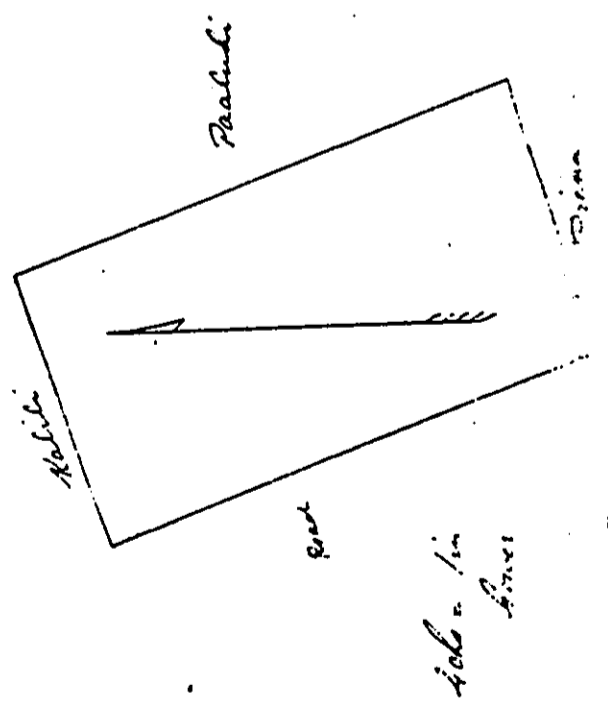
Fig. 15 b. Grant 1476 to Kenui at Mo'oloa, Honua'ula. Sketch & description of boundaries. Note alani 'aupuni (road).

Grant 1476  
Kenui

Begin at the N.W. c. of this, by road & land of Kalili & wind road side

16.56 ...  
10.00 ...  
16.00 ...  
10.00 ... Kalili to S. Pt.

15.27 acres



161

Grant 1498 Manu Mo'omuku

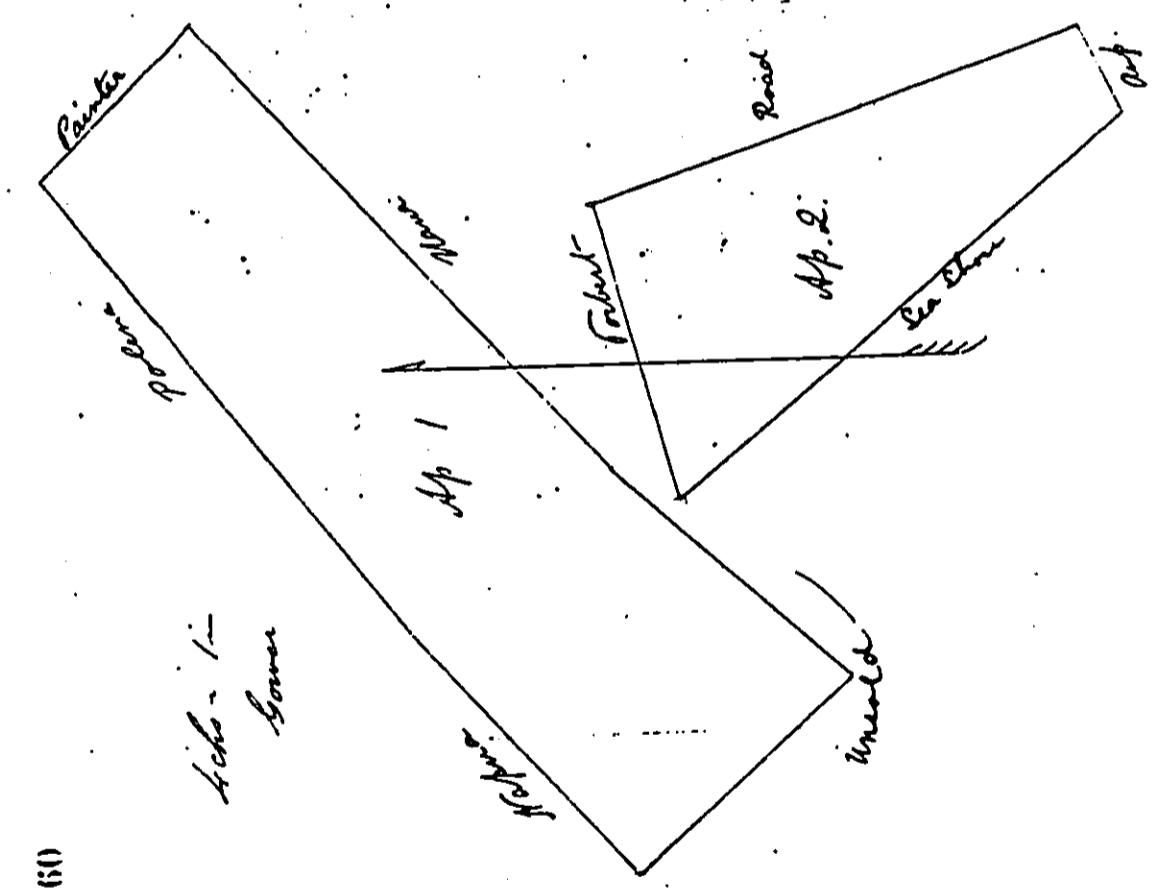
Ap. 1.	Begin at the N. E. of this, & run	at the N. E. of Painter's lot
S 51° 00' W	18.90	148'
S 46° 45' W	10.77	7' 11"
S 41° 30' E	9.29	6' 13"
N 42° 00' E	10.14	66'
N 46° 45' E	19.80	38'
N 47° 30' W	6.95	45'

Ap. 2.

Begin at the S. E. of this, by road, adjoining Robert's Ap. 4 & run	Robert's Ap. 4
S 74° 15' W	10.00 (0)
S 41° 00' E	18.81 (128')
N 52° 00' E	3.09 (20')
N 19° 15' W	16.56 (110')

28.15 acres Mo'olon

Pond  $\frac{1}{10}$  acre



160

Fig. 16 . Grant 1498 to Manu at Mo'omuku, Honua'ula. Sketches and boundary descriptions of Apana 1 & 2. Note alanaui 'aupuni (road) along one boundary of Apana 2. Cf. Alexander's map.





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and social activities of the earliest inhabitants of this coastline.

Today, sections of the original trail have been destroyed along the coast coming from the north into Mākena Bay and continuing on south past the Bay. Some of the road has been rebuilt on, superseded by the present Government Road, which, according to the early maps, taken approximately the same route as the old Alanui 'Aupuni through Mākena, as well as north and south of the Village.

The Hawaiian trail system concentrated usually on making walking easier and safer in the difficult places, such as steep ravines, and rough la'a flows, etc. Thus, trails on la'a are in many places still visible, while trails on sand dunes and sand beaches are, for the most part, not visible today. Walking on sand was not considered difficult or hazardous. Besides, in a sand-dune area, shifting sands would quickly cover any stone-paved walking trail that might have been built. Wind and high seas as well as seasonally shifting sand beaches have always been highly unstable footings for any kind of man-made constructions. Hawaiians knew this and therefore did not build any kind of permanent structure where these elements existed. They respected "Mother Nature," choosing for the most part to live with natural conditions at the shoreline rather than waste human energy trying to change them when the advantages were outweighed by the amount of energy that would have to be expended.

Along the shoreline, Hawaiian trails were often built on a lava flow or outcrop or ridge as it approached the sea. When a trail came onto the beach area from off a lava flow or low ridge,

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the marked trail usually ended and the traveller traversed the beach berm until the sandy area ended and the marked trail picked up again as it rose above the beach mounting a ridge or lava flow at the opposite end of the beach. At each end of the sandy beach the elevation of the ridge took the trail away from the wind-blown sand and out of reach of the rough, high-tide seas. On ridges or 'a'a the trail was usually marked and often made passable with water-worn smooth stepping stones ('ala), or crumbled 'ala lava forming a relatively easily walked on pathway.

In some areas where sand dunes had stabilized and been covered with vegetation, efforts to mark a trail on the dunes may have been made. Such stable dunes can be found at the south end of the Makena settlement at Naupaka Beach, about 100 feet seaward of Seibu's hotel and at the site of the proposed road closure.

It has been pointed out by Eddie Chang, who was born and brought up in the Makena area, went to school at the old Makena school, and even taught at the school after he had graduated from Lahainaluna School, that the road leading south from Makena was marked by a stone wall on the makai side of the road. He remembers this wall as being there all through his youth until about 1941, or 1942, when, during the course of World War II, the army brought in bulldozers to widen the road. At that time the sand-dune barrier wall was broken, leaving the large basalt stones scattered in a general alignment along the makai side of the present government road. Some of those rocks could still be seen in January 1986 (Fig. 18 ).

Chang's memory is very certain on this issue because as he said, "We used to walk here every day to school during school



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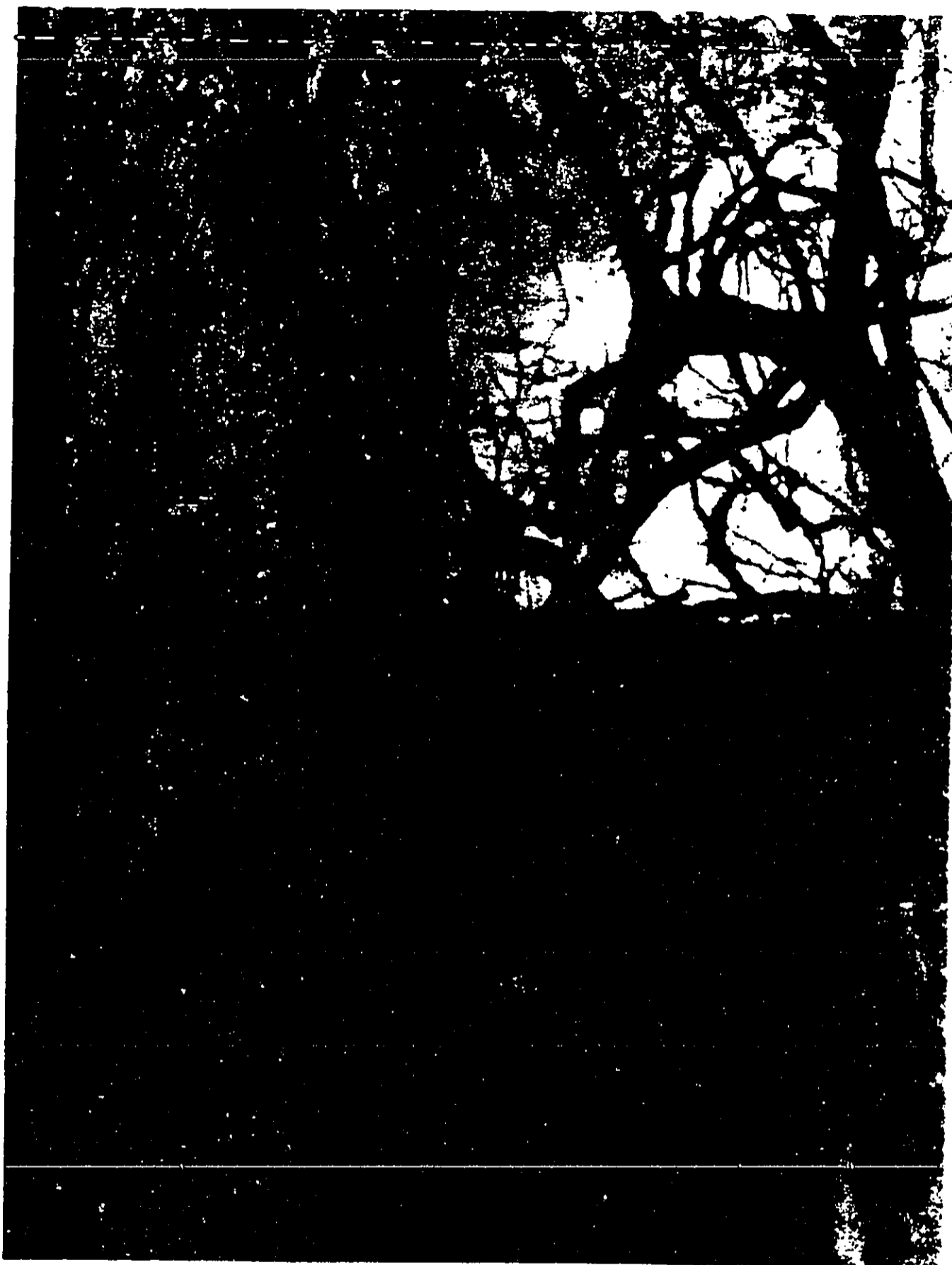


Fig. 18 . Edward Chong points to an alignment of rocks along the makai side of the road at the sand dune back of Naupapa beach. These rocks used to be in a wall that lined the alana'i ka'ike (also known as the alana'i 'aupuni) up until World War II, when the Army bulldozed the road to make it wider. (Photo by Edward Chong, Naupapa-hall, 1/20/80.)

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time. I went to school clear up to 15 years old, every school day" (Chang Interview 1/26/86). Chang said that the wall was built before he was born and that the old folks called the road the "Alanui Kahiko." As Chang recalled, the wall ran for a distance of between 400 and 500 feet, beginning at the edge of the sand dune going south toward Pu'u 'Olai. The wall went to the driveway of the old McPhee house, also known as the H.C. & S. Clubhouse.

Remnants of the stone wall were found in January 1986, just makai of the barbed-wire fence. This fence was put up by 'Ulupalakua Ranch, roughly 15 years ago. The stones had been partly covered by sand from the dune (see Fig. 18).

When Chang was a school boy, the children usually used the Alanui Kahiko, the ancient road to get to school. But after school was out, they took their time walking home. That was when they liked to climb over the wall and up to the top of the sand dune, so they could look at the ocean. There was even a kind of walking trail on the top of the dune because so many people walked over it all the time. Then, if the children wanted, they could easily go down to the makai slope of the dune and walk on the beach. This is what the fishermen used to do. Chang said, "This land used to be Government land....I don't know how 'Ulupalakua Ranch got it" (Chang, Interview 1/26/86). It was closed off about 15 years ago.

Chang also mentioned that there was once a grove of about 300 coconut trees close to the road in that same general area on the mauka side and extending inland on the Pu'u 'Olai side of the hotel. The place used to be called "Uluniu." (Chang, Interview

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1/26/86). Such a grove of coconut trees is depicted on the Jackson 1885 map of Makena Bay (see Fig. 8 ), in the same location mentioned by Chang. When the rainfall was heavy and water runoff increased, it tended to pond from the coconut grove all the way to David Lono's house. At George Ferreira's house the water pooled sometimes almost knee deep. That only happened during a particularly heavy rainy season. When there was a big surf, the waves washed in and left a pool of water at the present beach access on the north end of the sand dune.

The only plant that used to grow on the beach in this area was the beach morning glory, pohuehue [Ipomoea pes-caprae]. It grew on the beach below the sand dune. Once in a while it could be found climbing the sand dune when there was rain. Chang said he used to come down here to cut pohuehue for his pigs. He cooked the vines when he could not find the regular pig food, pig weed.

The present Mākena road is on the same path as the old road, the Alarui Kahiko, as the old-timers, grandfolks of Eddie Chang's childhood called it then.

#### Alarui 'Aupuni at Palauea

Eddie Chang identified a similar path of the Alarui 'Aupuni along the top of the berm of the beach at Palauea (Fig. 19 ). During Chang's childhood the road was used as a horse trail, but during World War II, the army turned it into a jeep road, following the path of the old walking trail, or Government Road. As the road continued south toward Mākena, it left the bay area and went up a small incline (Fig. 20 ). Although unused for many

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Fig. 19 . Palauca Beach. The alānui kabiko ran along the top of the beach berm. The road bulldozed by the Army during World War II followed much the same path. (Photo C-4, Box. 12, 1985).

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Person standing in a clearing in the dense forest, looking towards a small structure or clearing in the distance. The image is a high-contrast, black and white photograph.

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years, the path that the road once took is plainly visible and curbstones were still seen in some places. This is probably the route of the 'aupuni road identified on Torbert's map (see Figs. 3 and 5), and the "Road to Kalepolepo" identified on W. D. Alexander's map (see Fig. 7).

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#### Cultural and Historical Significance

Criteria for evaluating historic sites were published in the Federal Register (Vol. 46, No. 220, November 16, 1981). Section 60.4, Criteria for Evaluation, includes the following statement in its opening paragraph: "These criteria are worded in a manner to provide for a wide diversity of resources." Following the opening paragraph are listed the National Register criteria for evaluation of historic sites:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

(a) that are associated with events that have made a significant contribution to the broad patterns of our history, or

(b) that are associated with the lives of persons significant in our past, or

(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(d) that have yielded, or may be likely to

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yield, information important in prehistory or history.

Under the heading, "Criteria considerations," paragraph (f) provides one of the considerations under which a property may be considered to meet the criteria: "A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance...."

The author suggests that both the Alaloa of Kiha-a-Pi'ilani and the Alanui 'Aupuni of Hoapili fall into this category. On September 30, 1986, the Federal Government published its "Guidelines for Completing National Register of Historic Places Forms" in its National Register Bulletin (16).

The "District" category is spelled out as follows: "A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development" (1986:41). The explanation continues by defining the category "discontiguous district" in which "visual continuity is not necessary to convey the historic interrelationship of a group of related resources" (1986:41). One example, among others given, is that of "transportation networks" (1986:41).

Both the Alaloa of Kiha-a-Pi'ilani and the Alanui 'Aupuni of Hoapili would seem to qualify under this category. It would also include the Makena-Keone'ū'io Roadway, portions now abandoned as well as portions still in use.

Even the explanation of the restricted category "Site" includes the type of significance the criteria describe:

A site is the location of a significant event,



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a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure (1986:41).

Included in the examples are, among others, habitation sites, rock shelters, village sites, hunting and fishing sites, ceremonial sites, trails, and natural features, such as springs and rock formations, and landscapes having cultural significance (1986:41).

Examples of historic sites on the National Register that share similarities with the Alaloa or the Alanui Kahiko are the Redwood Highway (California State Highway No. 1), the Feather River Highway (California State Highway No. 70), and the Natchez Trail, or Natchez Trace Parkway. In the first case, two abandoned sections of the old Redwood Highway were found to be of "local historical significance" in the categories of "engineering and transportation" (National Register of Historic Places Inventory--Nomination Form, 1978:item 8, Significance). The Old Redwood Highway was built after World War I. Although the old road was in a "deteriorated state" it was put on the National Register.

Until the construction of the highway in the 1920s, transportation to this area was limited due to the lack of developed roads and transportation. The only way to transport materials from the area was by ship which was available on a small scale alone, or by

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inadequately engineered and poorly maintained wagon roads (National Register of Historic Places Inventory -- Nomination Form, 1978: item 8, Significance, history).

The Makena-Keone'ō'io Road also shares similarities with the Natchez Trail. Judging from the documents in the Natchez Trail case, the Makena-Keone'ō'io Road would be eligible for nomination to the National Register as a historic site, or the remains of the Alaloa of Kiha-a-Pi'ilani as a discontinuous district. Hawaiian traditions connect both with important people and events, giving them historical and cultural significance. Sections that remain are excellent examples of the engineering technology used in building both roads.

Sections of the Redwood Highway had been built on the same alignment as the old "Crescent City-Trinidad Wagon Road" although some of it had been "upgraded and partially realigned and rerouted...for automobile traffic" (1978, item 7, Description).

The Natchez trace reveals the transportation history of its area. It was heavily used in the 18th century, but less so in the 19th century when river boats provided an alternative. In the 20th century construction of a modern parkway began that followed much of the old trail between Natchez and Nashville. The Department of the Interior preserves portions of the old trace and has an active educational program for visitors to the area.

In the cases of the Alanui 'Aupuni, and the Alaloa, rich traditions put them into precontact times (before 1778). Both roads have much to recommend them as culturally significant and important sites.

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### Conclusions and Recommendations

There is sufficient evidence, both direct and indirect, that Honua'ula District on the Island of Maui had a well-developed trail system established in ancient times, and that, for the most part, the present roads reflect the general orientation of this ancient trail system with roads leading both mauka-makai and along the coastline. These roads often intersect at the bays where canoe landings took place, thus reflecting the two main methods of travel in ancient times: walking and canoeing. Mākena Bay was such a canoe landing. At Mākena the old alanui 'aupuni (government road) led travellers mauka to the inland sweet potato gardens of the Hawaiian farmers and along the coastline both north and south to connect Mākena Village with other fishing villages--Ma'alaea and Kalepolepo to the north and Keone'ō'io and Kanaio to the south, and beyond both ways as W. D. Alexander's 1885 map indicates (Fig. 21 a & b). The coastal trail beyond Keone'ō'io is particularly clear on the aerial photographs of the area (Fig. 22 ).

In those parts of an island where considerable distance separates the upland from the shoreline--perhaps by as much as two or three miles--there are often inland trails that connect the mauka communities to each other, as well as coastal trails that connect coastal communities and the usual mauka-makai trails. This was the case in much of Honua'ula. Even the U.S.G.S. Quadrangle Map (1923-24) for this area indicates the presence of both the upper and lower trails and labels them as



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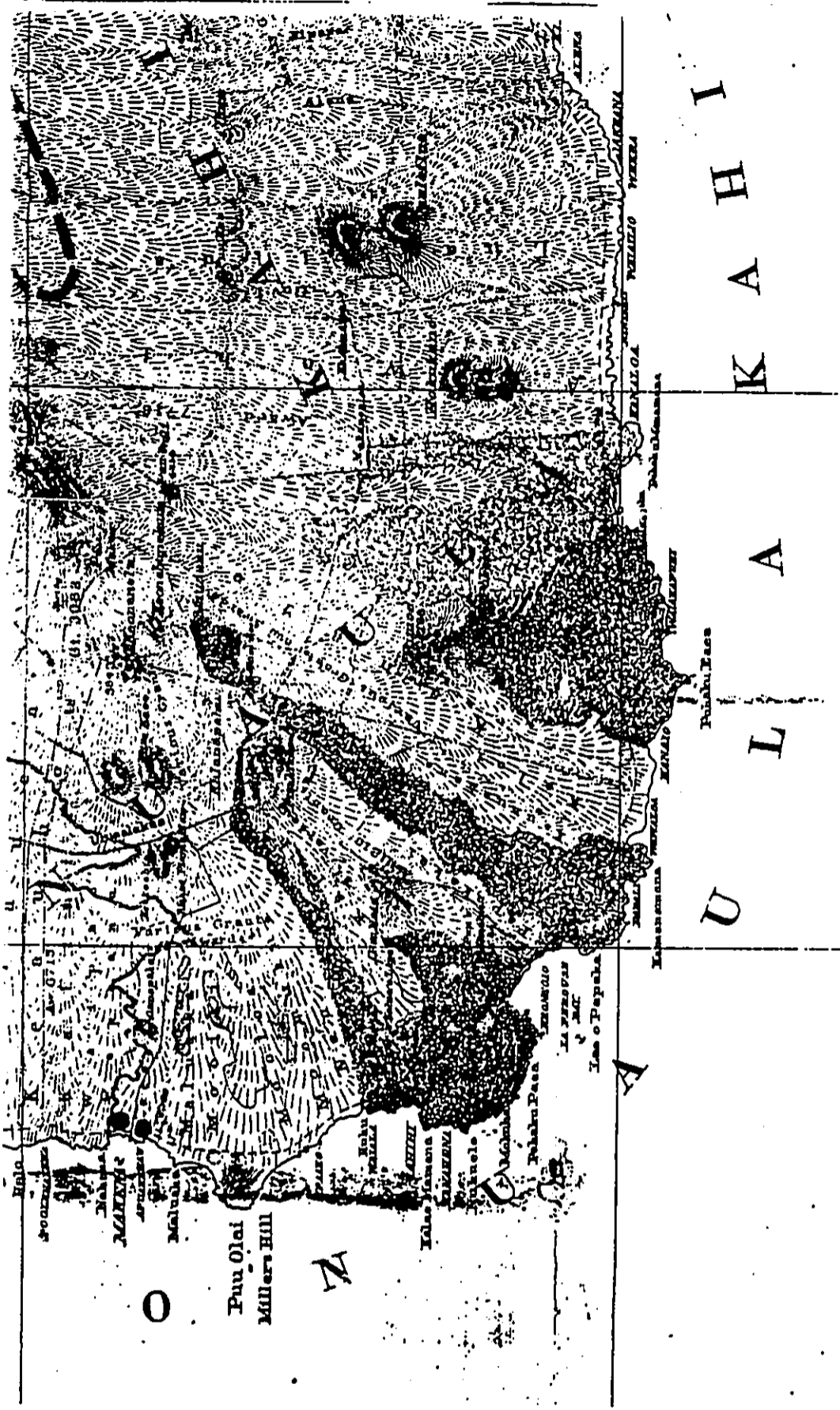


Fig. 21 b. Portion of Hawaiian Geopline Survey No. 4 by Alexander, 1933, for Kauai Island, originally published by Alexander in 1969, 1979. Note shoreline from map to north of Nahaia, containing south and north to Kapaeha strict of Nahaia.

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FIG. 1. (continued) Phot. 25x40x. The surface shows the same  
structure as in Fig. 1. The surface is highly textured and  
irregular, showing a complex, branching pattern.

such (Fig. 23 ).

That the lower trail continues in a southeasterly direction and then an easterly direction after it passes Keone'ō'io on its way to Kahikinui and beyond, shows up clearly on the aerial photograph (see Fig. 21). It connects the scattered hamlets along the shore at small bays where canoes could land and from which fishing could be pursued by the inhabitants.

The old inland trail was located between three and four miles from the seashore, according to the Alexander map of Honua'ula. The map also shows a large number of Land Commission Awards and Grants located between the old upper road and the coastal road all the way from Maluaka to Kanaio. In Kanaio occupation of the land above the old upper road went a mile or more inland from it. Alexander's map records roads and trails connecting the coastal road with the old inland road for the convenience of the people who occupied both areas and much of the land between the settlements.

These trails were an integral part of ancient Hawaiian culture and continue to be lifelines in the present for residents along the coast and for those who are today forced by circumstances beyond their control to live at great distances from their family's old homestead at the seashore in Mākena and other similar coastal communities of Honua'ula.

In these times, perhaps for the first time in a hundred years or more, there is a Hawaiian cultural revival taking place. Today, many Hawaiians are becoming aware of their heritage and are interested in locating all the heiau in the district, the kōla (fishing shrine), the ala hele (walking trails) the pohaku

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Fig. 23 . Portion of U.S.G.S. Mākena Quad. (1923-24), 1:62,500.  
Note lower trail along the coastline and Upper trail  
with its elevation varying between approximately 1600  
to 2000 ft.



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kilo (place where the lookout fisherman stations himself to watch for fish entering the bay), the canoe landings and the lore of their homeland. Hawaiians today need and want to have an understanding of the important relationship between these material things and the social, psychological and economic well-being of their ancestors. They want to know how these cultural elements relate today to their own well-being, creativity, and sense of worth. Today, also, many Hawaiians want to be able to develop a sense of what it means to experience many of the elements that their ancestors experienced in their day to day life in ancient Hawaii. Many Hawaiians continue to gather food along the shoreline and fish for subsistence; an experience that provides an important contact with the lives of their ancestors. But to be able to gather seafood and fish means that Hawaiians today must have access to the shoreline as did their ancestors. In addition to preserving the material culture of the Native Hawaiians, we have also to preserve the intangible elements of Hawaiian cultural heritage, the sense of belonging to a recognized cultural group whose contributions to the history of mankind on this earth are acknowledged and appreciated.

Basic Hawaiian cultural values can be expressed as (1) affiliative rather than achievement oriented, (2) cooperative rather than competitive (3) sharing and giving rather than accumulative and exploitative and (4) oriented to the needs of the group rather than individual desires. The contradiction between Hawaiian values and those of western society was so great and the pressures so strong against Hawaiian values that many elements of Hawaiian culture were lost. Relatively few Hawaiians

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for example, have a good working relationship with the Hawaiian language. Relatively few Hawaiians grow their traditional crops, or fish in the traditional ways today. Those who do need to be encouraged and aided in every way to keep their traditions alive.

One of the reasons, for example, that many Hawaiians do not grow the traditional crops is that in the period of the Mahele of 1848 and the Kuleana Act of 1850, when land tenure was changed from the ancient Hawaiian system of undivided use rights to the land into the modern western system of private ownership of land, the great majority of Hawaiians who were otherwise eligible, were not awarded land, and as a result of this change in tenure, these people became landless. They represent between 70 and 75% of the total adult male population in 1850. In addition, the general lack of access to money in the mid-nineteenth century rendered even many of those who had been awarded kuleana lands landless when they were unable to pay property taxes required by their own government. Many writers of that day bemoaned the alienation of land from the farmers by the government because they didn't have the money demanded to pay their land tax. Without land, Native Hawaiians today are hard pressed to practice traditional subsistence farming. Similarly, without access to the sea, Native Hawaiians today will not be able to practice the fishing skills of their ancestors. They are being forced to give up their cultural traditions by a government that has the duty to protect those same traditions.

Shifting to a different set of values is hazardous, to say the least, and Hawaiians have not fared well in many ways. For example, Part-Hawaiians have the highest infant mortality rate,

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16.6 deaths per 1,000 live births. This is more than double the next ethnic group, which is haoles with 8.0 infant deaths per 1,000 live births. Part-Hawaiian have the highest rate of deaths between the ages of 1 and 4 (1 in every 43.4 deaths among part-Hawaiians occur to children between 1 and 4 years of age. For other ethnic groups combined, the rate is 1 in every 275 deaths). Part-Hawaiians have the highest rate of deaths between ages 15 and 19, in relation to total deaths for all ages within the group. (1 in every 27 deaths among part-Hawaiians occur to people between 15 and 19 years of age).

In admissions to state drug treatment facilities, Hawaiians and Part-Hawaiians had 405 admissions, or 42.5% of all admimssions. 41% were under 18 years of age, 64% had less than high school education, and 81% were unemployed. Hawaiians often view themselves as failures according to the values of western society. Whereas, in reality, many of their traditional values are more humane and caring of their fellow men and women than many of the values basic of our highly technological and individualistic western society. For example, Hawaiians stress the importance of the extended family, the lohana. In modern society the word family most often refers to the nuclear family: mother, father, and children. In this family the grandparents and grandchildren have disappeared, and this at a time when people are living longer than ever before. And in recent times we talk about the single parent family, another step toward individualism and away from the sense of belonging to a group, the extended family.

Much needs to be done to develop an appreciation among the

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Hawaiian youth today of the high levels of achievement their ancestors. One very simple way to show Hawaiians that their culture has worthy elements is to end the destruction of the cultural sites found throughout the islands, and to promote rebuilding and preservation of the most important ones, particularly those that provide an understanding of the relationship between farmers and fishermen in traditional times and that illustrate the connectedness between and among the residents of one or more areas within a district and their relation to other districts.

The preservation of historic sites, including roads in their full use, heiau, ko'a, and other elements of Hawaiian culture will also provide the visitors with an appreciation of the high points achieved by the indigenous people of these islands. It is not only the Hawaiians who will benefit from the preservation of Hawaiian culture, but visitors, too, will add much to their appreciation of the people whose Islands they have come so far to see and experience. There is more to Hawaiian culture than just sites. But preservation of archaeological, historical and cultural sites that link the modern Native Hawaiian with Hawaiian culture is the best way to preserve the deeper values of that culture and maintain the cultural integrity of the Hawaiians as a group.

In the case of the road at Mākena, the most important contribution the County of Maui could make to its citizens would be to keep the road open to the public as part of the ancient alanui laupuni, or alaloa of ancient Hawaiian times, in other words, to follow the original plan developed by Kīhei-Mākena

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Citizens Advisory Committee to provide public access to the shoreline and nearshore resources.

What often happens, and Waikiki Beach is an excellent example, is that the Native Hawaiians and their culture get pushed farther and farther into the background while the foreigners needs are fulfilled, particularly when the issue has to do with economic subsistence. Certain other cultural elements such as music and dance (hula), and even parts of the language and history are used to entertain the foreign visitors. Waikiki Bay used to be one of the prime fishing places on O'ahu. From its beach Hawaiians launched their net-filled canoes to surround the great schools of fish that entered the bay, or they dived among the coral caves harvesting lobsters and other delicacies from the sea. There are photographs in the Hawaii State Archives of nets drying next to canoes on the sand at Kuhio Beach. Today the fish are gone, the holes in the coral reef filled with sand and no Hawaiian fishermen are seen practicing their skills at Waikiki. Fortunately, Maui County still has the option of nurturing and acting to preserve these ancient skills. There are citizens who still know and practice these skills. They do so, many of them in order to be able to feed themselves and their families, but also because it gives them pride in being able to practice many of the same skills used by their ancestors.

Thus, to use the same trail by the sea that their ancestors used, even though it may now be paved, and they may drive on it in their pick-up truck, still the knowledge that their ancestors paved the way and that this road had a meaningful purpose to their ancestors that they now as modern Hawaiians can appreciate

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and utilize the same road for the same purposes carries a strong, positive cultural message to many Native Hawaiians today. When linked in this fashion to Hawaiian culture, the mere presence of the road along the coastline and its continued availability gives modern Native Hawaiians a sense of worth, reminds them of their cultural heritage, and provides them with a feeling of security in cultural continuity, something that is missing among so many Native Hawaiians whose cultural elements have been destroyed and replaced with foreign objects to which Hawaiian find it difficult, if not impossible to relate in any meaningful way.

A trail connects communities; it connects people with each other. A trail along the coastline not only provides this important social function among the inhabitants of the area, but it also functioned to make the ocean accessible for obtaining food to sustain life. The same holds true whether the trail is used for walking, as it once was, or whether it was transformed into a horse trail or a cart trail or road, or a highway for modern automobiles and trucks pulling modern fiberglass boats loaded with nylon nets on trailers. Despite the changes and transformations, the cultural values remain intact.

By maintaining the road and the access that it provides and has provided for centuries, perhaps as long as a thousand years, the County of Maui and Seibu Hawaii will have aided in the preservation of Hawaiian culture and at the same time provided the visitors to Hawaii with an appreciation of the culture of the peoples whose land they have invaded for a few days, and they will want to return to learn more about that culture. We should

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make certain that there will be something left when they return. More importantly, a resource of significant historical and cultural value will be preserved and will continue to be used in full contemporary fashion, inspiring generations of people to come.

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Appendix A: The Alanui 'Aupuni, Papakawai to Pohakuloa,  
December 11, 1985.

On December 11, 1985, Leslie Kuloloio, Charles Keau and the author traveled to La Perouse Bay where we left Keau's jeep and began the hike.

While walking toward the 'a'a flow along the shore, we saw evidence of at least one village under the kiawe trees and short sections of a boulder-lined roadway makai of the village, leading toward the 'a'a flow.

From under the kiawe trees at the eastern end of the kipuka we picked up the alanui 'aupuni that led us across the 'a'a flow. We walked for about four hours and then took the side trail to Pohakuloa Bay where we ate lunch, rested for about half an hour and then returned along the fishermen's alahahele that follows the shoreline closely: on the pali where the 'a'a flow drops into the sea, and along the beach berms when the trail drops off the 'a'a flow onto a beach.

The following figures illustrate elements of the alanui 'aupuni that we observed and scenes along the way: Figs. 24 - 35.

The discovery of portions of an older, narrower, and rougher alanui that ran parallel to the wide, straight, Alanui 'Aupuni, leads the author to believe that the wider trail was probably built, at least much of it, on the earlier, narrower trail. And, according to local tradition and some recorded history, the wider version of the Alanui 'Aupuni was built by prison labor sometime after Hoapili became governor of Maui in 1826, but



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Fig. 24 . Leslie Kuloloilo and Charles Kea on the alapa  
'aupuni at Papahāhāi, Honolulu, Ma. H. Photo taken looking  
westward toward Palu'ana. (Photo 2-3, Dec. 11, 1985).

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Fig. 4.2. Leslie Kulololo standing on the alannu 'aupuni and Charles Keau in an  
cutlier, but now abandoned former alannu 'aupuni, much of which has been destroyed  
in the building of the wider and straighter roadway. (Photo B-3, Dec. 11, 1985).

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Fig. 26 . Leslie Kuloloio and Charles Keau measuring the width of the alansi 'aupuni. It was 10 feet wide, with "curbstones" taking another foot on either side, making the original roadbed about 12 feet wide. Stones lining the sides of the road were up to about 2 feet high. The height of the roadbed from the bottom of the gulley on the mauka side of the road was 7 feet. The roadbed consists of cinders averaging about one inch in diameter and smaller to sand size. The road is in poor condition here. (Photo B-3, Dec. 11, 1985).



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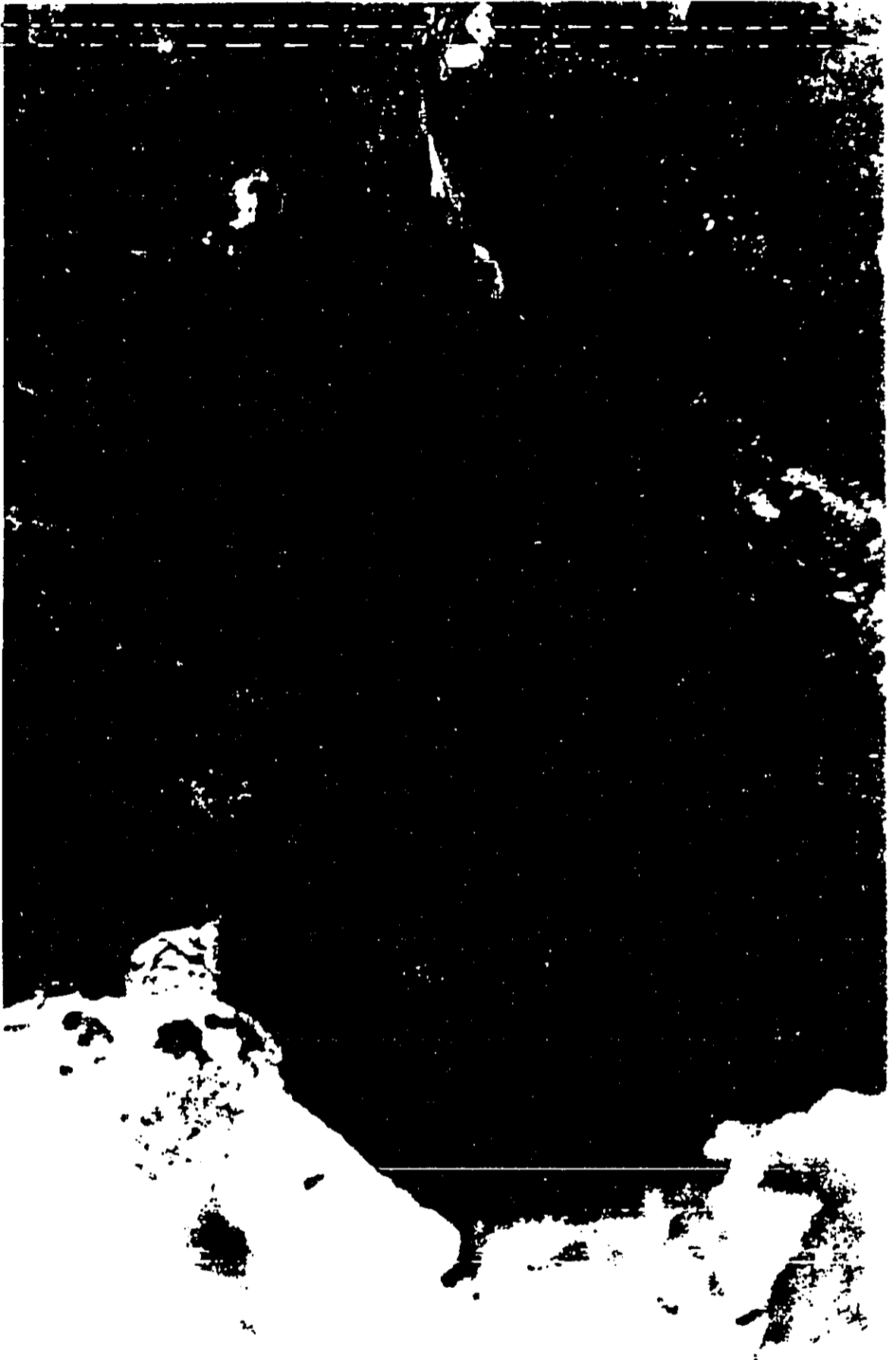


FIG. 28. A view of the surface of the rock specimen from the Salama Salama area, showing the characteristic texture of the rock. The rock is a dark, crystalline material, possibly a type of igneous rock, and is shown in a close-up view. The surface is highly textured and appears to be composed of small, irregular grains or crystals. The lighting is dramatic, highlighting the rough, uneven surface of the rock.

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Fig. 29 . Alanui 'aupuni comes off the 'a'a flow at Kalama Bay. It picks up again at the eastern side of the kipuka and continues across the 'a'a flow. (Photo B-27, Dec. 11, 1985)

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Fig. 30 . Hala grove in a kipuka beside the alanni 'aupuni . A shallow brackish-water hole provided its nourishment . (Photo B-25, Dec. 11, 1985)

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FIGURE 31. East of the hala grove, a maku-makui alani meets the alani 'apuni. This maku-makui roadway is probably used by fishermen from Kanaloa-aka. (Photo by Dr. J. H. 1985)



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Fig. 5. Pohakuloa Bay, with evidence of former habitation and use in recent times.  
(Photo B 29, Dec. 11, 1985)

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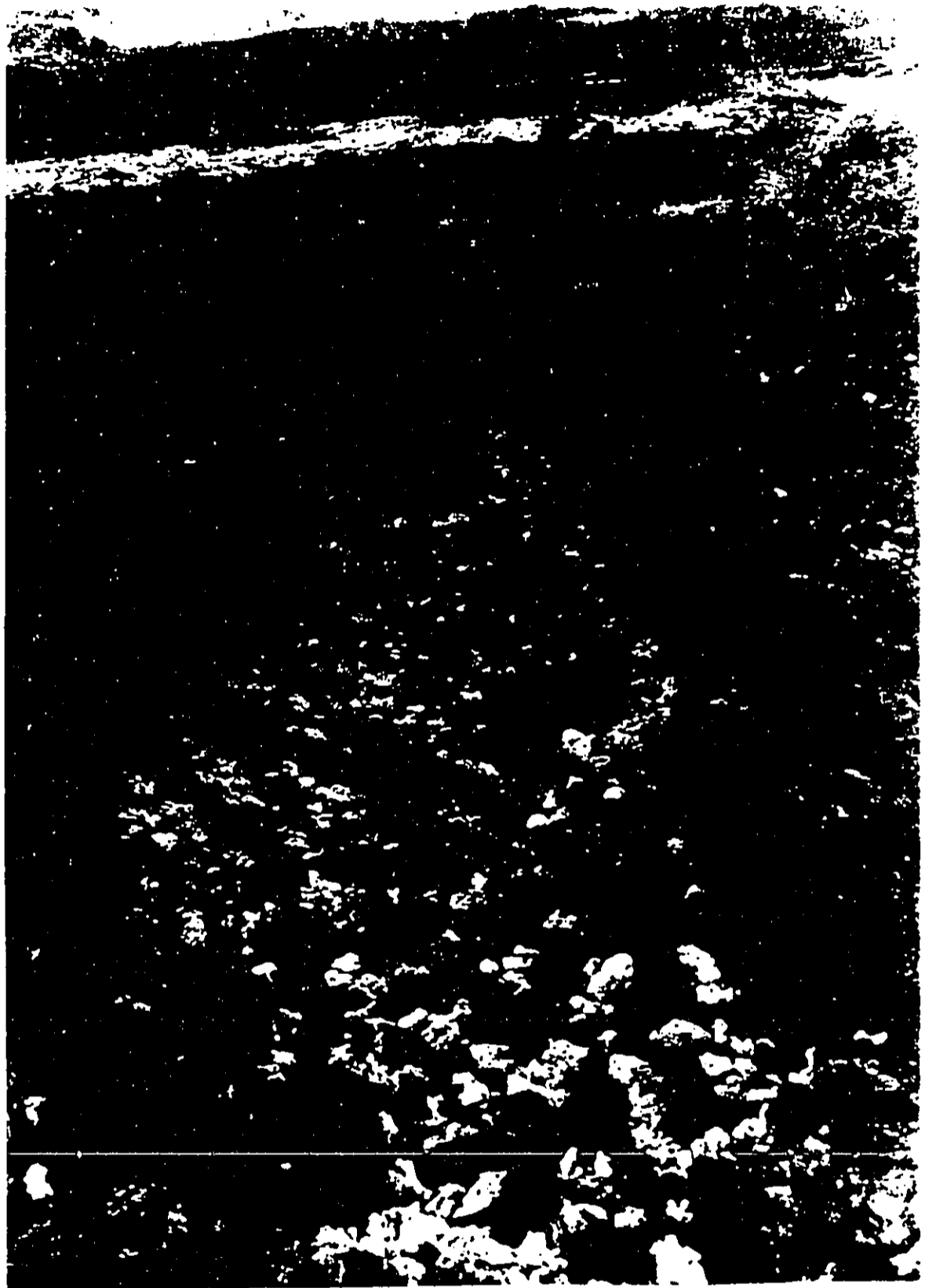
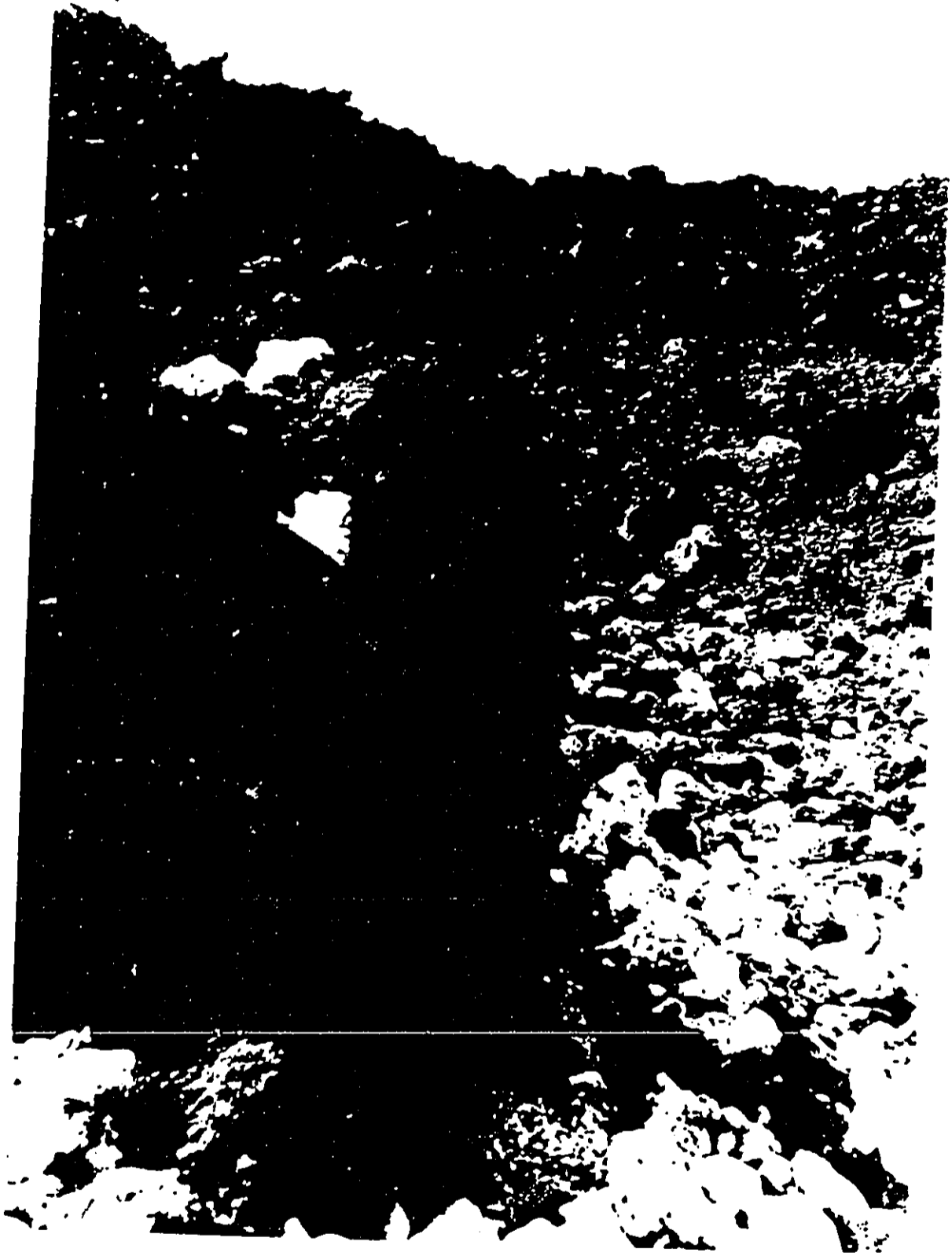


FIG. 3. View looking into Petakuloa Bay from the shore. The dark, jagged rock formations in the foreground are composed of basaltic rocks, while the lighter, more textured surface in the background is composed of limestone.

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The west of Port Crown Bay the albatross fishermen's trail runs along the coastline closely, and pieces of white plastic were seen. It was easy to pick up the trail by following the lead line to follow it night. (Photo taken by the author)

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FIGURE 1. Large stepping stones placed on the first  
step of the mountain. The stones are the same size  
as the ones in the photograph. The stones are  
placed on the first step of the mountain.

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before he died in 1840 (Barrère Ms.:27).

Hoapili's governorship of Maui was stern but just, and his decrees conformed to the laws imposed upon his people by Kamehameha III, under the guidance of his Christian guardians and advisors. These early laws were brief and pointed. In 1827 appeared the first Penal Code of Hawaii, forbidding "murder, theft, illicit intercourse, the selling of rum, prostitution, and gambling." In 1829 and 1834 these laws were reiterated, and punishments were provided for breaking the laws. That for the crime of "illicit intercourse" the so-called Moe Kolohe law, was the payment of a fine of fifteen dollars or its equivalent in property--five dollars in money or kind went to the king, to the governor, and to the offended party.

In 1834, in default of a fine of money or property, the punishment was imprisonment for four months, or a sentence to hard labor for an equal length of time. Under this last provision, government roads and walls were built and maintained all over the islands. The stretch of trail seen from La Perouse Bay [Keone'o'io] to Manawainui Gulch [Kaupo] in East Maui, now called the Hoapili Trail (Hawaii Register Site No. 50-50-15-572), was

built by the labor of men and women being punished for breaking the Moe Kolohe law (Cheever 1851:138-139; Barrere Ms.:27).

Cheever wrote about the results of the work by prisoners on the roads of Maui under the administration of Governor Hoapili:

Two days and nights of continued muel-riding and canoeing from Wailuku, through the bishopric of Mr. Green and the Blind Preacher, have brought us, worn and weary, to the quiet Station of Hana, East Maui, where visitors, or haoles of any sort, seldom make their way. It is too inaccessible, and far from any port, for sailors to get to; and the way is too rough and long for common travellers and explorers.

Yet it is a way not devoid of interest and novelty, especially that part of it which runs from Honuaula to Kahikinui and Kaupo; for it is a road built by the convicts of adultery, some years ago, when the laws relating to that and other crimes were first enacted, under the administration of the celebrated chief Hoapili, in whom was the first example of a Christian marriage.

It is altogether the noblest and best Hawaiian work of internal improvement I have anywhere seen. It is carried directly over a large verdureless tract, inundated and heaved up by an eruption from the giant crater of

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Hale-a-ka-la; and when it is considered that it was made by convicts, without sledge-hammers, or crow-bars, or any other instrument but the human hands, holding a stone, and the Hawaii Do, it is worthy of greast admiration. It is as great a work for Hawaiians, as digging the Erie Canal to Americans.

A Yankee engineer, to stand on either side of that vast field--and yet, by reason of its pits, and ravines, and blown-up hills, and dislocations, not a field, but a chaos of blackened lava--would be confounded and put to his wit's end to know where to begin and carry a road (Cheever 1851:138-139).

Straight over such a tract, crime itself, under the energetic management of Hoapili, has built a commodious road from Honolulu [Honua'ula] to Kaupo. Like the old man in "The Rime of the Ancient Mariner," we almost "blessed it unawares," as our mules safely trotted or cantered by moonlight over the path it had made....

It is made by running two parallel walls about twenty feet apart, then partially macadamizing the space between, and covering it with grass or stubble. For fifteen or twenty miles it runs almost like a railroad, only turning a little now and then to avoid some

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gigantic boulder, or forced into a zigzag to get over some precipitous ravine, which it would seem as if an impetuous after-stream of devouring fire from the mountain had ploughed and eaten through, till it reached the sea (Cheever 1851:140-141).

Local tradition translates the words "and others" in Cheever's explanation as to the types of crimes for which the prisoners were incarcerated, to mean persecution of Catholics, which was popular in the days of Hoapili. Hoapili's persecution of Catholics was an embarrassment to some of the Protestant missionaries, although at the same time they wished Catholicism suppressed. One of the ways out was to declare that they were not being persecuted for being Catholics, or for practicing Catholicism, but rather for breaking a law that prohibited people from worshipping images (Yzendoorn 1927:70).

Rev. Green of the American Mission was highly critical of Hoapili, who in his zealous efforts to be an exemplary Protestant Christian, punished adherents to Catholicism with exceedingly heavy labor.

In a letter to David Green, Rev. Jonathan Green wrote that the Hawaiian chiefs were, in his opinion,

stupid, obstinate, covetous, oppressive....  
my heart is almost broken viewing the  
abominably wicked exactions of the chiefs,  
and none is much before Hoapili (1834, Nov. 25).

Rev. Green and Rev. Lorin Andrews both resigned from the American Board of Christian Foreign Missions in 1842 because they



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didn't believe it was right to accept "support that was tainted by having come partially from contributors in slave-holding states (Davis 1979:146).

Abraham Fornander was in 1865 Inspector General of Schools, and in carrying out his duties, he visited the schools of Maui. In his report he mentioned travelling from Keawakapu to Kanahena, where he "selected a small spot on the Government land near the sea, on which to put the new [school] house" and then travelled on to Keone'ō'io, which he reported was in the middle of a "perfect mass of black lava clinkers, unrelieved by a single blade of vegetation." It is clear from his report that he travelled along the coastal road from Mākena Bay to Keone'ō'io. The next stop was at Kanaio, presumably also on the coast. He reported that the school house was located on privately owned land at Kanaio, "the original lot having been deserted on account of the distance from the majority of the children."

Fornander added his summary comments:

All the schools in Honuauia were in vacation when I passed through the district.

The population of Honuauia--what is not employed on the Makee Plantation--are chiefly fishermen, apparently a thrifty, hardy set of people, to judge from the general appearance of their houses, not a few of which were of wood, and many of the others, especially along the seaboard, being neatly built and looking tidy and clean within. The children seem to be numerous and those that I observed were

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decently clad and looked bright and healthy.

Cheever's estimate of the width of the Hoapili trail was off by about half. Measurements of the widest portions of the trail between Papakakai and Pohakuloa indicated that the walking space on the trail was no wider than about 10 feet, and in some places, for example, back of the hala grove, the trail measured only 7 feet in width. Fornander on the other hand didn't further describe the road he travelled on, which would have been the same Alanui 'Aupuni indicated on the W. D. Alexander map (1866-1879), as existing along the shoreline between Makana and Kanaio and beyond.

Cheever's statement that Hoapili had "macadamized" the road is quite misleading. Certainly, nowhere between Papakakai and Pohakuloa is there any evidence of "macadam" having been used to pave the roadway.

In the field notebook for Honua'ula, Maui, F. S. Dodge and E. D. Baldwin, surveyors for the Hawaiian Government in 1883, identified the road as "Gov't Road" on pages 21 and 33 (Figs. 36 & 37).

In summary, the trail from Keone'ō'io to Pohakuloa and beyond, probably at least to Nu'u, is the road that Hoapili used prison labor to build over the old narrower road that had been used by Hawaiians for many generations before Hoapili became governor of Maui. Hoapili's road is very distinctive, using a technique not found elsewhere on the island. Further discussion of Hoapili and Kiha-a-Pi'ilani will be found in Appendixes B and C.

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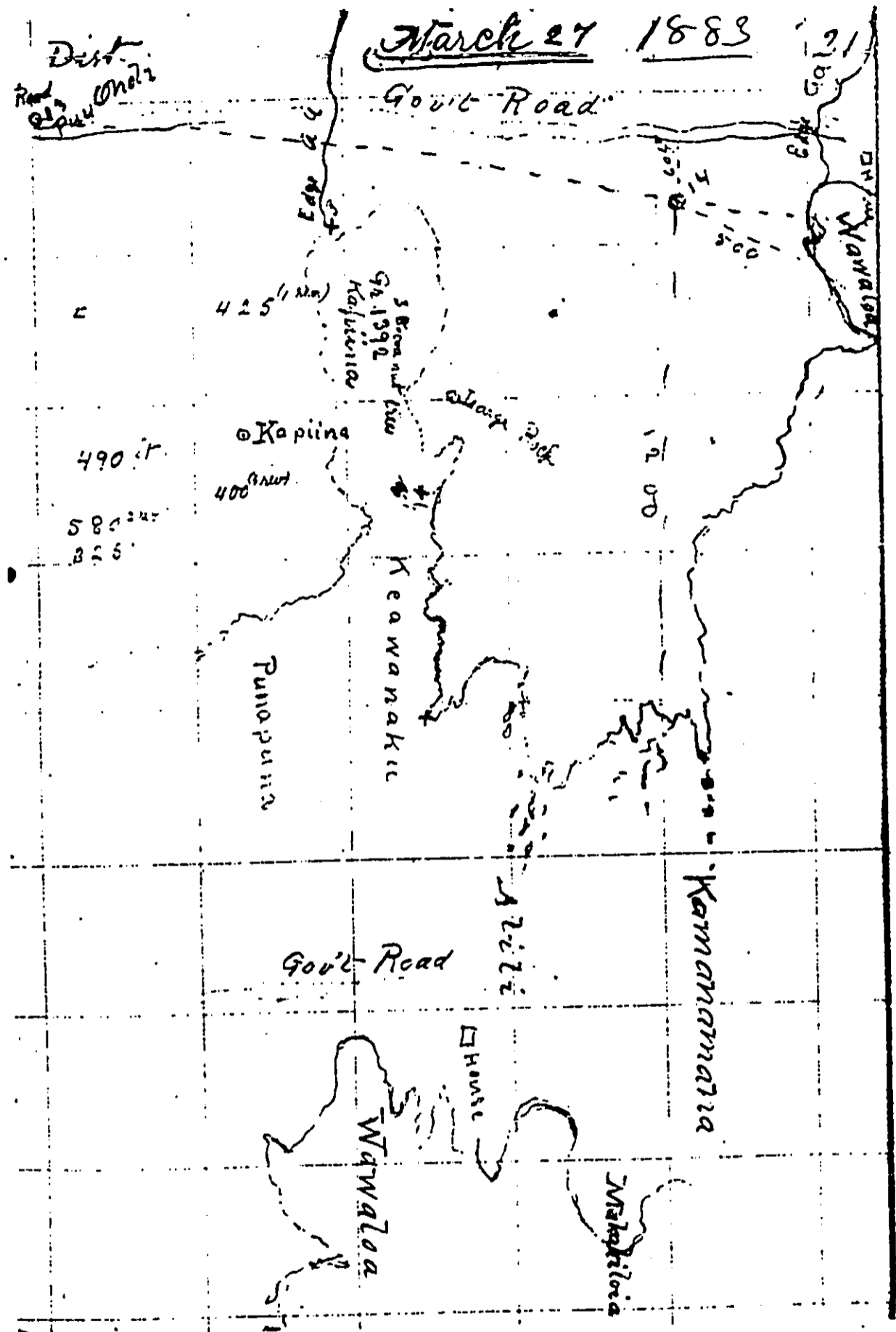


Fig. 36 . Sketches from Field Notebook of F.S. Dodge & E. D. Baldwin, Surveyors for the Hawaiian Government Survey in 1883 in Honua'ula, Maui. (Reg. No. 228, p. 21). Note roadway labeled "Gov't. Road" by the surveyor. Hawaii State Survey Office.

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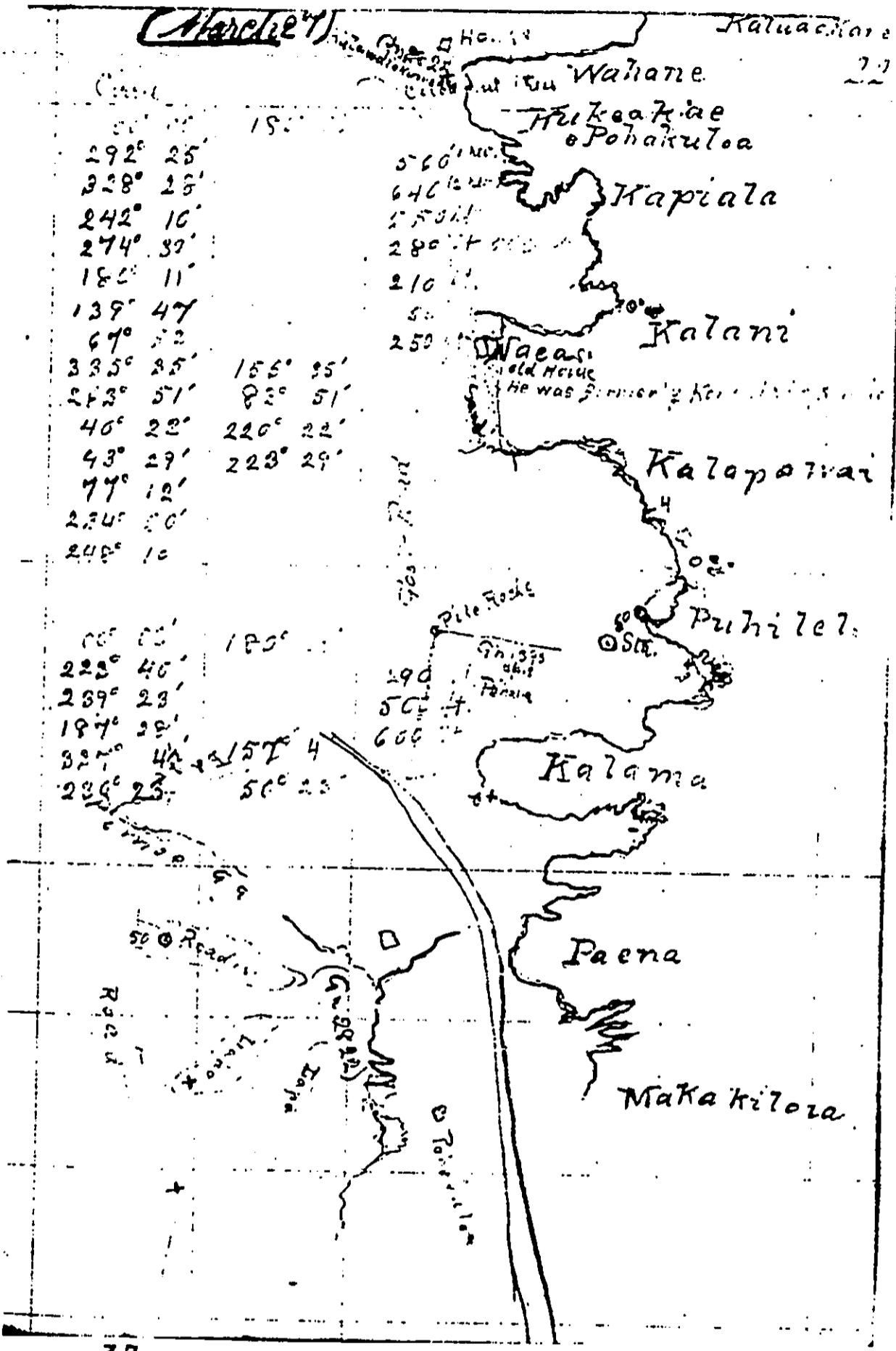


Fig. 37 . Sketches from Field Notebook of F. S. Dodge & E. D. Baldwin, Surveyors for the Hawaiian Government Survey in 1883 in Honua'ula, Maui. (Reg. No. 228, p. 22). Note roadway labeled "Gov't. Road" by the surveyor. Hawaii State Survey Office.

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Appendix B: The Alanui Kaha-a-Pi'ilani, Kaupo District,  
December 14, 1985

On December 14, 1985, Charles Keau, Dana Naone-Hali, Baby Hall, and the author left Kahului early in the morning and went around the East end of Maui.

At Kaupo we came across sections of the old "Pi'ilani Highway." In the open country, even with the grass two to three feet high, one can follow the course of the roadway by the boulders that line its edges.

When Martha Fleming wrote her notes on Old Trails of Maui, sometime before 1933 when they were published, she wrote about the alaloea as the around-the-island trail, a substantial "monument of the past" (Fleming 1933:3). The term ala is used to denote a path, trail, or road and the addition of the adjective loa makes it a long path, trail or road. The adjective nui transforms the path or road into a large, or wide path or road, such as a highway. In many cases the alaloea, path around the island, became transformed into the alanui, or alanui 'aupuni, wide road, or main government road, or highway around the island. Government expenditures on roads were usually greater in areas where the population was large than in areas where it was small. As a result, not all islands have had the alaloea transformed into alanui 'aupuni that encircle the island completely.

Since the introduction to the islands of the bullock cart, the wagon and the automobile, the paved trail [alaloea] has not been as universally used, and has been going out of

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existence--rapidly in some places, gradually in others. For some reason, the early historians almost ignored mentioning this memorial that encircles Maui, giving mute evidence of the ability and industry of former generations. Fortunately, however, folklore has not been so negligent; and still more fortunately, the road itself speaks of preceeding inhabitants (Fleming 1933:3).

Fleming points out that Alexander's map of Maui (1885) "has this paved trail definitely located. The land descriptions in Government records often refer to it." The U.S.G.S. topographic map (1922-1925) used Alexander's map to record the road.

The total length of this encircling trail is, roughly, some 138 miles in all--100 on East Maui and 38 on West Maui. Today there are from 15 to 20 miles of well defined paved trail still remaining on East Maui, and about five on West Maui (Fleming 1933:3).

\* \* \* \*

Beginning at Kaupo, it winds in and out some six miles over very rough country to Kipahulu. This part of the trail has its original location and is almost in its original condition. At present it is used as a horse trail. From Kipahulu to Hana the luxuriant growth has obliterated the trail to the casual observer; yet it is still there and is especially noticeable at Wailua Gulch as it

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comes up from the beach. forty years ago it was the only road between Hana and Kipahulu (Fleming 1933:3).

Fleming describes the way in which the roadway was constructed.

In open country, each side of the trail was flanked with large field boulders solidly sunk into the ground and standing above the center from one to five feet: a parapet, as it were. On the steep gulches, only one side of the trail had this guard. The stones, or flags, on the floor of the trail were placed horizontally to the abutments in quite regular lines. It took four or five stones to make a line across. The second row of horizontal stones was placed parallel to the other in a checker-board fashion in order to prevent wash. The width of the trail between the balustrades was from four to five feet, giving a regular appearance as it stretched over the country. There were few turns in the trail, even where the grade was steepest (Fleming 1933:5)

From Fleming's description of what she identified as sections of the alalca still intact in Kaupo in her day, residents today identify portions of this same roadway paved with water-worn stones and marked out with large field boulders as the Pi'ilani or Kiha-a-Pi'ilani trail.

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The following photographs record portions of this paved trail, which uses a very different technique from the road between Keone'o'io and Pohakuioa that we traversed on December 11th. That road over the la'a flows was not paved with water-worn stones, but with la'a gravel and it was 10 feet wide in many places. Some portions were narrower, but much that we saw was quite wide compared to the width of the paved trail in Kaupo (Figs. 38 - 41).



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Fig. 39 . Section of Kiha-a-Pi'ilani roadway in Kaupō, Maui. Note field border lining the down-slope side of the roadway. High grass hides the paved roadway. (Photo A-3)

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Fig 38 . The water-worn stone paved roadway does a switchback on the trail out of a small ravine in Kaupō, Maui. Note modern road in foreground right. Paved roadway is lined with field boulders. (Photo A-0)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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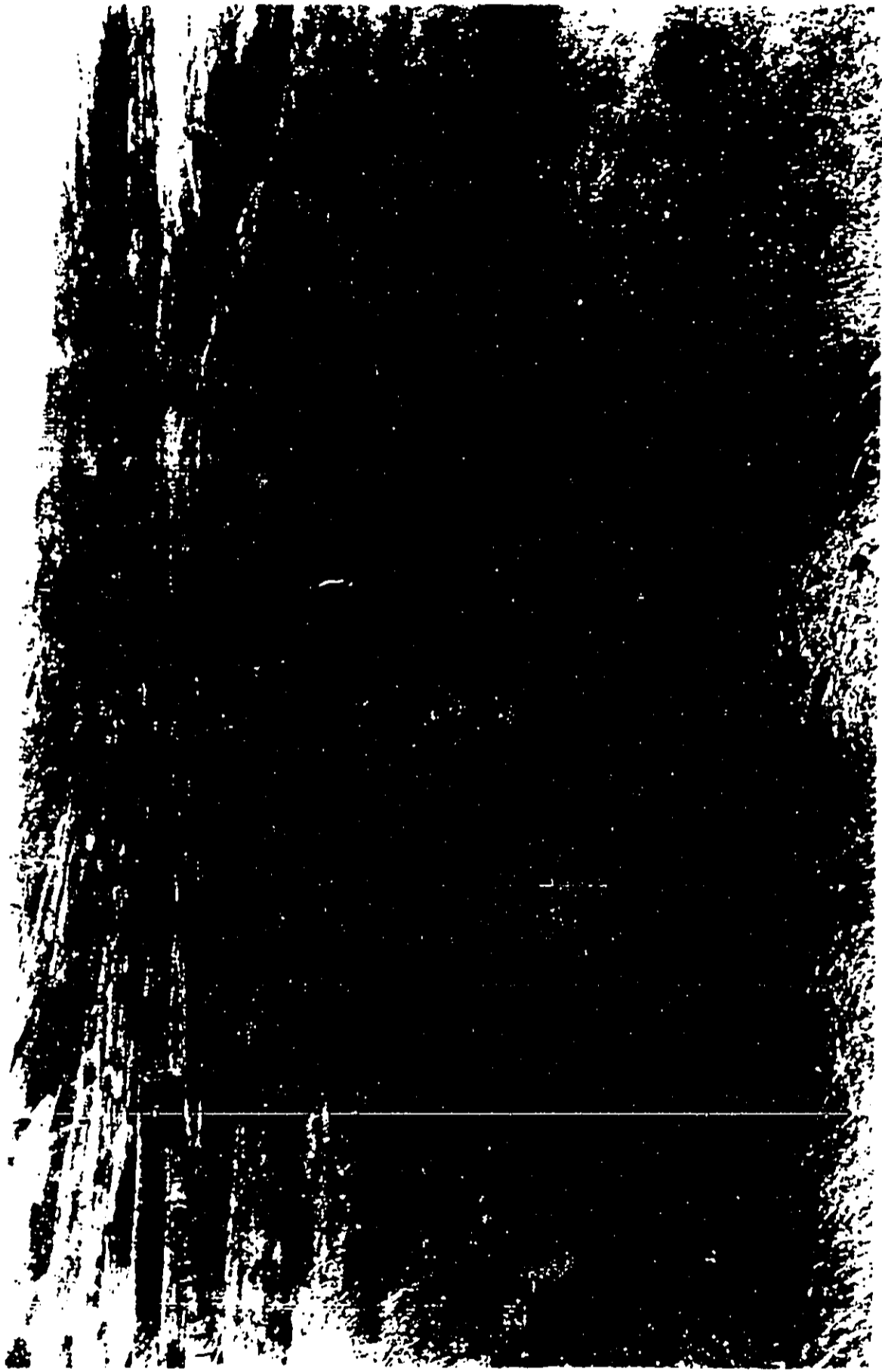


Fig. 12. Section of Kihasa-Pi'iani roadway at Kampō, Maui. Note field boundary  
center, the downlope side of the road. Gravel fills the pavement. (Photo 1960)

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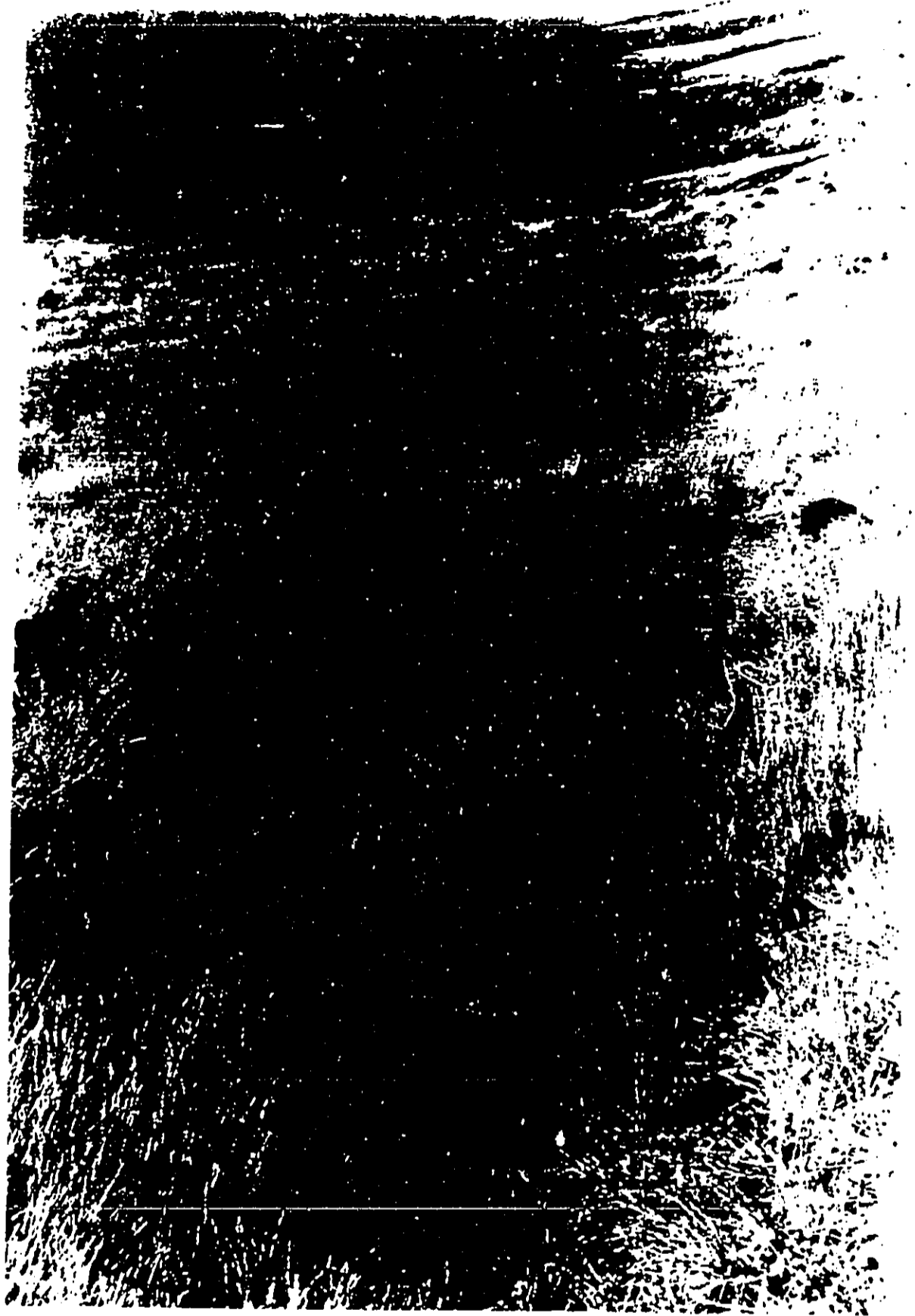


Fig. 1. Section of the Riha-a-Filani roadway showing  
the shoulders lining both sides of the road. The road is  
lined with water-worn stones, but the grass conceals the  
stones.

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Appendix C: The Alanui Kiha-a-Pi'ilani, Keawalua, Ka'anapali District, West Maui, December 13, 1985.

On December 13, 1985, Charles Keau, Leslie Kuloloio and the author headed for West Maui via Kahakuloa. In several places Keau and Kuloloio pointed out remnants of the Alanui Kahiko. The best example was a short stretch of paved trail leading up out of Keawalua Gulch on the west side (Fig. 42 ).

Here the grass was kept short by the cattle and the pavement could easily be seen, as well as the field boulders that line both sides of the roadway. Perhaps this short, 100-foot section of the paved roadway exemplifies best the description provided by Fleming of the construction used by Kiha-a-Pi'ilani to build his famous Alaloa.

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Figure 1. A large, dark, textured object, possibly a rock or a piece of debris, lying on a light-colored, uneven ground. The image is heavily shadowed, making details difficult to discern.

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Appendix D:

List of Interviewees

1.	Edward Chang	12/12/85	Makena
2.	Marie Olsen	12/12/85	Keone'oi'o
3.	Alice Kuloloio	12/13/85	Kahului
4.	Leslie Kuloloio	12/13/85	Kahului
5.	Caroline De Lima	12/13/85	Kahului
6.	Harry Mitchell	12/14/85	Hana
7.	Charles Keau	12/15 & 16/85	Kahului & Kanahena
8.	Heler. Peters	12/16/85	Makena
9.	George Peters Ferreria	12/16/85	Kahului
10.	Wallie Kuloloio	12/16/85	Kahului
11.	Kalema Mahalo	12/17/85	Lower Paia
12.	Esther Kaulalena Campbell	12/17/85	Wailuku

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# APPENDIX A

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APPENDIX A  
HISTORICAL RESEARCH FOR THE MAKENA-KEONEOIO ROAD  
IN MAKENA, MAUI

PREFACE

Appendix A now includes the following documents that are listed in chronological order and provide a complete inventory of works conducted relating to the Makena-Keoneoio Road.

1. Bishop Museum correspondence regarding prepared responses to various Draft EIS comments, with qualifying statement of works performed in the Makena and surrounding localities. Dated February 3, 1987.
2. Supplemental Report prepared by Miss Ann Joesting as contained in Appendix A, Draft EIS dated December 9, 1986.
3. Mr. Edward Joesting's correspondence to Eric Maehara dated March 17, 1986 discussing the historic sources relating to the significance of the Makena-Keoneoio Road.
4. Correspondence from Bishop Museum dated October 31, 1985 to Eric Maehara discussing the search of literature for historic references to the Makena-Keoneoio Road.
5. The Stephan D. Clark and Marion Kelly report dated March 8, 1984 to Environmental Communications, Inc. responding to inquiry regarding previous archaeological research in the Makena area.





# B I S H O P M U S E U M

1525 BERNICE STREET • P.O. BOX 19000A • HONOLULU, HAWAII • 96817 0916 • (808) 847-3511

December 9, 1986

Mr. F. J. Rodriguez, President  
The Whitlow Building  
Suite 200  
Post Office Box 536  
Honolulu, Hawaii 96809

Re: Historical research for the Makena-Keoneoio road in Makena, Maui.

Dear Fred:

The results of this research project have not provided any evidence of prehistoric usage of the Makena-Keoneoio road in Makena on the island of Maui. The majority of the literature and other documentation reviewed deals with the historic aspects of the area. Specific references used in the search include various topographic maps, territorial survey maps, aerial photographs, Land Court Awards, missionary and other early accounts, as well as various field notes and previously conducted historical and archaeological research in this region of Maui.

The following are excerpts from the most relevant literature presented in chronological order. The August 1829 section of *The Missionary Herald* Tour Around Maui, refers to the trail taken to inspect the schools.

"This day, we came to a pavement, said to have been built by Kehapilani, [sic] a king contemporary with Uni, [sic] an ancient king of Hawaii. He is said to have built it, that his name 'might not roll out.' It extends more than thirty miles, and is a work of considerable magnitude. This pavement afforded us no inconsiderable assistance in travelling, as we ascended and descended a great number of steep and difficult paries. [sic] In the vallies, there ran brooks, some of them of considerable size. Several miles of our way ran through a wood." (pp.248-249).

However the areas travelled were from Halehaku to Honomanu to Wailua, not in the Makena region.

A 1928 manuscript from archaeological fieldwork done on Maui by Winslow M. Walker describes a paved trail.

"Traditions about Kihapiilani state that among other things he was noted for his road building activities. Part of the trail over the ridges from Kipahulu to Kaupo is attributed to him though it is now kept up by the county of Maui. However, from the way in which smooth flat beach stones have been laid down, side by side, it is evident that the trail was not intended for horse travel as it is exceedingly slippery when wet.

Two trails cross Kahikinui to Kanaio and Keoneoio. The upper one is a county trail, but the lower one known as the 'Makai trail'



because it runs close to the sea, passes through the barren region of the Kahikinui villages that have not been inhabited for nearly fifty years. This road takes a straight course from one low ridge to the next instead of following the natural contours of the land as does the trail used by the cowboys. Where the road crosses grassy stretches only lines of stones 6 feet apart mark the roadside, but where rough Aa lava-flows are crossed, finer cinders and pebbles make up the road bed and even curbs 2 feet thick are built with slabs of Pahoehoe lava. In places there has been an attempt to bridge small gullies with causeways built up of stone, but violent freshlets have left only the remnants of most of them. Where the trail encounters particularly rough terrain it narrows down to four or even three feet in width." (pp. 300-310).

The trail described does not include the subject area in Makena, which is a sandy stretch of road next to the ocean. None of the references to the Kihapilani Trail include this area in Makena.

E. S. Craighill Handy in his 1940 The Hawaiian Planter makes reference to this area.

"Between Makena and the lava-covered terrain of Keoneoio (another famous fishing locality) the coastal region includes the small ahupua'a of Onau, Moomuku, Mooloa, Mooiki, Maluaka, and Kaeo. According to an old kamaaina, these ahupua'a had in former times a continuous population of fisher folk who cultivated potatoes and exchanged their fish for taro, bananas, and sweet potatoes grown by the upland residents of the Ulupalakua section." (p. 159)

The maps show historical usage of a road in this area as follows. The earliest reference to the road is an 1845 (?) map showing a road along the coast (Appendix 1). The next reference is an 1881 map of Honuaua, Maui by W. D. Alexander and F. Dodge showing an alignment, including this section, labelled "Kalepolepo Road." An 1885 Hawaiian Government Survey map done by W. D. Alexander and others has this area named "road". A 1904 compilation of government maps by H. Eldredge shows a well defined coastal alignment. The 1928 USGS map of the Makena quadrant shows a coastal alignment through this area. A 1950-51 USGS Aerial photo, Maui Series shows the coastal alignment is not well travelled. The 1954 USGS map for this same quadrant shows a coastal alignment but further inland. The 1983 USGS map shows the present alignment of the Makena road. As indicated by these maps there has been a defined road in this area since probably 1845.

The information obtained so far, while not supporting prehistoric use of the Makena-Keoneoio road in this area, does indicate substantial use in historic times. However, it appears that the alignment of this road, has undergone changes throughout this period of time.

A brief site visit was conducted on November 19 and 20, 1986 by E. Jourdane and myself. The roadway and surrounding areas were inspected and a visit was made to Keawalai Church. The pastor referred the names of a few local residents to us, however, since their depositions were already available no interviews were conducted.

A land grant from 1852 to Mahoe has been translated by Patience Bacon which includes reference to a road in this area (Appendix 2). It is not clear exactly where the road referred to in this document is though it would probably be the coastal road.

Oral testimony, regarding the historic period usage of the road, was given by area residents at a Maui Planning Commission meeting on March 18, 1986. The first is from Edward Chang who was born in Makena in 1906.

"7. To the old folks of Makena, my grand folks, who were born in the 1800s, the Makena Road was called the Alanui Kahiko, which means an ancient road. To them it was already old. It was the road that went around the island along the shore. I was told that it is the King's Highway."

"15. I remember the Alanui Kahiko being used from Nu'u, near Kaupo, all the way around to Kihei. From the time that I was six I used to ride on the horse to Kihei on Saturday to pick up the poi. The alanui has always been located in the same place where it is now.

16. The Hoapili Trail was in the State's Register of Historic Places. It runs from Keone'oi'o towards Kaupo. It connects with the Makena Road at Keone'oi'o. Both are used as the continuous Alanui Kahiko.

17. There were different fishing villages all along the Alanui Kahiko. People in each community would travel roughly the same distance away from where they lived in both directions along the alanui to fish.

18. Alahele (trails) run right along the shoreline, makai of the alanui which was just a little more inland. The alanui was inland to take advantage of the firmer ground and to straighten out some of the curves of the shoreline. Smaller alahele connected the shoreline alahele and the Alanui Kahiko.

19. Fishermen go along the Alanui Kahiko until they spot a good place to fish, then they cut in on a connecting alahele and use the shoreline alahele to get to the place where they're going to fish.

20. The Alanui Kahiko was always wide, wide enough for eight of the king's soldiers to walk next to each other. There was no need to widen it for the horses and ox carts. When the cars came in 1924 the road was wide enough already.

21. There were plenty people living between Pu'u Ola'i and Makena Landing, makai of the alanui. There were mainly fishermen and their families."

"25. The Alanui Kahiko from Keawalai Church to Makena School

was always on sand. They had to dig the road out to get rid of the sand blown in by big storms. Later on the military added some bedding to the road."

"29. The Ulupalakua to Makena Landing Road and the Makena Road allow the continuation of the old Hawaiian uses of the Alanui Kahiko and, nowadays, it is used by the tourists and all the people who want to go to the beach and drive up the mountain to see the places there. These new uses are fine with me. As long as the newcomers don't hurt us, as Hawaiians, they are always welcome."

The next person who talks about what the road was like when he was young is Charles Pili Keau. He was born in Wailuku in 1927. His testimony is as follows:

"22. He [Dr. K. Emory] pointed out the ancient mauka-makai roads and the shoreline roads, and told us about how they linked our villages."

"24....Uncle Joe showed me where the ancient trail walls were in Kaupo, and told me about how the road in Kaupo was part of the Piilani trail, which circles Maui along the shore;

25. The Piilani trail is Maui's ancient coastal highway;

26. It was built in the 1500's by the common people, working under the direction of Piilani, Maui's high chief;

27. The road was expanded by order of Piilani's son, Kiha-a-piilani, and was later improved during the administration of Hoapili;

28. Because the Piilani trail connects the ancient villages which are the focal point of my archaeological research, I'm also interested in studying the road, because of its importance to village life;

29. Many fishing villages are connected by the ancient road. Starting from Keoneoio, the road runs along Kalihi, Paalua, Maonakala and Kanahena villages. Each village has a heiau located near the road. From Kanahena, the road goes to Paako, then past another village near Puu Olai - I don't know the name of that village but it's a village with a three-sided heiau, one side open to the sea - and on to a large village complex which is on the site of Seibu's golf course. I think it was a large village because there are three heiau and numerous terraces;

30. From there, the ancient road goes by Uncle Eddie Chang's place, which is in the ili of Papaanui, where there's another heiau. We call the village complex Nahuna;

31. In the ili of Keauhou, the road passes by another heiau called Pooula. There was another big village there too."

"34. ...Why are we reasonably certain that the ancient road runs along in front of the Seibu Prince Hotel, by the big sand dune? The Kalani heiau, which is right next to the hotel, is just mauka of the existing road. There are exceptions, but most of the heiau in that area are just mauka of the ancient road. Also, I have been told by kupuna like Uncle Sam Po, that the road was there before the county started to maintain it, so we do know that the existing road wasn't located there by the County."

The third person to speak about this area from when she was a child is Helen Peters Ferreira. She was born in Makena in 1908. Her testimony about the road follows.

"5. I went to Makena School with the other children in Makena. We walked on the old road that is the Makena Road to get there. The school was just past the place where my son, George Ferreira, has his horse stables in Mo'omuku."

"11. We always used the Makena Road to get to where we're going. We have to have the road next to the ocean. If we go kahaki, gather food from the beach, down Keone'oi'o, or any place along the way, we need our road, especially at night."

"15. I no'ono'o, think about, my family going back and forth on those roads. In the old days we walked and then we had horses and donkeys. Now everybody uses cars. The important thing is the road. If we have the road we can go on it. I'm old now so I usually go on the road in a car.

16. When I'm on the road I pass all the places I know. I remember what happened in those places and I remember the people who lived there.

17. My tutu used the Makena Road and I am using it today. My children are using it and my mo'opuna (grandchildren). To this day I'm still trying to teach my mo'opuna to 'au'au, swim in the ocean, and I take them to 'ohi pipipi, go pick pipipi. We need the road to get to all the different places that I knew when I was young.

18. If the county or Seibu closes the Makena Road my family will not be able to see the places that I saw when I was growing up. They will not be able to travel on the road to go fishing as I did. They will not see the ocean in places where the road is cut off, and they will not be able to smell the ocean.

19. From the road I can smell things even before I see what they are. Some fish smell like the billy goat and some limu has a strong smell. If they move us off our road to the new road that is being

built, we will lose the kai. I feel lost without my ocean.

20. There are plants by the road that need the ehukai, the sea spray, to grow. We use these plants for medicine. When we are on the road, we can pick up what we need.

21. The kai, the ocean, the 'aina, the land, and the alanui, the road, are all connected. This road is a ho'ilina, an inheritance for my mo'opuna. It is part of our Hawaiian life. I am thinking about the ones who are still coming, the ones not born yet. I hope that the court will listen to us and keep our road open."

The last person to give testimony on their personal use of the road when a child is Leslie Kuloloio. He was born in Paia in 1940.

"8. That is also the time of my earliest memories of travelling on the road from Kehei to Wailea and then to Makena. From the first cattle guard at Wailea I remember the bumps in the road and the sandy places, like the sandy place in front of where Seibu is building its hotel. The road has not changed its location since I first travelled on it when I was about eight years old.

9. I was taught to be a fisherman at Makena by the last generation of fishermen there: David Lono, Willy Olsen, John Luuwai, Abner DeLima and my dad, Wally Aipalena Kuloloio.

10. I went with them up and down the Makena coastline. They passed on to me the knowledge they received from their kupuna about fishing traditions, techniques and all the different places for fishing in Makena."

"12. The Makena Road is an important part of my fishing practices. I must be able to travel all along the road to locate the best place to fish in different seasons and at different times of the day and night. I must also be able to use the alaloa, trails, which connect the road to the beaches and other points on the coast.

13. Napaka Beach is a good fishing place that was used by my kupuna. We were never blocked from using the connecting trails or the pu'uone, sand dunes, until the late 1960s and 1970s when the new owners tried to keep us out."

"16. The road is part of me. It is important to me because of my genealogy. My family are buried there mauka and makai of the road. Without the land we lose the mana and the history. The road is part of our history; it is part of my family."

The results of this research does not substantiate prehistoric origins of this roadway. Its existence and usage during the historic period is sparsely documented. Further research may turn up new data, though direct references have probably been exhausted by the recent searches.

In order to evaluate the significance of archaeological sites, the federal government has set forth the following criteria, where a site should:

- a. be associated with events that have made a significant contribution to the broad patterns of our history;
- b. be associated with the lives of persons significant in our past;
- c. embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. have yielded, or may be likely to yield, information important in prehistory or history.

It should be noted that a fifth criterion ("E") has been proposed, relating to the cultural value of the site to the ongoing society or cultural system. Since this criterion has not yet been adopted, we hesitate to evaluate it in this context.

This segment of the Makena-Keoneoio road in Makena does not appear to fit any of these criteria. Most archaeological sites fit criterion D. However, this particular site has not yielded any further information.

In view of the preceding data, we conclude that: 1) the roadway does not constitute a significant cultural resource since its original integrity, if any, is shown to have been destroyed through compound disturbances, 2) the closing of the roadway segment will not adversely impact any sites of archaeological or historical significance.

Should you wish to discuss this further or have any questions, please contact Aki Sinoto at 848-4126. A complete reference list can be provided if needed.

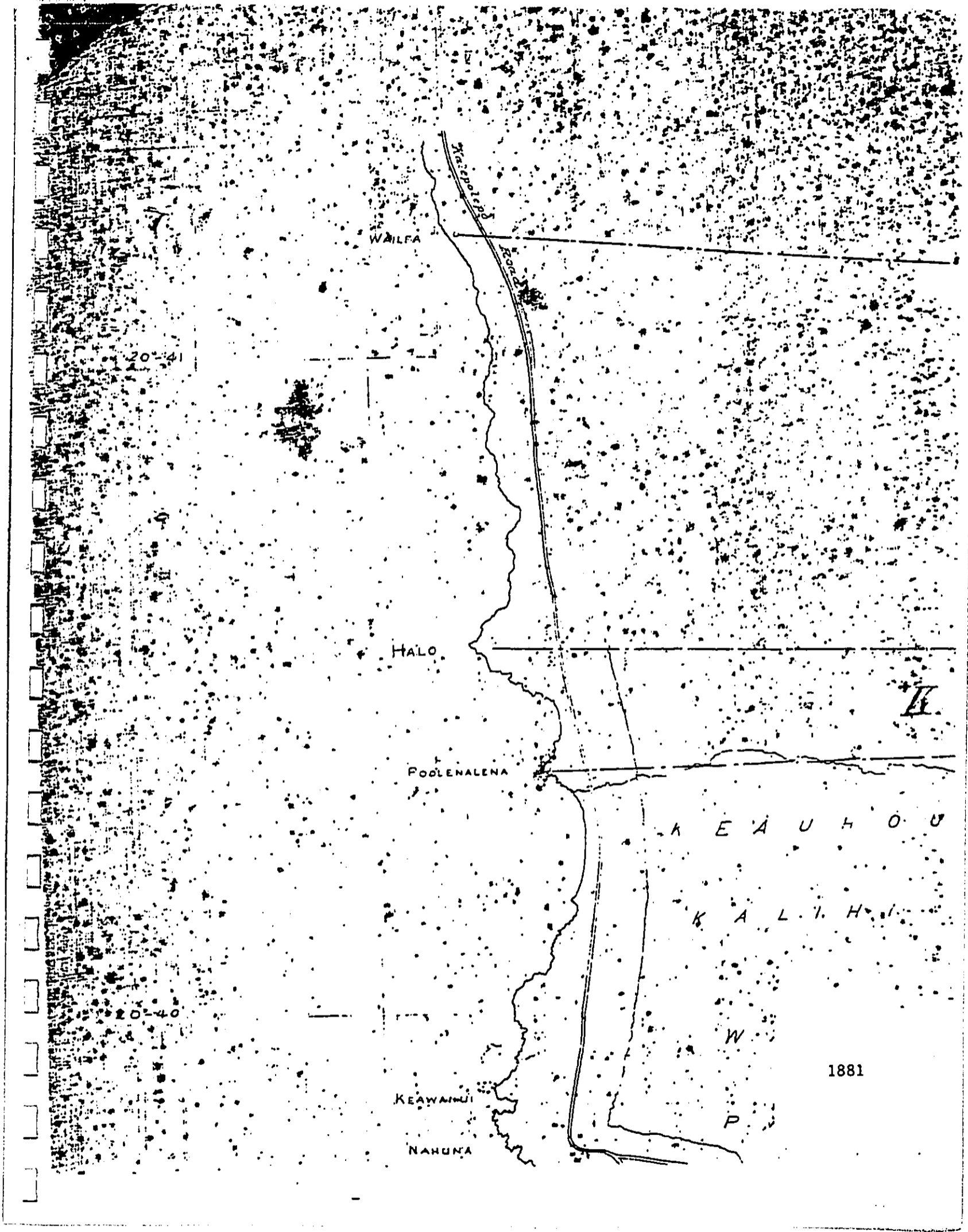
Sincerely yours,

  
Ann Joesting  
Project Director

xc:  
Mr. Eric Maehara

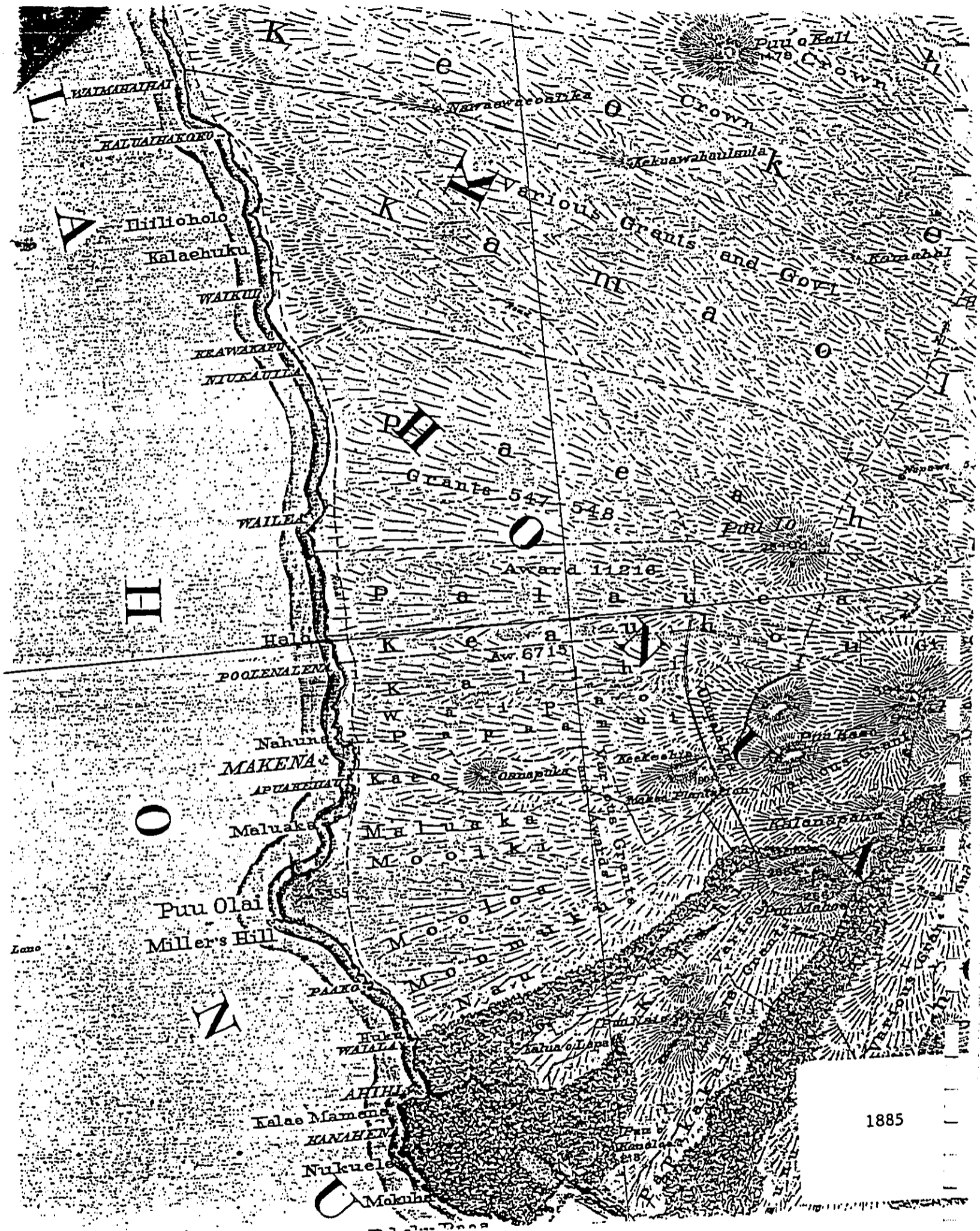
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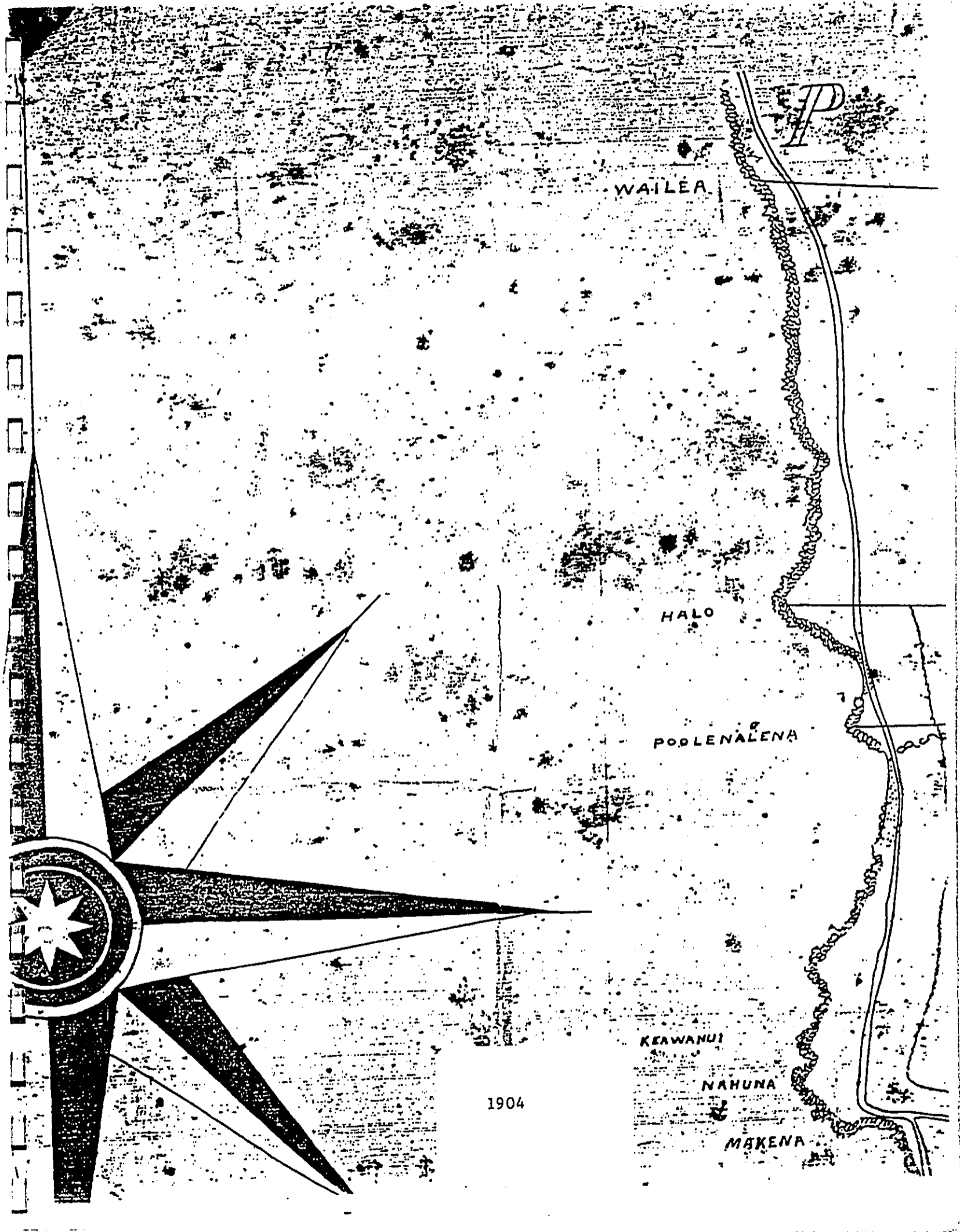


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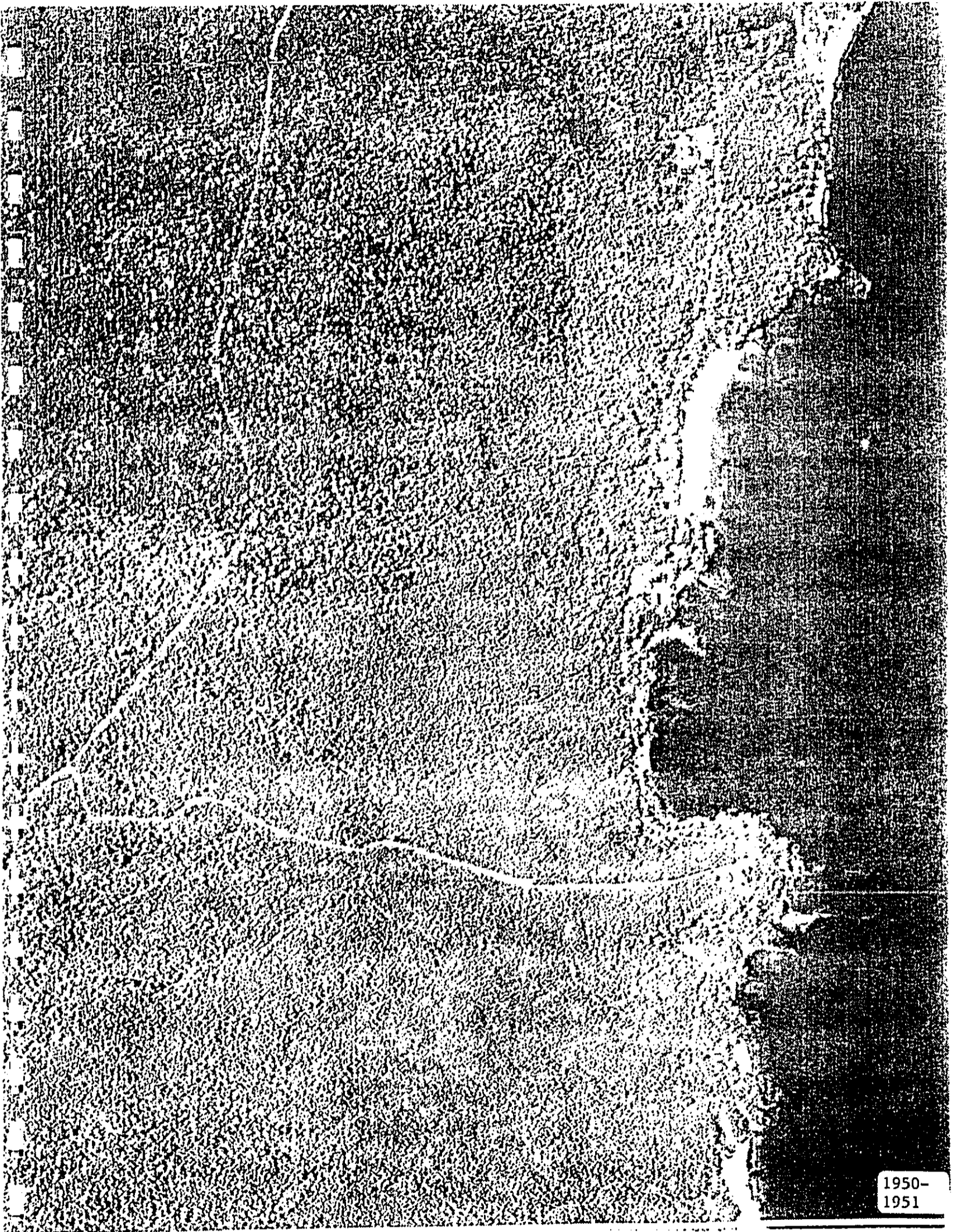


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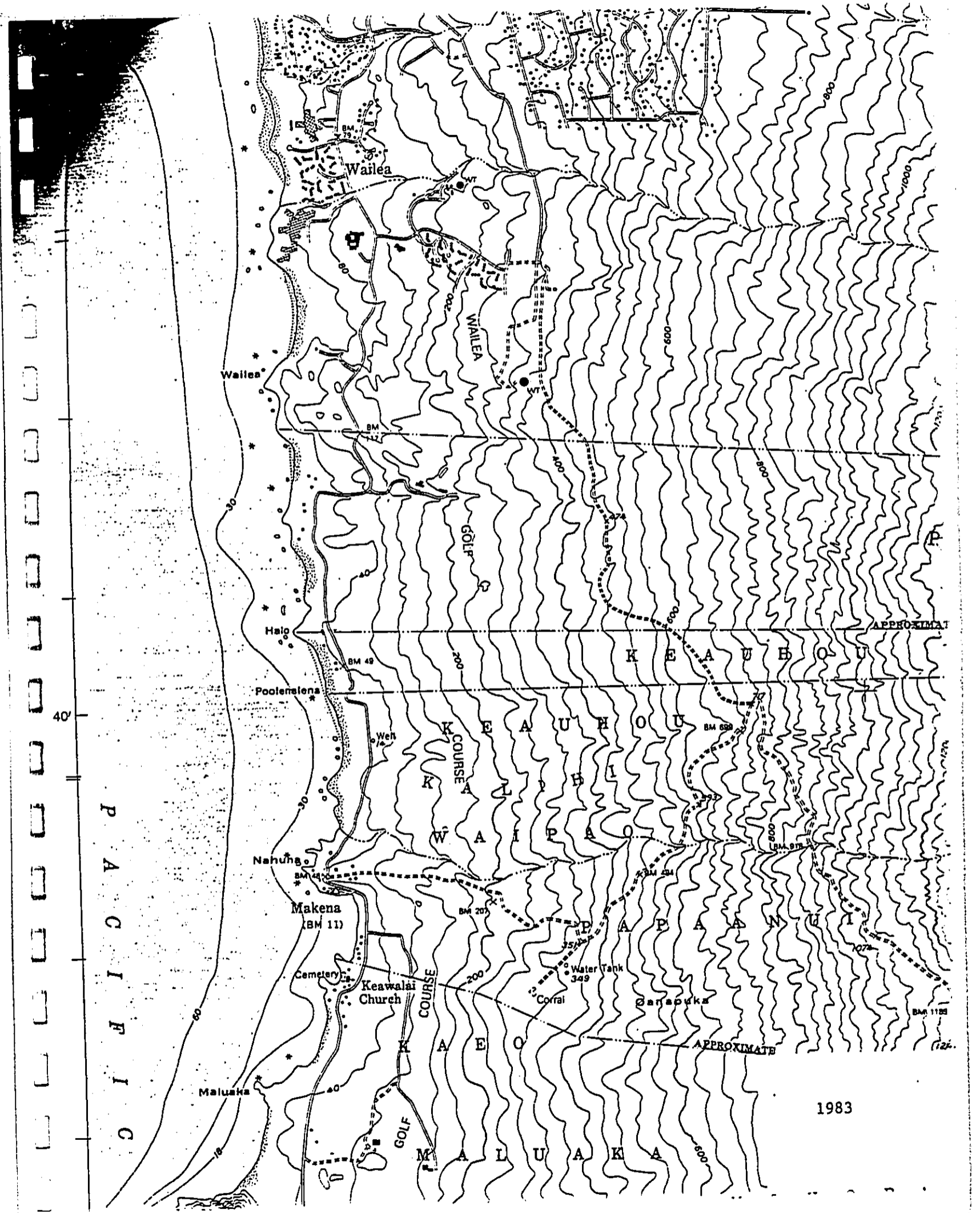
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Appendix 2

Translation of Helu 835 from Hawaiian

By this Royal Patent, exhibited by Kamehameha III, through the grace of God, ruler of Hawaii, on this day to all men and his chiefs, he has given outright through this alodial title to Mahoe, this man who is well thought of, that piece of land that lies in Kau (?) - Honuaula on the island of Maui, this is how the boundary lies

It begins at the rough wooden fence of L. L. Tobert, 10 or 12 chains perhaps to the left of the road by the land he tilled and ran

- He.61<sup>0</sup> 30' Ko. 6 chains to the pile of rocks near a kukui tree
- He.67<sup>0</sup> Ko. 10 chains to the pile of rocks
- He.72<sup>0</sup> Ko. 9.30 chains to the pile of rocks
- A.47<sup>0</sup> 30' Ko. 5 chains to the pile of rocks 10 sections to the auwai
- A.88<sup>0</sup> Ko. 29 chains to the pile of rocks by the old road
- He.83<sup>0</sup> Ko. 6.80 chains to the rough wood
- He.70<sup>0</sup> Ko. 10 chains to the pile of rocks on a hill
- He.75<sup>0</sup> 30' Ko. 11.22 chains to the pile of rocks near the stonewall
- He.16<sup>0</sup> Ko. 4.80 chains to the pile of rocks near the stonewall
- He.86<sup>0</sup> Ko. 8 chains to the pile of wiliwili wood
- He.72<sup>0</sup> Ko. 11.50 chains to the pile of rocks near the auwai and rock wall
- A.8<sup>0</sup> Ko. 6 chains to the pile of rocks
- He.85<sup>0</sup> Ko.4 chains to the pile of rocks near the house of a full-blooded Hawaiian
- He.72<sup>0</sup> Ko.16.08 chains to the pile of rocks next to the rock wall
- He.16<sup>0</sup>15' Ko.3 chains to the pile of rocks next to the rock wall
- He.30<sup>0</sup> Ko.8.80 chains to the wiliwili tree at the point of the hill
- He.75<sup>0</sup> 30' Ko.19.66 chains to the wiliwili tree at the point of the hill next to the rock wall
- A.60<sup>0</sup> Ko.18.80 chains to the pile of rocks near the wiliwili tree
- A.50<sup>0</sup> 30' Ko.6.75 chains to the wiliwili tree by the stones marking the land boundary
- A.88<sup>0</sup> 30' Ko. 22.78 chains to the pile of rocks
- Kom. 32.40 chains to the pile of rocks on the sand dune
- He.16<sup>0</sup> Ko.14.90 chains to the pile of rocks on the rock hill
- He.42<sup>0</sup> Ko. 7.62 chains to the top of the rock wall
- He.55<sup>0</sup>30' Ko. 7.10 chains to the seashore next to the rock wall

Then run along the seashore to Tobert's rock wall, then

- He.85<sup>0</sup> Ko.2.53 chains by the seashore to the rock wall
- A.16<sup>0</sup> Ko.3.66 chains to the rock wall at the point of the hill
- A.76<sup>0</sup>30' Hi. 8 chains to the rock wall
- He.59<sup>0</sup> Hi.4.48 chains to the pile of rocks on the fence
- A.87<sup>0</sup> Hi. 18.10 chains to the rocks by the fence
- He.71<sup>0</sup>45' Hi. 18.28 chains to the pile of rocks
- He.84<sup>0</sup> Hi.28.78 chains to the pile of rocks
- A.88<sup>0</sup> Hi.42.95 chains to the pile of rocks at the point of the hill
- A.88<sup>0</sup> 45' Hi.22.85 chains to the pile of rocks
- He.75<sup>0</sup> Hi.11.54 chains to the pile of rocks
- A.83<sup>0</sup> Hi.6.80 chains to the pile of rocks
- A.34<sup>0</sup> Hi. 10.36 chains to the wiliwili tree
- He.81<sup>0</sup> Hi.30 chains the place exactly south of the road

A.80°30' Hi.17.50 chains by Torbert's rough wooden fence  
He.40° Hi.6.50 chains by Tobert's rough wooden fence until reaching  
the starting point.

It was his shelter by the seaside regarding this land, like the law.

Except the keleana of the kanakas.

And in that Parcel of land 514 an acre, a little more or a little less maybe.

This is the reason it was purchased; he gave to the treasury of the Government \$1.00.

Except for the mineral and metal rights which are for the Government.

To Mahoe, this land is given, for now and forever as an alodial, and to his heirs, and his depository, regarding the tax of the Legislature to be equal with all alodial lands from that time to this time.

For all I know, I have placed my name, with the Seal of the Hawaiian Kingdom in Honolulu this 19th day of July, 1852.

Name/ Kamehameha

Name/ John Young

Note: Hema - South

Komohana - West

Akau - North

Hikina - East



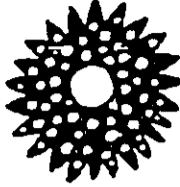


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March 17, 1986

Foley Maehara Judge Choi Nip & Okamura  
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Attention: Mr. Eric T. Maehara

The significance of the road which runs along the shore at Makena, Maui, can be learned by examining the best available historic sources.

The road through Makena is sometimes popularly referred to as Piilani's Highway, but most commonly as the Kiha-a-Piilani Trail or Highway. Piilani was a prominent king of Maui some time during the pre-history of the Hawaiian Islands, probably in the early 1500s.

One of Piilani's sons, Kiha-a-Piilani, eventually gained the throne of his father, and in the course of his reign "improved and caused to be paved the difficult and often dangerous roads over the Palis of Kaupo, Hana, and Koolau." (An Account of the Polynesian Race by Abraham Fornander. Vol. II, page 206, 1980 edition.) Fornander mentions only the areas of Hana, Koolau, and Kaupo. No mention is made of roads in any other district.

The Atlas of Hawaii, University of Hawaii Press, 1973, identifies Piilani's Highway as being a part of an upper trail which descends through Ulupalakua, joining the coastal road in Kaupo. (page 15) The Atlas thus indicates that if Piilani's Highway extended into the Makawao District of Maui, it followed an upper trail and was not a part of the seaside road which ran through Makena.

Margaret Fleming, in her pamphlet, "Old Trails of Maui", (1933) indicates that the Kiha-a-Piilani Trail extended around the entire island of Maui. This is not borne out by earlier accounts.

Stephen D. Clark of the Bishop Museum, in his brief report in connection with subsurface trail evidence underlying Makena Road, states that "no archaeological evidence of a Hawaiian trail exists on the subject parcel or under Makena Road."

("Archaeological Reconnaissance and Limited Subsurface Testing of a Segment of Makena Road". Bernice Pauahi Bishop Museum, March 1985.) Clark believes, however, that a trail did exist in ancient times, but that finding evidence of such a trail is a difficult task especially in such a sandy location.

It would thus appear likely that the ancient path through Makena was largely for the convenience of the local population. What was the significance of Makena and what was its population through the years? In pre-history times, before the arrival of James Cook, Makena was important, according to Dr. E. S. Craighill Handy, because of its fishing. (The Hawaiian Planter Vol I, Bernice P. Bishop Museum Bulletin 161, 1940.) The population of Makena during pre-history times, Dr. Handy believes, was greater than in later times, but he suggests no numbers. The dryness of the area, Handy adds, was such that sweet potatoes were the only crop able to grow. (page 159)

La Perouse, the first Westerner to land on Maui, (1786), noticed as he sailed westward along the coast, leaving the wetter area of Kipahulu behind, that there was a noticeable decrease in the population. In Voyages and Adventures of La Perouse (University of Hawaii Press, 1969) an abridgement of La Perouse's journal, F. Valentine writes, "As the ships moved ahead, the mountains seemed to recede into the interior of the island, which gradually assumed the form of a titanic, greenish-yellow amphitheater. There were no more waterfalls to be seen, and villages consisted of only ten or twelve widely separated huts - a great contrast to the country which was being left behind." The two French ships anchored in what is now known as La Perouse Bay.

Transportation around the Hawaiian Islands and along the leeward sides in particular, was not limited to walking. Canoes were in common use and during normal calm weather travel by water was an easier, and often the preferred means of transportation. In 1828 a missionary company toured the island of Maui and most of their trip was made in canoe. (The Missionary Herald, published by the American Board of Commissioners for Foreign Missions. Boston, 1829.) Dr. N. B. Emerson mentions in his "Biographical Sketch of David Malo" (Hawaiian Antiquities by David Malo. Bernice P. Bishop Museum Special Publication 2, 1951.) that on David Malo's death his body was taken from Kapelepo to Lahainaluna by canoe. Older people living in the Makena area today remember traveling along the coast by canoe. (Hawaii Business Magazine. May 1979. Page 31.)

An examination of the reports of the Road Supervisors for the island of Maui (Interior Dept., Misc., Hawaii State Archives) indicates that the roads of Makena were of little significance in the mid-1800s. There is no mention of any road work being done in Makena in the twenty year period between 1851 and 1871.

Makena gained importance with the establishment and growth of Ulupalakua Ranch. Ulupalakua was started as a sugar plantation in 1841 and a road to Makena was built or improved shortly thereafter. Because Ulupalakua needed to ship out sugar and produce and eventually to transport cattle, Makena developed as an inter-island port and remained as such until the 1920s.

*Edward Joesting*  
Edward Joesting



# B I S H O P M U S E U M

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October 31, 1985

Mr. Eric Maehara  
Foley, Maehara, Judge, Choi, Nip & Okamura  
2700 Grosvenor Center  
737 Bishop Street  
Honolulu, Hawaii'i 96813

Dear Eric:

Please pardon the delay in transmitting this response to your query regarding trails in the Makena region. We are severely understaffed at the moment and could not implement an intensive literature search. The preceding are results of a brief search of major sources readily available in our department and a personal discussion with Dr. Kenneth Emory.

I asked Dr. Emory regarding the trails in Kanaio and his reference to "King's Highway" per Ms. Lokelani Lindsey. He did not recall the specifics of his visit to the area, but knew about the sites and trails. He said that he probably made such a reference implying that trails were often built under the auspices of the King or the government. He did not recall anything unique or notably different from other areas about the trail systems in the Makena region.

Regarding the two specific points that you were most interested in resolving:

- 1) The possibility of a major inland trail system which alleviated the need for a coastal one, and
- 2) The emphasis on canoe travel between coastal settlements that also alleviated a well developed coastal trail.

These are both viable hypotheses, however extremely difficult, if not impossible, to substantiate in the Makena area. This is due to:

- a) The extensive historic activities that have or may have destroyed or altered much of the prehistoric trail components in the area,
- b) the high number of prehistoric habitation sites in the coastal areas,
- c) the differential topography and terrain in the area that might have been a factor in the necessity of constructing a trail, and
- d) perhaps most importantly, the paucity of knowledge regarding the chronology and typology of prehistoric Hawaiian trails and trail systems.

Thus, unfortunately these problems cannot be resolved conclusively through available archaeological documentation. Perhaps a series of highly intensive investigations in the Makena, Kanaio, and La Perouse area may shed some light on the matter. However, such a study may not be practical and certainly not economically feasible, at this time.



The following references were consulted:

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Sites on file at Bishop Museum.

If you have any further questions, please feel free to contact me again. I will be off-island, however, starting on Nov. 4 through Nov. 15.

Sincerely,



Aki Sinoto  
Public Archaeology Section  
Department of Anthropology

Ms. 032085

SUPPLEMENTAL ARCHAEOLOGICAL AND HISTORICAL STUDIES AT  
MĀKENA, HAKAWAO, MAUI

-i-

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Part I  
Archaeological Reconnaissance and Limited  
Subsurface Testing of a Segment of  
Mākena Road  
by  
Stephan D. Clark

Part II  
Historical Notes on Mākena  
by  
Marion Kelly  
for  
Seibu Hawaii, Inc.

March 1985

Department of Anthropology  
BERNICE PAUAI BISHOP MUSEUM  
Honolulu, Hawai'i

Part I

ARCHAEOLOGICAL RECONNAISSANCE AND LIMITED SUBSURFACE TESTING OF A SEGMENT OF MAKENA ROAD

Under contract to Seibu Hawaii, Inc., the Department of Anthropology, B. P. Bishop Museum, conducted an archaeological reconnaissance and limited subsurface testing of a segment of Makena Road (THK 2-1-05:86). Fieldwork was performed from 7 through 9 March 1985 by Stephan D. Clark, Eric Bege and Shem Kahawai of Seibu Hawaii, Inc., assisted with the testing; their efforts and time are greatly appreciated.

The purpose of the present investigations was to conduct an archaeological assessment of a portion of the existing Makena Road (also known as Makena-Keone's to Government Road, Kihei Road, Makena Beach Road, etc.) and vicinity for evidence of a Hawaiian trail.

The project area is a long, rectangular corridor, about 1,150 ft long and 60 ft wide (1.278 acres) located in Maluaka ahupua'a. The subject parcel follows approximately the alignment of Makena Road in this area, and encompasses much of the road (Fig. 1).

The road in the subject parcel is cut into the mauka (east) side of a large coastal sand dune that ranges in height from 1 to 15 ft above sea level. The makai (west) side of the dune slopes down to a coral sand beach; the mauka side slopes down (maximum slope is 20-25 degrees) to the road. The sand dune supports large kiawe trees (*Prosopis pallida*), as well as exotic shrubs and weeds. House lots and the Seibu hotel site front the mauka side of the road in the subject parcel. This frontage appears to have been bulldozed.

PREVIOUS ARCHAEOLOGICAL WORK

A brief literature search revealed numerous archaeological surveys conducted in the Makena region. These investigations have included reconnaissances and excavations, and have documented the prehistoric and historic occupation of this area. Cordy (1978) summarizes archaeological investigations for this area conducted between 1927 and 1978, including four

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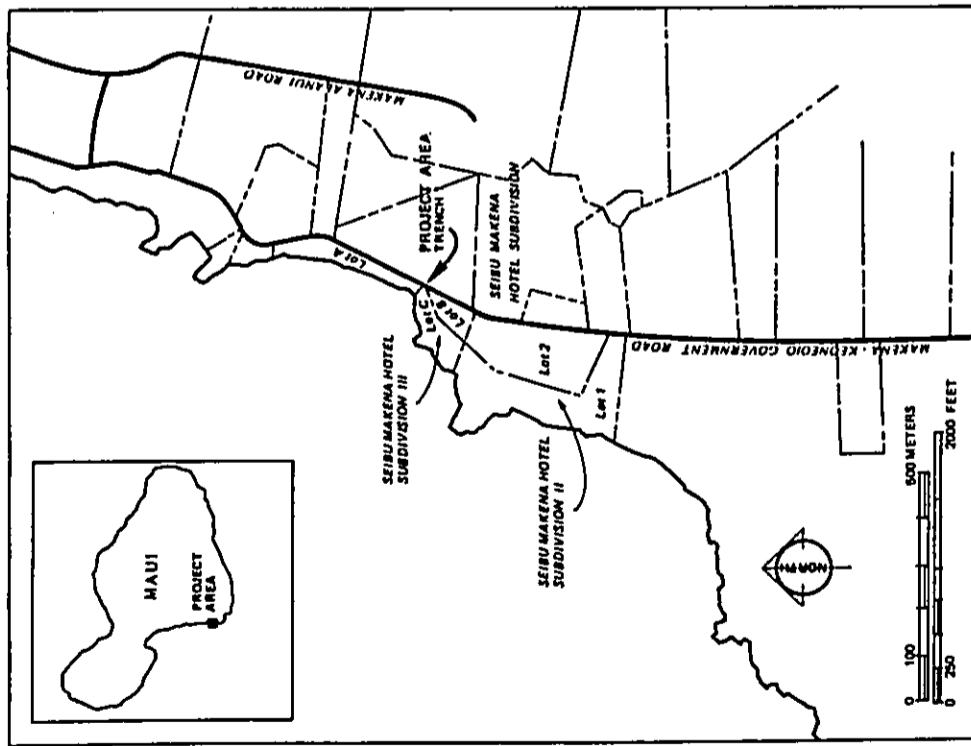


Fig. 1. PROJECT AREA.

investigations contracted by Seibu Hawaii, Inc. Table 1 summarizes archaeological investigations conducted in the Makena region from 1979 to the present (investigations contracted by Seibu Hawaii, Inc., are marked with an asterisk [\*]). The surveys and test and salvage excavations have further documented the abundance of archaeological resources in the Makena region.

METHODS AND PROCEDURES

The present reconnaissance began on the north end of the parcel and proceeded south, traversing the land with east-west survey sweeps. Both sides of the road, as well as the road cuts, were investigated. To determine if any subsurface evidence of a trail underlying Makena Road existed, Trench 1, 9.00 m long by 0.75 m wide, was excavated by backhoe across the road and into the sand dune (Fig. 2). Black-and-white photographs, color slides, and drawings were used to document the stratigraphic profile of the excavation.

RESULTS

The present reconnaissance found no evidence of a trail in the subject parcel. The sand dune contained scattered basalt cobbles and boulders on the surface, but no alignments were visible here or on the mauka (east) side of the road.

Trench 1, excavated across Makena Road south of the hotel site, revealed no subsurface evidence of a trail. The road fill layers and natural strata observed in the trench are illustrated in Figures 3 and 4, and described below.

Layer	Thickness (cm)	Description
Road fill A	10-35	Red cinder mixed with coral sand and medium to fine textured basalt gravel; sparse basalt cobbles present.
Road fill B	20-78	Dark yellowish-brown (10YR3/6,d.) coral sand with sparse basalt gravel; compact; as basalt cobbles and boulders present; abrupt, irregular boundary; artifacts include a clear glass fragment and a piece of metal wire.

Table 1  
PREVIOUS ARCHAEOLOGICAL WORK IN THE MAKENA REGION FROM 1979 TO 1985

Author	Date	Location	Nature of Work
Sinoto A.	1978	Makawao	Reconnaissance of coastal parcel.
Rogers-Jourdane	1979	Kaao, Maluaka, Makena	Survey and testing of coastal zone sites.
Denison	1979	Kaao, Maluaka, Makena	Test and salvage excavations of coastal zone sites.
Sinoto A. and Rogers-Jourdane	1979	Keaouhou, Kalihi, Waipao and Papa'anui	Survey and test excavations of coastal sites.
Schilt	1979	Kaao	Reconnaissance of small parcel near the coast.
Schilt and Dobyns	1980	Paeahu	Reconnaissance and test excavations of coastal zone sites.
Shun and Streck	1982	Wailea	Test excavations and monitoring of sewerline construction.
Komori	1985	Kaao	Salvage excavations of a platform, Site 50-Ma-B8-217.

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FIG. 5. TYPICAL PROFILE OBSERVED IN A TYPICAL PART OF BRANCH 1, HUNTER CREEK, ALTA, 1951 (S. No. 133-0150-25).

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FIG. 6. WATER PONDING IN BRANCH 1 ACROSS THE 2550' PORTION OF SUGAR ROAD (S. No. 133-0150-25).

Layer	Thickness (cm)	Description
Lens C	8-12	Medium to fine textured basalt gravel situated between road fills A and B.
Layer I	5-15	Pale brown (10YR 6/3,d.) sandy loam; a horizon for sand dune; abrupt, smooth boundary.
Layer II	15-110+	Pink (7.5YR 8/4,d.) coral sand with a basaltic sand component; loosely consolidated; abrupt, wavy boundary.
Layer III	5-20+	Dark yellowish-brown (10YR 4/4,d.) cobbly silt with about 25% by volume deteriorated basalt cobbles; terrigenous C horizon.

**DISCUSSION**

The negative results of the present survey and limited test excavations indicate only that no archaeological evidence of a Hawaiian trail exists on the subject parcel or under Makena Road. Based on the extensive prehistoric and historic archaeological remains along this coast, a trail(s) must have existed to facilitate the movement of people and goods along the coast. Based on Apple's (1965) study of trails on Hawaii Island, an ancient Hawaiian Type A trail (a foot path) in this area could be expected to evolve into a horse trail (Type AB or B), and eventually into a road wide enough for vehicular use (Type D). The economic development of the Makena area (agriculture and cattle ranching) demanded better transport routes after European contact.

It should be noted that, even if Makena Road did not exist today, finding evidence (structural remains) of a Hawaiian trail in the sandy beach and dune areas of the subject parcel would be a difficult task. As observed from existing trail systems in other areas of the State, Hawaiian trails were generally not defined structurally in sandy beaches or dune areas.

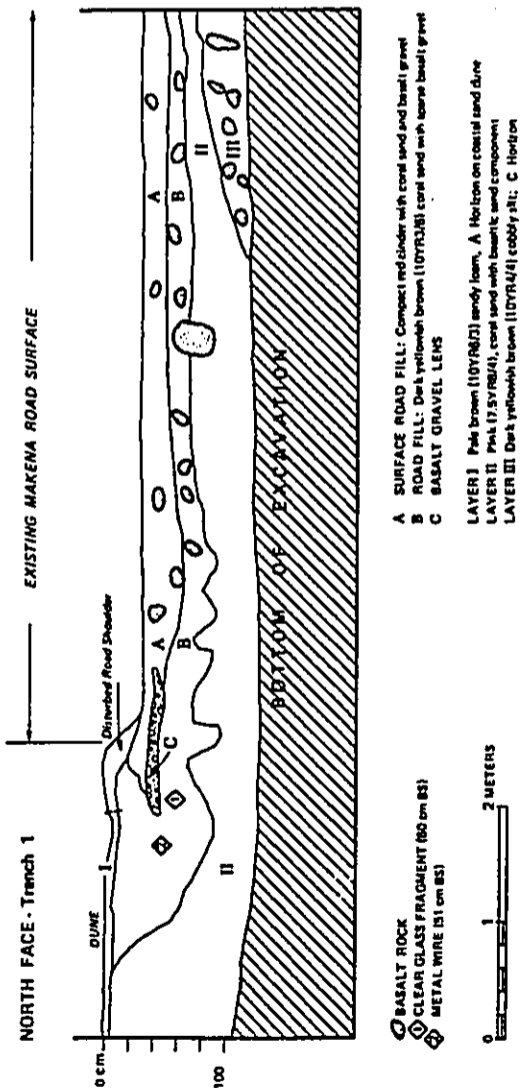


Fig. 4. PROFILE OF NORTH FACE OF TRENCH 1.

HISTORICAL NOTES ON MĀKENA

Preface

During the first interview with a kama'sina (native born) of Mākena, it became obvious that Mākena is an area with a rich cultural heritage. To produce even an outline would require several months of work. This report, researched and written in only a few weeks, gives only a rough idea of the importance of the Mākena area to the lives of its inhabitants. Much history is still retained in the memories of the present-day "old-timers," and needs to be recorded. Newspapers, land records, mission records, census records, tax records, articles, and other written sources need to be more extensively researched.

The author recommends that additional time be allotted to research and write a more in-depth culture history of the Mākena area and of its inhabitants than has been possible at this time. Such a history, if written, would contribute substantially to our understanding of the relationship between the people and their resources in transitional Hawai'i—that period between the curtailing of the Hawaiian subsistence economy and the expanding of the western market economy. Revealing this process, and how it affected the daily lives of the people, would help us to understand what really happened to the Hawaiian way of life, and to the people who lived that Hawaiian way of life and tried to pass on to their children the value system of that life, much of which has managed to survive in a primarily hostile environment.

The Research

Interviews on Maui during the weekend of 8-10 March 1985 with members of the Kukahiko family (kama'sina of Mākena) were arranged by Paul Kauhane Lu'uwai. An additional interview with a member of the Kalehuawehi family (of 'UluPalakua and Mākena) was conducted on O'ahu on 12 March 1985.

Assistance in the archival research for land records and old newspaper articles, etc. was provided by Virginia Esil. She worked at the Bishop Museum Library, the Hawaii State Archives, the State Survey Office, the Land

Management Office of the State Department of Land and Natural Resources, and the Mission Children's Society Library.

In addition to being available for a long interview, Edward Chang, a member of the Kukahiko family of Mākena, accompanied the author to many sites in the Mākena area, including: the kilo i'a (fish watcher) site; the Kukahiko family graveyard; a heiau (place of worship) on the land of Papa'anui; an unfinished well that Chang had started to dig near the heiau; the site of the store that his parents formerly kept; the ruins of the Mākena Landing; the reinforced concrete pillbox next to the Landing; the Kukahiko house that was damaged during Hurricane Iwa; the site of the fishing ko'a (shrine) at the north point of Mākena Bay; Mākena Church; the graveyard next to the church; and the site of the old Mākena school, with its large cement cistern.

Acknowledgments

Mr. and Mrs. Robert Lu'uwai are thanked for the many kindnesses and the warm hospitality they showed me, and for the information they gave about John Kukahiko, a kama'sina of Mākena. I would like to express my deep appreciation to Edward Chang for traveling all the way from Lahakuloa, where he and his wife live on a ranch, to Mākena so that we could meet and talk there, and visit the sites in the area. My appreciation goes also to Paul Kauhane Lu'uwai for arranging the interviews with members of the Kukahiko family, of which he is one, and for assisting me during the interviews and the site visits.

Thanks also go to Elizabeth Chun Ling for sharing her experiences at 'UluPalakua and Mākena; to Charles Okino of the State Survey Office; to Mary Jane Knight of the Mission Children's Society Library; to staff members of the Hawaii State Archives and the State Department of Land and Natural Resources, Land Management Division; and to Peter Gilpin, who rushed to develop the film and print the photographs of the sites visited at Mākena.

And finally, one of the most useful documents on the history of this part of Maui is Wai'ele's: Waters of Pleasure for the Children of Kama, by Dorothy B. Barrère, dated June 1975. The author is indebted to Mrs. Barrère for all the research she did.



Mākēna, A Fishing Village

In precontact times (before 1778) Mākēna was primarily a fishing community. This function continued into postcontact times, and Mākēna supplied fish and other products of the sea to residents of a wide geographical area, including the uplands of 'Ulupalakua. In addition, Mākēna became a cultural center with a church, perhaps as early as 1837 (Judd 1958); and a commercial center when supplies were brought in by ship for residents of the area and for residents of 'Ulupalakua, where a sugar plantation was established in 1841 (Sterling 1965:9).

Mākēna is one of the relatively shallow, sandy- or flat-bottomed areas where the skule (*Trachurus crumenophthalmus*) spawn seasonally in great schools, between the months of February and August (Gosline and Brock 1965:173). During the spawning season the kilo i'a (fish watcher) established himself at a traditional kilo i'a site above the bay and called out to the population when he observed the school of skule entering the bay (Figs. 5 and 6). This signaled action for the residents: the nets were put in the canoes and the men paddled cautiously out beyond the schooling fish.

Edward Chanq explained how the fish were coaxed close to shore. The fishermen paddled two canoes to the center of the bay, just beyond the school of fish. They attached their nets at that point and each canoe paddled to the opposite headland of the bay, thus closing off the entire bay. Then, in a series of large nets laid in patterns that served to restrict the movements of the school and prevent escape, they brought them close to shore (Fig. 7). Finally, the fish were caught and shared with all the residents of the area, and those fish that were not cooked and eaten at that time were cleaned, salted, and dried to preserve them for later eating, or for sharing with the 'Ulupalakua residents when they came down to Mākēna. Mākēna Bay experienced anywhere from one or two to as many as four or five schools during any given spawning season.

Stories still circulate about the weekly contacts between the residents of Mākēna and 'Ulupalakua in the early 1900s, and perhaps even before that. Saturdays were the days for the weekly hukilau (lit., pulling the leaves). People from the 'Ulupalakua area came down with their garden products, mainly



FIG. 5. LA BAY ON WHICH THE FISHERS SET THEIR NETS TO BE TAKEN TO THE KULO I'A SITE. (Photo by the author, 1965.)

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FIG. 6. THE VIEW OF MAKENA BAY FROM THE AIZO I'A ROCK IS RESTRICTED TODAY BY BRANCHES OF THE AIAHE TREES. BPRM No. MA(a)157-3.

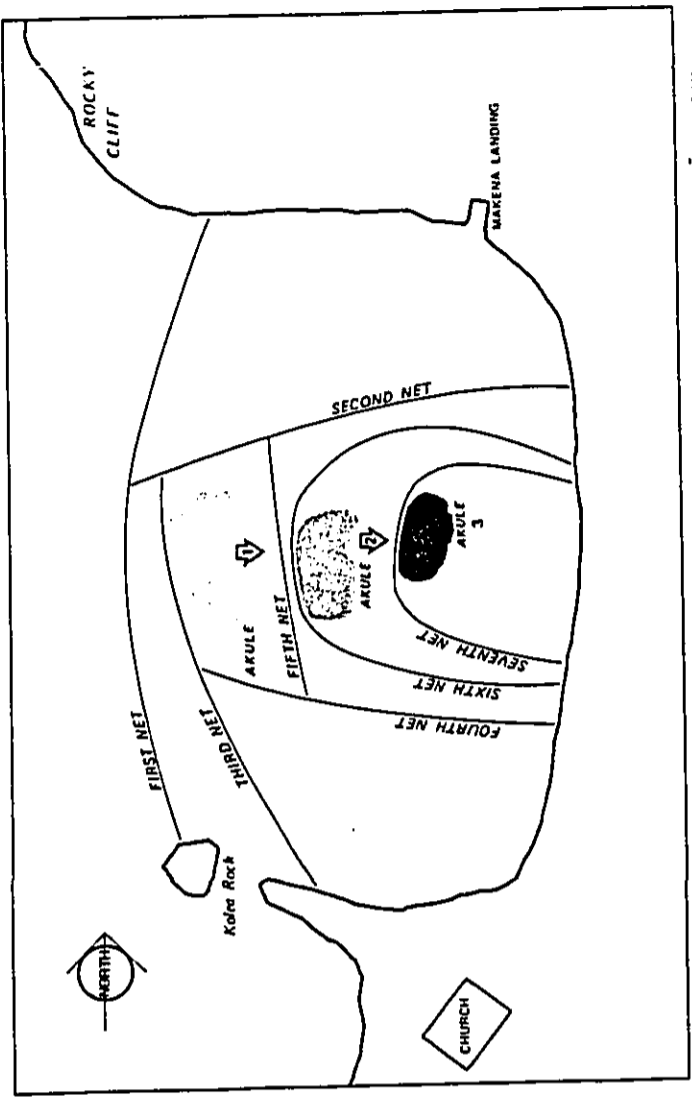


Fig. 7. SCHEMATIC OF A FISHING TECHNIQUE USED BY NATIVE HAWAIIANS TO CATCH AKULE IN MAKENA BAY

sweet potatoes and pumpkins. They sat on the beach and watched the Mākēna kama'āina (native born) setting out the rope with the lau (leaves) attached to it. Divers in the water fastened the floaters on the rope to keep the lau up off the bottom. They also placed nets over openings of holes on the bottom so the fish could not hide in them. The fishermen of Mākēna were skillful. They swam and dove while tending the lau, and worked hard to keep the fish from escaping. The visitors from the uplands stood on the shore and helped pull on the rope. It was a cooperative effort; whoever helped pull in the lau could have a share of the catch. Not only did the uplanders receive a large portion of the fresh fish caught that day, but they were also given dried fish and other resources from the sea that had been collected and prepared by the Mākēna people during the previous week.

Edward Chang explained that ti leaves were the most popular type of lau to tie to the rope. Sometimes, however, lacking ti, they had to use malina\* (sisal fiber). Sisal was less satisfactory because it got very dry, and when it was first put into the ocean it took a long time to get wet and sink. Young boys were usually given the job of tying the vilivili wood floaters to the rope. Each floater had a line through it that was adjustable for length by tying knots in the line. Its length was determined by how deep the ocean was at that spot. At the bottom end of each floater line was a two-pound stone. The stone end of the floater line was tied to the rope to keep the lau down. About three feet from the bottom was considered the best depth for the bottom of the lau. The floats kept the rope up and helped to maintain the proper depth for the lau. The most common fish caught were ūūū, hīnālea, kala, manini, and palani.

When the subsistence economy was still operating, the 'Ulupalakua people distributed their vegetables to family and friends at Mākēna. The nature of this exchange cannot be described as bargaining or bartering. Rather its form was that of sharing. "Take, take half, take what you need," are phrases that express much more adequately the character of the transfer of products from one group to the other. Many of the people who gathered at Mākēna on Saturdays were related, and, therefore, regular sharing partners who visited together for the day, eating and talking about other relatives, mutual friends, and events that had occurred since they last met. In later years the

\*The term used by Chang was "ino."

market economy predominated and more fish were sold than were shared. As kama'āina Hawaiian families died out or moved away, and malihini (newcomers) came to take their places or work for 'Ulupalakua Ranch, fewer people living in that area were related.

Before World War I, Saturday was also the day that the young boys, usually two or three of them, were sent on horseback to Kīhei to purchase a week's supply of poi (foodstuff made from taro) for Mākēna residents. Edward Chang remembers being sent many times on this errand when he was a young boy (Fig. 8). Two dollars would purchase a 50-pound bag of poi. Sometimes he had to use a packhorse to transport 400 or 500 pounds of poi back to Mākēna.

Robert Joseph Lu'uwai (Fig. 9) said that his father, John Lu'uwai, told him about being one of the canoe paddlers who normally took some of the older village residents all the way to Kīhei, so they could shop at the store there. They would leave Mākēna in the calm of the early morning to avoid paddling against the wind. Then, later in the day, when the wind came up, they would return to Mākēna in their canoe by sail. Perhaps these were the elders who could no longer ride such long distances on horseback.

When Robert Joseph Lu'uwai was young, he and his brother often paddled their father, John Lu'uwai, out to the fishing grounds where he did bottom fishing.

In 1902, A.D. Kahaulelio (Ms.) wrote a series of articles about fishing. In one of them he told of how he, Judge Abraham Fornander, and C. B. Kalaukane fished at Mākēna in 1877 while they were waiting for the steamer Likelike to pick them up. They let down their net twice and caught kala, palani, and panuhunuhu.

In the early 1900s, Saturday was also the day that mail was brought on horseback from Kīhei to Mākēna. Elizabeth Kalehuavehi Chun Ling remembers being sent to Mākēna from 'Ulupalakua on horseback on Fridays after school. She would visit with relatives and friends, stay overnight, and wait until Saturday afternoon when the mail arrived from Kīhei with a mail carrier who had started out from Mailuku much earlier in the day. She would then return to 'Ulupalakua and the home of her aunt and uncle, with whom she lived from 1916 to 1918. She also remembers going on horseback from 'Ulupalakua to Kīhei to get poi for her family. She relied heavily on the horse knowing the way to

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FIG. 8. EDWARD CHIANG REMINISCES ABOUT LIFE AT MAKENA, WHEN HE WAS A YOUNG BOY, AND BEFORE GOING TO LAIUNA LUNA IN 1921. RPSM Neg. No. MA(3)156-9.



FIG. 9. ROBERT JOSEPH LU'IRAI READING THE TRANSCRIPT OF A COURT SUIT INVOLVING HIS FAMILY LANDS AT MAKENA. RPSM Neg. No. MA(3)156-2.

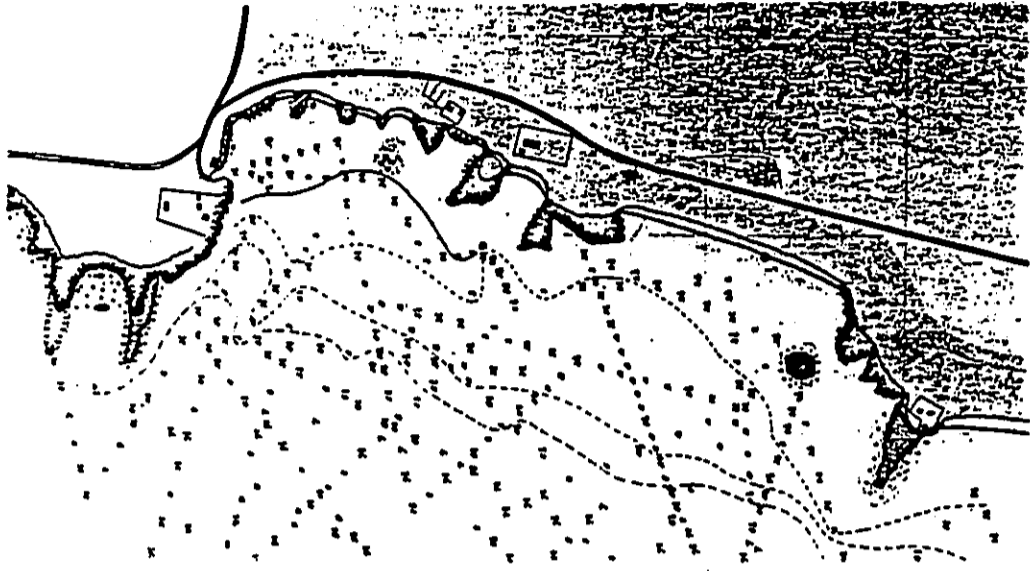


Fig. 10. PORTION OF A MAP OF MAKENA BAY BY GEORGE ED. GRESLEY JACKSON, SURVEYED IN 1885. Shown are the church in a walled compound near the middle of the bay; a fishpond nearby; the shoreline road; the Kukahiko family walled compound at the northern edge of the bay; the landing nearby; and the roads leading from the Landing to 'Ulupalakua, as well as north to Kihai and south to Keone'o'io (La Perouse Bay).

Makena or to Kihai, and did not follow the winding down-hill trail, but took short cuts to save time.

On one of her trips from 'Ulupalakua to Makena, Elizabeth Chun Ling remembers that a group of children wanted to surprise her with a feast prepared by themselves. One of the young boys, who was clever with roping, lassoed a small turtle. They then dressed and cooked it for their young visitor from 'Ulupalakua.

A map drawn in 1885 by Naval Lieutenant George Ed. Gresley Jackson shows the coastline with the Landing, the houselot enclosure of the Kukahiko family near the Landing, and Torbert's "new" road leading up to 'Ulupalakua. At the south end of the bay, Jackson indicates a church, and just waka of the church a small pond, which informants today say was a fishpond (Fig. 10). The pond also shows up on Alexanders' map, 1866-1879 (Fig. 11). There is no indication of a pond there today.

MAKENA CHURCH

The Makena community became a cultural center with the establishment of a church and church school, perhaps as early as 1837. In the Mission Station Report from Wailuku for the year 1837, it is mentioned that the Makena meeting house and seven stone, or "doby," school houses were built. By 1857 it was noted that Makena Church separated from the Wailuku Mission District and had a congregation of 298 members (Judd 1958). At this time the membership was struggling to "complete their stone church" (Ibid.). Makena Church had Hawaiian ministers, one of whom was the Rev. John Kukahiko, Robert Lu'uwai's granduncle.

Legend has it that a Honua'ula Church was established as early as 1825, but there is no document to substantiate this claim. The first mention of Honua'ula by the missionaries was when they went on a tour of Maui. On their way from Kaupō by canoe, they stopped at Honua'ula on 28 August 1828. No earlier mention has been found of the church at Makena, Honua'ula (Judd 1958).

The church underwent some major repairs in 1908 and was rededicated (Judd 1958). More recently, the church has had a new coat of plaster over the outside, and it appears to be in good repair (Fig. 12).

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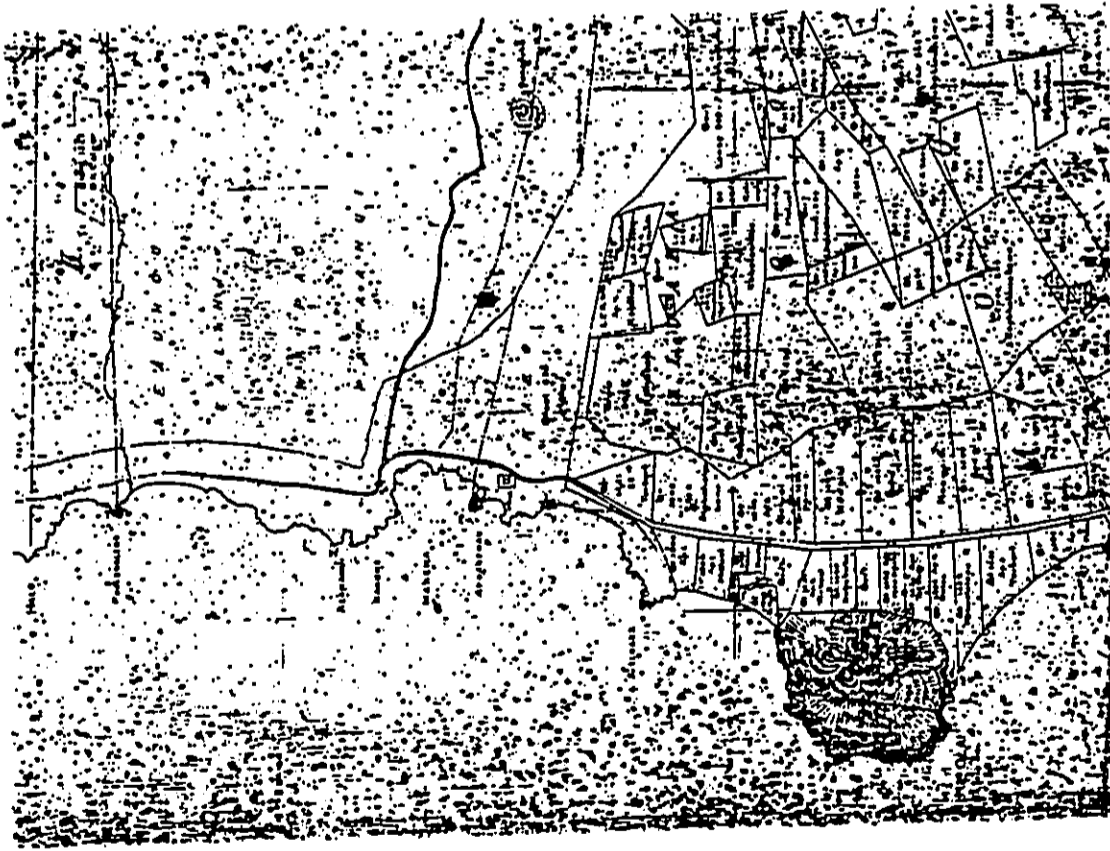


Fig. 11. PORTION OF A MAP SURVEYED BY W. D. ALEXANDER, 1866-1879. Shown are the church compound; the pond nearby; and the roads leading north and south and *nzaka* to 'Ulupaiakua.

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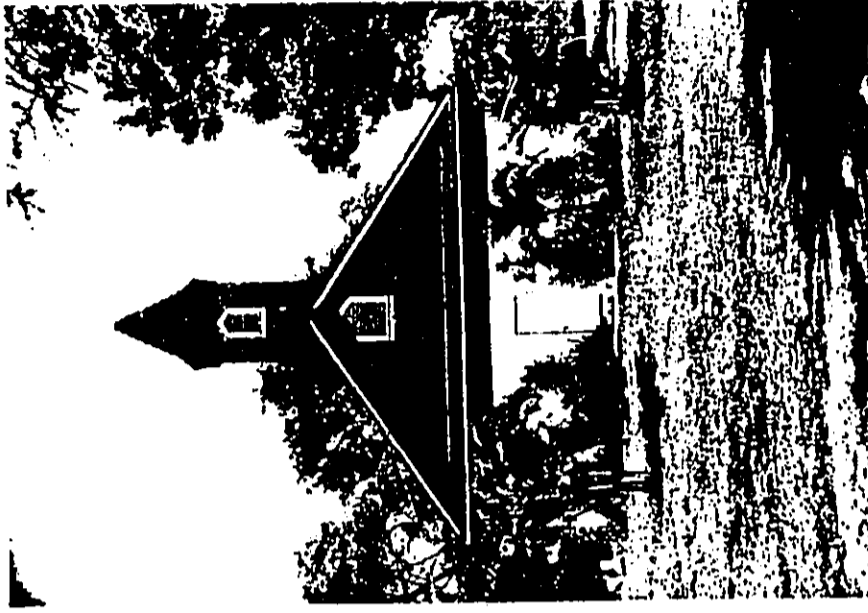


Fig. 12. MĀKENA CHURCH, 9 MARCH 1985. BPBH Neg. No. HA(g)157-20.

Edward Chang believes that Mākēna Bay furnished the coral for the original Mākēna Church structure, as well as for several other churches on Maui. Toward the south, not far from the Landing, and just south of a rock wall, is a pit that was used to burn coral for extracting lime, which was then used in constructing buildings. Today the pit is filled in with boulders and large kiawe branches and stumps; it gives little surface evidence of its past use.

There is a small graveyard on the church property (Fig. 13). Names of landing families of Mākēna predominate on the tombstones.

The earliest map showing the church and labelling it as such is a map called "Torbert's Map of Ulupalakua" (Reg. Map 1202; Fig. 14). There is no date on it, but it was probably done between 1845 and 1850. Both Jackson's and Alexander's maps show the location of the church (see Figs. 10 and 11).

The first school at Mākēna was at Keavekapu, "on the premises of the Protestant Church" (Formander 1865). "Four walls of cobble stones and a pandanus leaved roof constitute the school house. Pebbles from the beach make up the floor. The number of scholars about 40, comprising many from Ulupalakua..." (Ibid.). Plans were to build a schoolhouse at Ulupalakua in 1866 with taxes collected in 1865 (Ibid.).

Abraham Formander was Inspector General of Schools in 1865, and he wrote the following impressions after passing through the district of Honua'ula:

The population of Honua'ula--what is not employed on the Makee Plantation--are chiefly fishermen, apparently a thrifty, handy set of people, to judge from the general appearance of their houses, not a few of which were of wood, and many of the others, especially along the seaboard, being neatly built and looking tidy and clean within. The children seem to be numerous and those that I observed were decently clad and looked bright and healthy [Formander 1865].

THE LANDINGS

There are two labelled Landings along the seacoast in "Torbert's Map of Ulupalakua": Torbert's Landing, and the Aupuni (Government) Landing (see Fig. 14). Torbert's Landing is at the north end of Mākēna Bay, and is currently generally called the old Mākēna Landing. The Government Landing is



Fig. 13. GRAVES WITHIN THE MākēNA CHURCH WALLED COMPOUND. BPN Neg. No. MA(3)157-21.

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probably older, and was probably put into use at the time 'Ulupalakua was leased to M. J. Nowlein and S. D. Burrows in 1841, or before, for the growing and milling of sugar for King Kamehameha III. In order to do that, they would have to have had some way of bringing in machinery and other supplies. Undoubtedly the "Apuni landing" served this purpose early on. Torbert's map also shows a road (labelled "Apuni Road") connecting the "Apuni landing" with 'Ulupalakua. This road is no longer in use. It was probably replaced by "Torbert's New Road," which was built sometime after Linton L. Torbert purchased 'Ulupalakua from Kamehameha III in 1845, probably soon after 1850. Torbert used the land to grow sugar cane, and to raise cattle.

In a letter dated 25 September 1850, to the Minister of Interior, Torbert expressed his desire to purchase an area of about 2.25 acres for the purpose of "building a store house and wharf." He explained that it was "the only good landing to get off potatoes from the region of Kamaole," and that he was willing to pay \$200 cash (Letter to Minister of Interior from L. L. Torbert, 1850, Hawaii State Archives). Why Torbert wrote the letter at that time is not known. The records reveal that the Privy Council had authorized his purchase as early as 31 January 1850. A deed (Grant 223), signed 19 February 1850, covering 68 acres for \$368 was made out in his favor; this grant included the Landing site (Grant 223, DLNR, Land Management Division). On 4 March 1850 a second deed (Grant 234) was issued in the names of L. L. Torbert, and William Wilcox. This deed covered a total of 1,986 acres for \$1,986, including land mauka of the landing.

In another letter from Torbert to John Young, Minister of the Interior, Torbert explained that the original grant (Grant 223) covering the landing and the road to 'Ulupalakua was to be Torbert's alone, not Wilcox's, in case Wilcox decided to "dispose of his part to some other person." He concluded his letter, "Rest assured that the rights of the natives (Torbert's emphasis) will be held sacred by the missionary and by myself & myself as a company; for I believe that God's curse will rest on the man who 'grinds the face of the poor' or 'removes the landmarks'" (Letter from Torbert to Minister of Interior, 14 February 1850, Hawaii State Archives).

When Torbert owned the landing, it was referred to as "Torbert's Landing." After he sold out in a foreclosure auction to Captain James Makee



Fig. 14. COASTAL PORTION OF "TORBERT'S MAP OF ULUPALAKUA," SHOWING THE CHURCH, TWO LANDINGS (TORBERT'S LANDING AND AUPUNI LANDING), A GOVERNMENT ROAD LEADING UP TO 'ULUPALAKUA, AND ANOTHER ROAD CALLED "TORBERT'S NEW ROAD." Reg. Map 1202, State Survey Office.



in 1856, it became known as Makee Landing. It has also been called 'UluPalakua Landing because of its importance to the ranch in the uplands behind Makena.

John and Kawaka Kukahiko lived near the landing at Makena in the late 19th and early 20th centuries. John Kukahiko tended a lighthouse on the landing where he always kept a lantern burning. His daughter, Kealokai, kept freight records. Sugar was stored in barrels in a large warehouse. Pineapples (the Spanish variety, which was very sweet but had thorns) were shipped from the landing by Charles Wilcox, who grew them in an area between Makena and Torbert's Ranch. Residents of the area also shipped chickens, eggs, turkeys, and vegetables. Freight was carried to Torbert's Landing in ox carts. Travelers used horses to and from the landing. During the gold rush days the landing was used to ship vegetables, particularly potatoes, from Kula to California.

In 1856 the ranch, including the landing, was purchased by Captain James Makee. The ranch was renamed the Rose Ranch and the landing called Makee's Landing. In 1865, it was one of the busiest ports on Maui, second only to Lahaina. Regular stops were made by the ships, James B. Makee, Milauea, and Likelike. Makee had a cannon on the mauka hillside that was used to signal the arrival of ships.

In 1910 the Territory of Hawaii investigated private wharves and landings throughout the Islands, and determined that Makena Landing was owned at that time by J. H. Raymond. In March 1886 the 'UluPalakua Ranch had been purchased by James Isaac Dowsett. It was inherited by his daughter, Phoebe, who was married to Dr. J. H. Raymond. The report on the Makena Landing described it as "a small slip confined by masonry jetties running out about 50' into the water," and a small wooden warehouse, 20' by 20', built 40 years ago (Territory of Hawaii 1910). There were no other improvements; the freight was handled by hand; and a Government road led to the water's edge. The outgoing freight was cattle, about 200 head per year, and ranch products from Kula, which amounted to about 100 tons. Incoming freight was mainly supplies for the ranch, farmers, and fishermen. The volume decreased because the government landing at Keavekapu, 8 miles north of Makena, was being used. There were no landing charges at Makena at that time (Ibid.).

A 1910 document appears to record the transfer of the landing from Dr. Raymond to the Territory of Hawaii (Fig. 15). Dr. Raymond had long since built at Keone'o'io a slaughter house, cold storage plant, and boat landing for the purpose of shipping beef to Honolulu and Lahaina. The boat Makena was used as a cargo ship (Sterling 1965).

The old Makena Landing currently lies in ruins. The landing was battered about by storm waves and abandoned around 1921; no repairs have been made since then. At one time the cove next to the landing platform was about 10 ft deep. Now it appears as a coral and lava stone rubble beach, used sometimes by scuba divers as they enter the crystal clear water of Makena Bay (Fig. 16).

Willie Olsen lives in a small house next to the landing. He was raised with John Lu'u'uai at 'UluPalakua Ranch, where they became cowboys. He built his house next to, and encompassing, an old military pillbox built in 1944 (Fig. 17). Olsen lives there on a permit from the State of Hawaii.

#### THE TRAILS AND ROADS OF MAKENA

##### Trails

Walking trails (ala hele) connected the residents of one coastal hamlet to another, and the inhabitants of coastal hamlets to inland hamlets. These people used and maintained the trails long before the first contact with the western world in 1778. Some trails were primarily for social and economic communication, and others primarily for fishing and gathering other resources from the sea. Trails that were primarily for getting to a particular place and back, such as many mauka-makai oriented trails, tended to appear more purposeful in their direction. Fishing trails, on the other hand, usually followed the intricate contours of the coastline.

Hawaiian trails took many different forms. They tended to be less formal over sand dunes than over expanses of sea lava. Over an aa lava flow these trails might be paved with waterworn steppingstones and even marked on their sides with small pieces of bleached white coral that could be seen and followed at night. When the missionaries made their tour of the island of

13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100





Fig. 17. UNCLE WILLIE OLSEN'S HOUSE, ENCOMPASSING THE OLD MILITARY PILLBOX AS PART OF ITS STRUCTURE. BPEM Neg. No. MA(a)157-11.

Mauī in 1828, they mentioned the foot trails across the lava flows on the southern coast of East Mauī, not far from Honua'ula:

and we landed, and walked about nine miles, over very rough country. We saw scarcely a leaf of vegetation, and scarcely set our feet upon the earth, through this whole distance. All was lava, thrown together in immense piles, over which a path had been worn, by the feet of the natives [Missionary Herald 1829:249].

The next place they landed at was Honua'ula where they inspected the school.

Trails that are currently used by modern fishermen are often kept up, and continue to be relatively easy to follow. In places where the fish population has been depleted and where fishermen no longer travel looking for fish, rough seas erode the old trails and make them impossible to recognize. Fishing trails along the coastal area might appear to be intermittent, because as the fishermen come down off the lava flow and cross the sand dunes of a beach, the "trail" becomes highly informal. It is picked up again in its more recognized condition when the lava flow at the opposite end of the beach is crossed.

Inland trails located on sand dunes, such as those between Hākena and Kīhei were not usually constructed of waterworn stones, or paved. They were probably merely paths worn by innumerable generations of walking users. Nevertheless, these trails were used and reused by inhabitants of these areas to maintain contact with each other for both social and economic purposes.

In native Hawaiian times, the operation of the subsistence economy required and admitted access to the resources of both the uplands and the sea. The concept of private property, which might allow blocking an ancient trail or refusing access to the *kama'āina* of an area, was an unknown concept in precontact Hawai'i. As is explained by the well-known surveyor, Curtis J. Lyons:

Hawaiian life vibrated from uka, mountain, whence came wood, kapa, for clothing, olona, for fishline, ti-leaf for wrapping paper, *ie* for ratan lashing, wild birds for food, to the kai, sea, whence came *ia*, fish, and all connected therewith [Lyons 1875].

Trails between Hākena and other coastal hamlets served as instruments for important social and economic contact. People living inland became expert in cultivating their crops; people living in coastal hamlets became expert fisherpeople. When large schools of *akule* came into the bay, people were

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

notified up and down the coast, and they came to help with the nets, and to receive a portion of the catch. For any large undertaking, these trails provided people with the means of cooperating, sharing their labor and resources. The building of a *heiau* might require the energy of hundreds of men. The chief would send messengers on the trails to inform the people. Perhaps all the men of the district would work together on such an occasion. It was this accessibility to all the resources of the land and sea that made the Hawaiian subsistence economy work so well. The economy flourished and the population flourished.

The Hawaiian cultural values of cooperating and sharing were established during the thousand or more years of occupation of the Hawaiian Islands by the first Polynesians. After the introduction of private property in the mid-19th century, many trails were blocked or fenced, and access to them otherwise diverted, leaving the people in those areas without a means to continue to express their cultural heritage.

Roads

The earliest map of the Mākena area that we have been able to locate is Torbert's map (Fig. 18). It indicates that there was a Government Road along the coast, which Torbert labelled "Aupuni Road." There was also a Government Road leading up toward 'Ulupalakua that he also labelled "Aupuni Road."

In addition, Torbert's map indicates an "Aupuni Landing and Store House" just *makai* of the church enclosure, near the center of the bay. This landing was probably established when Howlein and Burrows began growing sugar cane in the 'Ulupalakua area for Kamehameha III in 1841, as it would have provided the best way of getting machinery and other supplies to the inland plantation. They probably also used an ancient trail connecting the two areas, called "Aupuni Road" by Torbert.

With the establishment of Torbert's Landing at the north end of the bay, perhaps as early as 1845, and with the coming and going of cargo and passenger ships that called there regularly, the use of the former road between Kīhei and Mākena was reduced. With horses and cattle eating the beans of the *kiawe* trees (*Prosopis pallida*), these trees began growing along the old trail, and gradually took over as the use of the trail diminished



Fig. 18. A PORTION OF TORBERT'S MAP (1845?), SHOWING THE GOVERNMENT ROAD ALONG THE COAST AND THE OLD GOVERNMENT ROAD LEADING UP TO 'ULUPALAKUA. Also shown is the Government Mall, probably built to protect the residents of Mākena from the marauding cattle coming from the inland ranches.

during the period that boats used the landing. By the time Edward Chang remembers traveling to Kīhei to get poi for his family, the road to Kīhei had become, as he describes it, a horse trail.

After the Torbert map, the next map in chronological sequence is Alexander's (1866-1897). His map shows the presence of a road throughout the Honua'ula District. It generally follows the coast, but in some places, such as between Mākena and the northern border of Kanahena, it goes inland, crossing the large lava flow at a considerable distance from the sea.

THE MILITARY AT MĀKENA

Edward Chang says that the American military built the road to Mākena from Kīhei during World War II, in 1944-45. Under cover of "martial law" the military took over the northern end of Mākena Bay shore, and used the area for war maneuvers. They moved everyone out of their houses, demolished them, and built pillboxes and gun emplacements. Chang also credits the American military with bulldozing the area west of the pillbox, near the landing. The reason was that the firing range from the pillbox was limited. Chang claims that this reduction in the elevation of the housesite to the west made the site vulnerable to the heavy seas that came later. When the house was rebuilt it suffered several disasters, and currently lies in ruins.

CONCLUSIONS

This report was only able to highlight some of the history of the Mākena area. The area is rich in Hawaiian tradition, archaeological sites, and history. There are people still alive who can describe the transitional period between the Hawaiian subsistence economy and the western market economy. A more thorough research and interviewing experience could bring out many interesting aspects of this period of Hawai'i's history. The author expresses the hope that this way yet be done.

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# B I S H O P M U S E U M

1525 BERNICE STREET • P.O. BOX 19000-A • HONOLULU, HAWAII 96819 • (808) 847-3511

November 8, 1984

Environmental Communications, Inc.  
P.O. Box 536  
Honolulu, Hawai'i 96809

Dear Sirs:

As per our agreement, the Department of Anthropology, Bernice Pauahi Bishop Museum has completed a brief literature search of previous archaeological research in the coastal area of Makena, Maui. Specifically, the subject area is the segment of the presently existing Makena Road which fronts the Seibu Hotel parcel.

The Department of Anthropology has, since 1974, undertaken six major archaeological projects in the area, under contract to Seibu Corporation, as well as conducting the Statewide Inventory for the Island of Maui, and numerous other projects along the southwestern coast of Maui. The attached list of references includes those reports written for the projects on Seibu lands.

We understand that currently a controversy is brewing regarding the historical significance of the present Makena Road. No remains of a road or trail have been recorded in the subject area in any of the previous archaeological surveys. However, since a coastal trail system did most likely traverse this area, one explanation for the lack of any remains would be that the present road lies on the alignment of the trail and obscures or destroyed any evidence of the historic trail. It may be possible that the trail known as Piilani, Hoapili, or the "King's Highway," continued through this area towards Kihei. However, the only intact segments of this trail occur today along a 13.5 mile stretch between La Perouse Bay and Manawainui Gulch. The differences in terrain and topography may also account for the lack of any formally constructed trail along the subject area.

It is our understanding, that once the mauka alignment is connected, this coastal segment will be grassed over. We recommend that an archaeological monitor be present during any ground alteration activities to ensure that if any remains are present below the existing roadbed, proper mitigation procedures be implemented.

We would also recommend checking with the appropriate County Agency as well as the State, DAGS Survey Office (Mr. Charlie Okino) for any older maps showing trail or road alignments in the subject area. If you have any questions or require further investigation, please feel free to contact me at 847-3511, ext.126.

Sincerely,

*Aki Sinoto*  
Aki Sinoto  
Assistant Contract Manager  
Department of Anthropology

attachment

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\*all manuscripts are on file in the Department of Anthropology, Bernice Pauahi Bishop Museum, Honolulu.



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

# APPENDIX B

This synopsis and status report on the Civil Action No. 85-0187(3) was provided by Foley, Maehara, Judge & Nip, Attorneys at Law. It is provided as part of the response to the Office of Hawaiian Affairs (OHA) comments.

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## I. PARTIES TO THE ACTION

### A. Plaintiffs:

1. Hui Alanui O Makena is a group of native Hawaiians who actively use the Makena area and seek to maintain their traditional native Hawaiian lifestyle.

2. Leslie Kuloloio, Charles Keau, George Ferreira, Helen Peters, Alice Kuloloio, Edward Chang, and Esther Campbell are adjacent landowners in the Makena area.

3. Dana Naone Hall, Hokulani Holt Padilla, and Ned I. Goodness are persons who use the Makena area for cultural, religious and medicinal purposes.

### B. Defendants:

1. County of Maui is the previous owner of the Makena-Keoneoio roadway ("Roadway") in question prior to its abandonment and conveyance of the Roadway to its successor in interest, Seibu Hawaii.

2. Rick Medina, Toshio Ishikawa, Ralph Hayashi, Hannibal Tavares, and various County of Maui officials who were involved in the abandonment and conveyance of the Roadway to Seibu Hawaii.

3. Seibu Hawaii, Seibu Fudosan K.K. is the owner of the Maui Prince Hotel and successor in interest to the Roadway.

4. State of Hawaii, State Land Survey Division of the Department of Accounting and General Services, various state agencies involved with the abandonment and conveyance of the Roadway to Seibu Hawaii.

C. Third Party Plaintiff:

1. Seibu Hawaii, Seibu Fudosan K.K., see above, institutes a third-party action against its predecessors in interest, surveyor and title company under its title insurance policy.

D. Third Party Defendants:

1. Ulupalakua Ranch, Charles and Edith Cooke, Mary M. Cooke, Samuel A. Cooke, Hattie K. Piltz, and Adolph A. K. Piltz are predecessors in interest to Seibu Hawaii. Third-party Defendants Piltz and Cooke were later dismissed without prejudice.

2. R.M. Towill Corporation, surveyor who conducted a 1965 survey of the Makena area that allegedly altered some of the Kuleanas boundaries. Defendant Towill was later dismissed without prejudice.

3. Title Insurance and Trust Company and Safeco Title Insurance Company are issuers of title insurance for the Makena area in question.

II. CLAIMS OF THE PARTIES

A. Plaintiffs:

Plaintiffs seek to keep the Roadway open to the public, in particular native Hawaiians who, it is alleged, used the Roadway since the 16th century. The Roadway is alleged to be part of the old Hoapili trail. Specifically, Plaintiffs claim that the action of the County of Maui and the State of Hawaii abandoning and conveying the Roadway to Seibu Hawaii constitutes:

1. A violation of various County and State statutes.
2. A violation of the State Constitution. Plaintiffs allege that the Constitution guarantees access of the public to public lands and, in the event that the Roadway is conveyed to Seibu, Plaintiffs are entitled to just compensation as beneficiaries of the public interest.
3. A violation of State and County zoning laws as there was no Special Management Area Permit and no environmental assessment prior to the subdivision application of the County of Maui.
4. A wasting of assets and a breach of the government fiduciary duties as Trustee of the public lands.
5. An improper conveyance to Seibu Hawaii, Plaintiffs seek quiet title in favor of the public.

B. Defendants:

1. Defendants have generally denied the allegations contained in the complaint of Plaintiff. In addition, Defendants have asserted that Plaintiffs are without standing to contest the abandonment and conveyance of the Roadway to Seibu. Defendants have also asserted that there is no evidence at the present time to show that there is any historical significance of the present Roadway site. Finally, Defendants State and County and their respective officials deny that there was any impropriety in conveying the roadway to Seibu Hawaii.

C. Third-Party Complaint:

1. Third-Party Plaintiff Seibu Hawaii has filed a third-party complaint against third-party defendants named above in section I, alleging that its predecessors in interest, Ulupalakua Ranch, Defendants Cooke and Defendants Piltz are liable to Seibu for their failure to convey to Seibu title to their subject parcels and clear of and from all encumbrances.

Second, Seibu alleges that R.M. Towill was negligent in his preparation of the 1965 survey of the Makena area and that his survey induced Seibu into purchasing the subject parcels.

Third, Seibu alleges that Title Insurance and Trust Company and Safeco Title Insurance are liable on their title insurance policies issued for the subject parcels.

2. Third-Party Defendants have generally denied the allegations made by Seibu. Seibu has dismissed certain third-party defendants without prejudice from this action.

III. PRESENT STATUS OF THE CASE

On July 14, 1986, Plaintiffs and Defendants stipulated to stay the Special Management Area Permit process until Seibu has conducted an environmental impact statement in accordance with chapter 343 and accepted by the proper authorities. Plaintiffs agreed to dismiss Plaintiffs' chapter 343 claims against all Defendants.

On August 6, 1986, Seibu filed a motion for preliminary injunction against Plaintiffs seeking to prevent them from trespassing and protesting on Seibu property. On September 17, 1986, the Plaintiffs filed a motion for a temporary restraining order and preliminary injunction regarding Seibu's maintenance of the Roadway and seeking to prevent Seibu from (1) draining liquids onto the Roadway and (2) placing a uniform guard alongside the Roadway. A hearing on both motions was set for September 30, 1986.

At the hearing, Judge McConnell urged both parties to reach an out of court settlement and did not rule on either party's motion for injunctive relief. This matter has been continued indefinitely unless and until events arise that require judicial intervention and resolution.

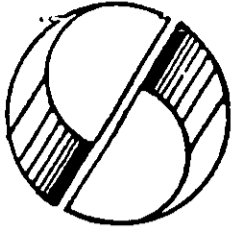
On December 15, 1986, Plaintiffs refiled a statement of readiness for trial. The parties are presently trying to arrange a trial date in October, however, no trial date has been set by the Court.

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**APPENDIX C**

APPENDIX C  
ALTERNATIVE COST ESTIMATES



COST ESTIMATE

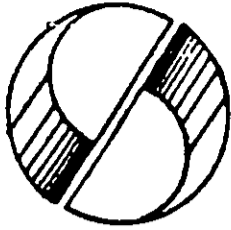
RICHARD M. SATO & ASSOCIATES, INC. • 2180 MAIN ST., SUITE 101-A • WAILUKU, MAUI, HAWAII 96793 • PHONE 244-81

date: 7/1/96

project: Makana - Kealahou Road Cul-de-Sacs  
 location: Makana, Maui  
 engineer: \_\_\_\_\_ estimator: \_\_\_\_\_  
 estimate no. \_\_\_\_\_  
 sheet no. \_\_\_\_\_

description	quantity	unit	unit pri	sub-total	TOTAL
<u>18' Clearance Underground Tunnel</u>					
Clear and Grub	2.0	AC.	5,000	10,000	
Unclassified Excavation	92,500	S.Y.	60	5,550,000	
Finisl. Grading	1,240	L.F.	10	12,400	
Grassing	10	AC.	6,000	60,000	
Construction Dust Control and Temporary Erosion Control Measures		L.S.	15,000	15,000	
Concrete Tunnel	1,100	L.F.	3,300	3,630,000	
Electrical Work	1,100	L.F.	100	110,000	
Ventilation	1,100	L.F.	50	55,000	
Drainage	1,100	L.F.	150	165,000	
Injection Well	1	EA.	5,000	5,000	
				\$20,632,000	
+ 10% Contingency				2,063,200	
			TOTAL	22,695,200	





COST ESTIMATE

RICHARD M. SATO & ASSOCIATES, INC. • 2180 MAIN ST., SUITE 101-A • WAILUKU, MAUI, HAWAII 96793 • PHONE 244-8285

date: 6/30/86

project: Makena - Keohele Road Cul-de-Sacs

estimate no.

location: Makena, Maui

sheet no.

engineer:

estimator:

description	quantity	unit	unit pr	sub-total	TOTAL
<u>56 Ft. Right-of-Way</u>					
Clear and Grub	2.0	AC.	5,000	10,000	
Unclassified Excavation	14,500	C.Y.	15	217,500	
Roadway Finish Grading (EG R/W)	1,240	L.F.	10	12,400	
Shoulder Grassing	2E	AC.	3,000	6,000	
Construction Dust Control and Temporary Erosion Control Measures		L.S.	10,000	10,000	
6" Thick Base Course	827	C.Y.	45	27,215	
2" Thick Asphalt Concrete Surfacing	258	C.Y.	160	41,280	
Concrete Curb and Gutter	2,500	L.F.	20	50,000	
6' Wide by 4" Thick Concrete Sidewalk	2,500	L.F.	18	45,000	
6" Thick Concrete Pavement	220	S.Y.	50	11,000	
Traffic Striping		L.S.	1,000	1,000	
6' High Retaining Wall	800	L.F.	200	160,000	
Catch Basin	3	EA.	5,500	16,500	
24" Drainline	500	L.F.	60	30,000	
Injection Well	1	EA.	15,000	15,000	
Concrete Overpass		L.S.	180,000	180,000	
				244,295	
+10% Contingency				24,419	
			TOTAL	\$ 268,714	

MAKENA KEONEOIO ROAD CUL-DE-SACS  
PEDESTRIAN UNDERPASS

Engineer's Preliminary Detail Estimate  
 Project No. 8504  
 Date 1/28/87  
 Page 1

Item No.	Item	Quantity	Unit	Unit Price	Amount
1	Clear and Grub	1.4	Acres	\$5,000	\$ 7,000
2	Unclassified Excavation Incl. Backfill	4,750	C.Y.	\$ 40	\$190,000
3	Walkway and Rd. Fin. Grading	1,460	S.Y.	\$ 2	\$ 2,920
4	Grassing	5,840	S.Y.	\$ 2	\$ 11,680
5	Construction Dust Control		Lump Sum	\$7,000	\$ 7,000
6	Aluminum Structural Plate	110	L.F.	\$ 575	\$ 63,250
7	Crushed Rock Bedding	20	C.Y.	\$ 120	\$ 2,400
8	Concrete Walks	73	C.Y.	\$ 300	\$ 21,900
9	Metal Guardrails	200	L.F.	\$ 35	\$ 7,000
10	Drainage Catchbasins	2	Each	\$3,500	\$ 7,000
11	Sump Pumps	2	Each	\$2,700	\$ 5,400
12	3" PVC Drain Pipe	560	L.F.	\$ 12	\$ 6,720
13	Conc. Collar	2	C.Y.	\$1,200	\$ 2,400
14	Underpass Lights		Lump Sum	\$4,250	\$ 4,250
15	Electric Service		Lump Sum	\$12,000	\$ 12,000
			TOTAL COST	=	\$350,920

**ENGINEER'S PRELIMINARY DETAIL ESTIMATE**

FOR

MAKENA-KEONEOIO ROAD CUL-DE-SACS

56 FT. WIDE RIGHT-OF-WAY WITH

COBBLE STONE ROADWAY AND SIDEWALKS

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 \_\_\_\_\_  
 \_\_\_\_\_

PROJECT NO. 8504

FEBRUARY 2, 1987

PAGE 1

Item No.	Item	Quantity	Unit	Unit Price	Amount
1	Clear and Grub	2.0	A.C.	\$ 5,000	\$ 10,000
2	Unclassified Excavation and Embankment	8,500	C.Y.	\$ 15	\$127,500
3.	Roadway Finish Grading (56 R/W)	1,240	L.F.	\$ 10	\$ 12,400
4	Shoulder Grassing	0.5	A.C.	\$ 6,000	\$ 3,000
5	Construction Dust Control and Temporary Erosion Control Measures		L.S.	\$10,000	\$ 10,000
6	6" Thick Base Course (Road)	827	C.Y.	\$ 45	\$ 37,215
7	1 1/2" Sand Leveling Base (Road)	207	C.Y.	\$ 50	\$ 10,350
8	Cobble Stone Pavers (Road)	4,960	S.Y.	\$ 72	\$357,120
9	Cobble Stone Curb	2,500	L.F.	\$ 45	\$112,500
10	4" Thick Base Course (Sidewalk)	185	C.Y.	\$ 45	\$ 8,325
11	1 1/2" Sand Leveling Base (Sidewalk)	70	C.Y.	\$ 50	\$ 3,500
12	Cobble Stone Pavers (Sidewalk)	1,667	S.Y.	\$ 72	\$120,024
13	Wheel Chair Ramps (Cobblestone)	2	EA.	\$ 650	\$ 1,300
14	Catch Basins	8	EA.	\$ 5,500	\$ 44,000
15	24" Drainline	1,460	L.F.	\$ 60	\$ 87,600
16	Injection Well	1	EA.	\$15,000	\$ 15,000

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TO: ERIC MAEHARA (CHARLENE) 2/3/87  
 FROM: SEIBU HAWAII, INC. (ROY)

## ENGINEER'S PRELIMINARY DETAIL ESTIMATE

FOR  
 MAKENA-KEONEOIO ROAD CUL-DE-SACS  
 IMPROVED COUNTY STANDARD ROADWAY  
 WITH PEDESTRIAN CROSSING TRAFFIC SIGNALS

Project No. 8504

Page 1

February 2, 1987

Item No.	Item	Quantity	Unit	Unit Price	Amount
1	Clear and Grub	2.0	A.C.	\$ 5,000	\$ 10,000
2	Unclassified Excavation and Embankment	8.500	C.Y.	\$ 15	\$127,500
3	Roadway Finish Grading (56 R/W)	1,240	L.F.	\$ 10	\$ 12,400
4	Shoulder Grassing	0.5	A.C.	\$ 6,000	\$ 3,000
5	Construction Dust Control and Temporary Erosion Control Measures		L.S.	\$10,000	\$ 10,000
6	6" Thick Base Course	827	C.Y.	\$ 45	\$ 37,215
7	2" Thick Asphalt Concrete Surfacing	258	C.Y.	\$ 160	\$ 41,280
8	Concrete Curb and Gutter	2,500	L.F.	\$ 20	\$ 50,000
9	6' Wide by 4' Thick Concrete Sidewalk	2,500	L.F.	\$ 18	\$ 45,000
10	Traffic Striping		L.S.	\$ 1,200	\$ 1,200
11	Wheel Chair Ramps	2	EA.	\$ 300	\$ 600
12	Catch Basins	8	EA	\$ 5,500	\$ 44,000
13	24" Drainline	1,460	L.F.	\$ 60	\$ 87,600
14	Injection Well	1	EA	\$15,000	\$ 15,000
15	Traffic Signals w/Advance Warning		L.S.	\$30,000	\$ 30,000
16	Street Lights	5	EA	\$ 9,000	\$ 45,000

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