

1992-07-08-MA-FEA-Maalea Fields 771, 773 & 775
Reclassification FM Conservation

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LAND USE COMMISSION
STATE OF HAWAII

Maalea Fields 771, 773, and 775

Environmental Assessment

Prepared for:

May 1992



C. Brewer Properties, Inc.



Michael T. Munekiyo Consulting, Inc.

**Maialaea Fields
771, 773, and 775**

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CONTENTS

Preface	i
Summary	ii
I. INTRODUCTION	1
A. BACKGROUND AND PURPOSE	1
B. NEED FOR RECLASSIFICATION	4
II. DESCRIPTION OF THE EXISTING ENVIRONMENT	6
A. PHYSICAL ENVIRONMENT	6
1. Surrounding Environment	6
2. Climate	8
3. Topography and Soil Characteristics	8
4. Flood and Tsunami Hazard	10
5. Flora and Fauna	12
6. Air Quality	13
7. Noise Characteristics	13
8. Scenic and Open Space Resources	14
9. Archaeological Resources	14
B. SOCIO-ECONOMIC ENVIRONMENT	15
C. PUBLIC SERVICES AND INFRASTRUCTURE	16
III. ASSESSMENT OF IMPACTS	17

A.	IMPACTS TO THE PHYSICAL ENVIRONMENT	17
B.	IMPACTS TO THE SOCIO-ECONOMIC ENVIRONMENT	17
C.	IMPACTS TO PUBLIC SERVICES AND INFRASTRUCTURE	18
IV.	RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS	19
V.	FINDINGS AND CONCLUSION	27
VI.	AGENCIES CONSULTED IN THE PREPARATION OF THE ENVIRONMENTAL ASSESSMENT	28

REFERENCES

APPENDIX A - Archaeological Inventory Report

LIST OF FIGURES

1	Regional Location Map	2
2	Tax Map Key 3-6-1:18	3
3	Site Map	7
4	Soil Classifications	9
5	Flood Insurance Rate Map	11
6	State Land Use District Designations	22
7	Community Plan Land Use Designations	24

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Preface

This Environmental Assessment (EA) has been prepared in connection with C. Brewer Properties, Inc.'s (CBP) proposed reclassification of 20.644 acres of land at Maalaea, Maui, Hawaii (TMK 3-6-01:por. 18) from the State Land Use "Conservation" district to the "Agricultural" district. The report is prepared in accordance with Chapter 343, Hawaii Revised Statutes; Chapter 200 of Title 11, Administrative Rules, "Environmental Impact Statement Rules"; and Chapter 15-15, Hawaii Administrative Rules, "Hawaii Land Use Commission Rules".

A negative declaration was made by the Land Use Commission on September 19, 1991 on the EA for the original petition. The hearing on the Petition was continued in order for the Petitioner to amend the petition to include other small slivers of land on the same parcel (TMK 3-6-01:18) which were also probably classified as Conservation.

A subsequent boundary interpretation of the entire parcel revealed that approximately eight (8) more acres of the parcel are classified Conservation. The original petition's twelve (12) acres are primarily being cultivated. The additional eight (8) acres in this amended petition are comprised of mostly agricultural roadway and vacant land between the roadway and the State Conservation land mauka of the petition property. This amended EA addresses the eight (8) additional acres of uncultivated land as well as the original petition's twelve (12) acres.

SUMMARY

Applicant and Landowner

The Applicant for the proposed request is C. Brewer Properties, Inc. (CBP), a Hawaii corporation. The landowner of the subject property is Wailuku Agribusiness Company, Inc. (WACI). Both CBP and WACI are subsidiary companies of C. Brewer and Company, Ltd.

Contact Person

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Property Location and Description

The subject property is located in Maalaea, Maui, Hawaii and is identified as TMK 3-6-01:por. 18. The request concerns four separate parcels of land totalling 20.644 acres. Approximately 14 acres of land comprising the subject property are presently in pineapple cultivation. The remainder consists of an agricultural access road, vacant lands and a temporary air monitoring station. The property is located mauka of Honoapiilani Highway near Maalaea Village and extends to the vicinity of North Kihei Road. Surrounding non-agricultural lands include State-owned "Conservation" lands to the west which are presently used for cattle grazing, and an undeveloped eighteen (18) acre "Urban" designated parcel located makai of Honoapiilani Highway ("Maalaea Triangle"). Agricultural uses include sugar cane fields makai of Honoapiilani Highway up to North Kihei Road. To the north of the subject property are pineapple fields.

Proposed Action

CBP, on behalf of WACI, proposes to reclassify the subject property from the State "Conservation" district to the "Agricultural" district. A significant portion of the property has been used for sugar cane and pineapple cultivation for more than two decades. However, the property was recently identified as being within the "Conservation" district, after WACI conducted an in-house land inventory and review of the area. The proposed

action, therefore, is an "after-the-fact" request initiated to bring the State Land Use district boundaries in line with past and existing agricultural uses, as well as WACI's ownership of property in this area.

The subject property represents approximately 0.7% of WACI's total 1,900 acre pineapple operation. The property is contiguous to and a part of this larger operation. Most of the site is considered highly suitable for agricultural use in terms of the site's physical characteristics and present use. The remaining acreages are complementary to the agricultural and open space character of the region.

The continued use of the property for agriculture will not adversely impact unique or valuable natural, cultural, or ecological systems. Moreover, the continued cultivation of pineapple will not impact governmental public services and infrastructure systems.

Findings and Conclusion

The proposed request to reclassify 20.644 acres of land in Maalaea from the State "Conservation" district to the "Agricultural" district will not have a significant adverse impact upon the environment. The continued use of the property for agricultural crop production and complementary uses will not create adverse primary, secondary, or cumulative impacts upon the physical, cultural, ecological, and socioeconomic environments, and public services and infrastructure systems. The proposed request is intended to establish consistency between the actual use of the property and the boundaries of the State Land Use Districts.

The subject property is suitable for agricultural crop production and complementary uses. Its continued use in agriculture will help support the agricultural sector of the Island's economy and maintain the open space character of the Central Maui isthmus.

The proposed request is in conformance with the State Land Use Commission Standards for the "Agricultural" district and is consistent with the County General Plan and Kihei - Makena Community Plan.

Chapter 1

Introduction

I. INTRODUCTION

A. BACKGROUND AND PURPOSE

Wailuku Agribusiness Co., Inc. (WACI), a subsidiary of C. Brewer and Company, Ltd., is a large-scale, diversified agribusiness company on the island of Maui with more than 3,200 acres in active cultivation in Central Maui. Formerly known as Wailuku Sugar Company, Inc., WACI was a major sugar cane producer on the Island until 1988, when the company completely phased out of sugar cane production. Through the gradual phase-out of sugar, WACI embarked on a crop diversification program which included the start-up of macadamia nut orchards and pineapple fields. Today, the Company manages approximately 1,300 acres of macadamia nut orchards and 1,900 acres of pineapple fields, stretching from Maalaea to Waihee.

During a recent in-house inventory and review of WACI-owned lands in the Maalaea area, it was noted that there were divergences between the Agricultural/Conservation District boundary line, State and WACI-owned parcels and actual use of the land. The land area of the subject request concerns four separate parcels of land totalling 20.644 acres which would reclassify WACI-owned lands from the Conservation District to the Agricultural District. (See Figure 1). All of the parcels are identified as TMK: 3-6-01:por. 18. (See Figure 2). The acreage of the four parcels are as follows:

Parcel 1	17.498 acres
Parcel 2	2.316 acres
Parcel 3	.566 acres (24,660 square feet)
Parcel 4	.264 acres (11,513 square feet)

Of the 20.644 acres which comprise the subject request, approximately 14 acres are presently in pineapple cultivation. The remainder contains an agricultural access road, vacant lands and a portable air monitoring shelter.

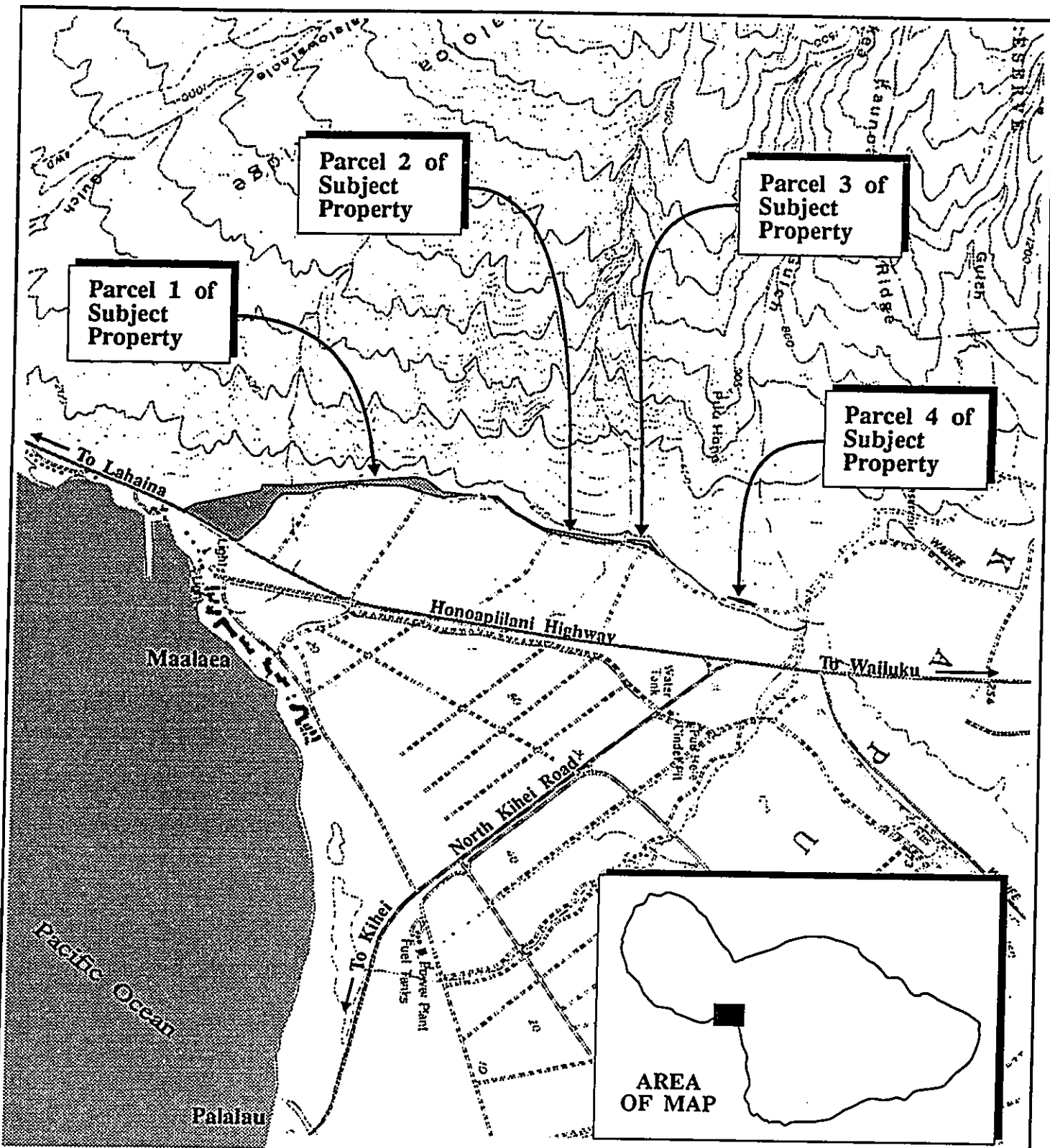


Figure 1 Maalaea Fields 771, 773, and 775
Regional Location Map




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Prepared for: C. Brewer Properties, Inc.

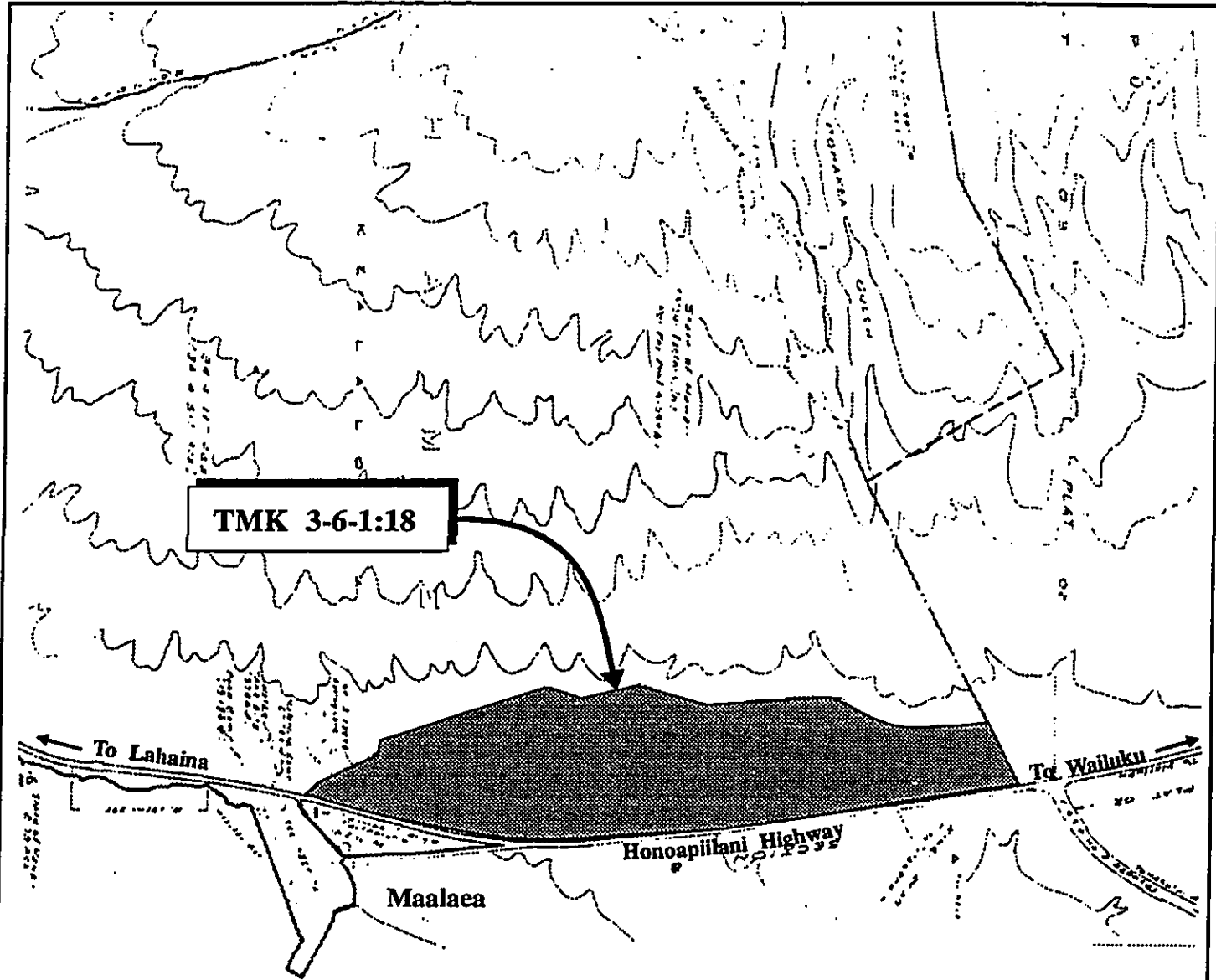


Figure 2 Maalaea Fields 771, 773, and 775
Tax Map Key 3-6-1:18




 Michael T. Munekiyo Consulting, Inc.
 Prepared for: C. Brewer Properties, Inc.

The unmaintained agricultural access road which runs along the mauka boundary of TMK: 3-6-1:18 accounts for most of the remaining acreage. Vacant lands which are located mauka of the agricultural access road, contain common grasses and shrubs. The air monitoring shelter, located mauka of the Maalaea area, is a temporary structure, erected by Maui Electric Company, Limited. The cultivated portions of the subject property as well as lands makai of the subject property are identified on WACI field maps as Fields 771, 773, and 775.

Field 771, approximately 40 acres in size, is located mauka of the North Kihei Road-Honoapiilani Highway intersection. Field 773, the abutting field toward Maalaea, is approximately 140 acres in size. Field 775, which is mauka of Maalaea Triangle, covers approximately 66 acres.

Field records indicate that these fields were first planted in sugar cane in 1965. It continued in sugar cane cultivation until 1988 when the last sugar crop was harvested. Field 771 is currently being prepared for pineapple cultivation, with planting probably being initiated in late 1992. Fields 773 and 775 were left unplanted between 1988 and 1990. In early 1990, both fields were cleared, prepared and planted in pineapple.

The purpose of this report then, is to document the technical characteristics of the subject property and to evaluate the impacts of the proposed reclassification request in accordance with Chapter 200 of Title 11, Administrative Rules, Environmental Impact Statement Rules.

B. NEED FOR RECLASSIFICATION

The cultivation of agricultural crops is not identified as a permitted use in the "Conservation" district. C. Brewer Properties, Inc. (CBP), on behalf of WACI, therefore is petitioning the State Land Use Commission to reclassify

the subject property from the "Conservation" district to the "Agricultural" district. The reclassification request is intended to bring the State Land Use "Agricultural" District boundaries in line with the agricultural nature of the property and to coincide with lands owned by WACI in this vicinity.

The reclassification request is considered appropriate in light of the property's use for sugar cane cultivation for approximately twenty-three (23) years. Most of the acreage is in active pineapple cultivation and is adjacent to lands in active agricultural use.

This agricultural field is part of a larger 1,900-acre pineapple cultivation operation being managed by WACI. As part of this larger operation, the property has not contributed to significant adverse environmental impacts to the surrounding environment. In its present use, the property supports the continued viability of WACI's pineapple operations and the pineapple industry on the Island in general. The continued use of the property for pineapple production helps to stabilize WACI's employee work force of 140 full-time employees and 50 to 75 seasonal employees.

The reclassification, therefore, will clarify appropriateness of past and present uses of the property in the context of the State Land Use classification system.

Chapter II

Description of the Existing Environment

II. DESCRIPTION OF THE EXISTING ENVIRONMENT

A. PHYSICAL ENVIRONMENT

1. Surrounding Environment

The lands of the reclassification request are part of larger pineapple field acreages designated by WACI as Fields 771, 773, and 775. (See Figure 3). WACI's Waihee Ditch, which provides irrigation water for pineapple cultivation, is located approximately 250-feet north of the subject property at the 320-foot elevation. The subject property is surrounded by agricultural lands and undeveloped open space along the leeward foothills of the West Maui Mountains.

Fields 771, 773, and 775 are located along the two-lane Honoapiilani Highway, the primary arterial linking Central Maui to West Maui. The fields abut the highway from Maalaea to the vicinity of the intersection of North Kihei Road and Honoapiilani Highway.

Maalaea is a former fishing village and is the site of the Maalaea Small Boat Harbor. The old village is located adjacent to the harbor. The undeveloped "Maalaea Triangle" commercial site borders the village to the north, encompassing an area of approximately 18 acres between Honoapiilani Highway and Maalaea Road. East of the Harbor, along Hauoli Street, are several apartment condominiums serving as the residential core of the community. Further north, there are expanses of sugar cane fields up to North Kihei Road.

Located north of the subject property are pineapple fields. To the west of the subject property are undeveloped State lands which are presently used for cattle grazing.

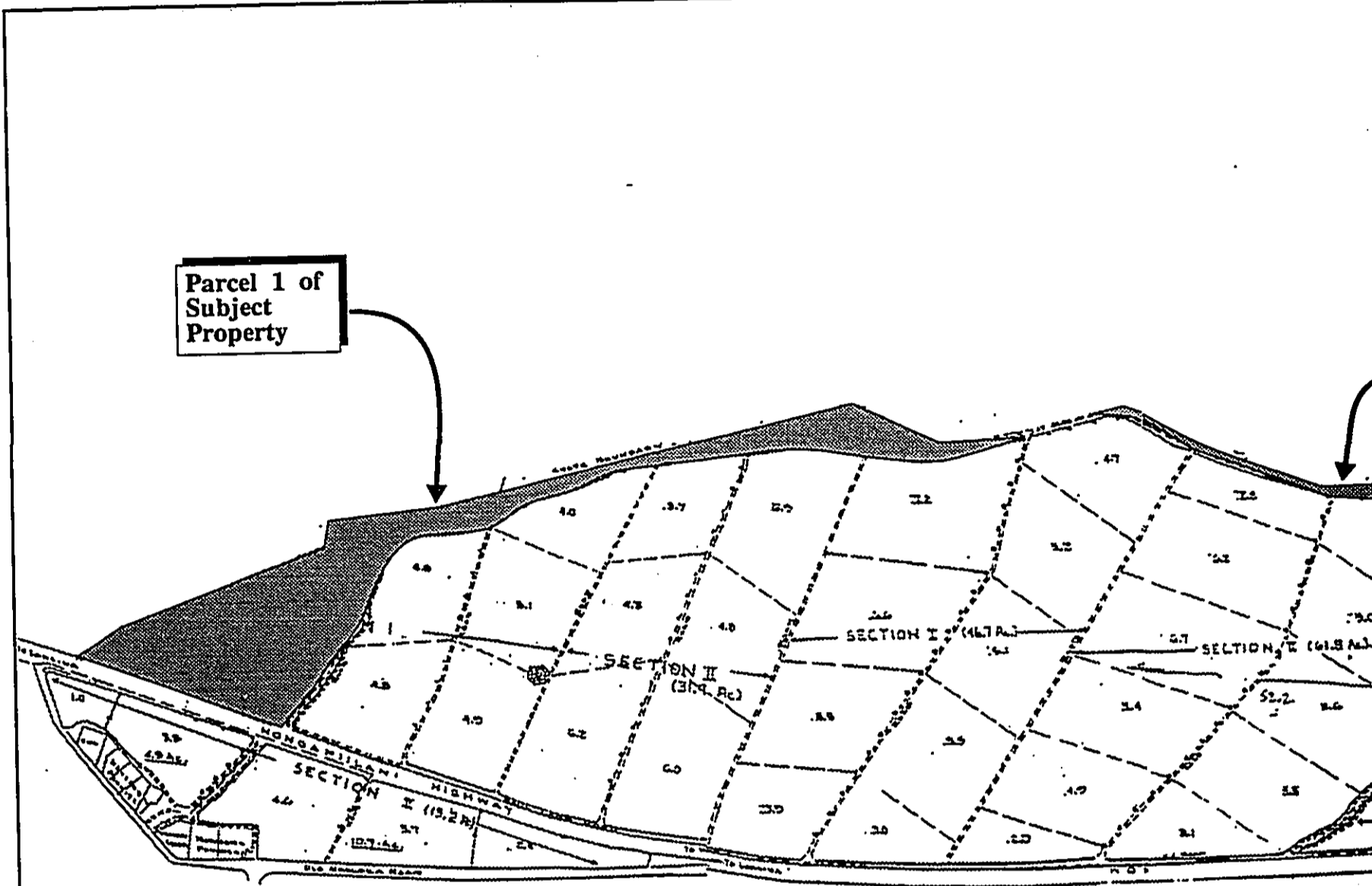
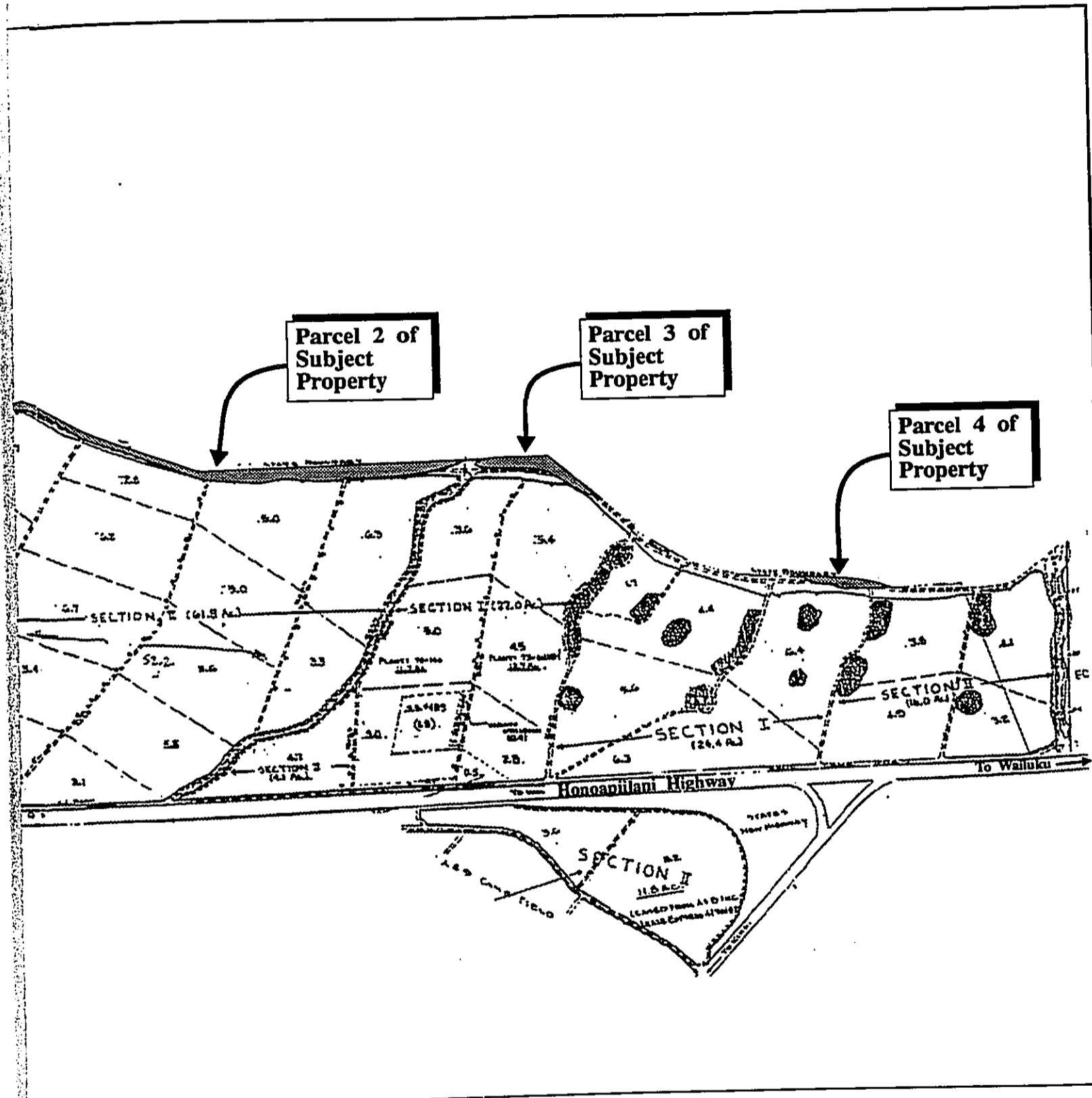


Figure 3

Maalaea Fields 771, 773, and
Site Map



NOT TO SCALE



71, 773, and 775
Map


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2. **Climate**

Like most areas of Hawaii, Maui's climate is relatively uniform year-round. Characteristic of Hawaii's climate, the project site experiences mild and uniform temperatures year round, moderate humidities and a consistent northeasterly tradewind. Variations in climate on the Island is largely left to local terrain.

Average temperatures at the project site (based on temperatures recorded at Keawakapu, Kihei) range from lows in the 60s to highs in the 80s. August is historically the warmest month, while January and February are the coolest. Rainfall at the project site averages less than 15-inches per year.

3. **Topography and Soil Characteristics**

The four parcels which comprise the request are situated on mildly sloping lands between the 40-ft. and 200-ft. topographic contours. The property is generally uniform and level in terrain, sloping in a west to east direction at approximately three (3) percent.

Underlying most of the proposed site and surrounding lands are soils belonging to the Pulehu-Ewa-Jaucas association. This soil association is characteristically deep, well-drained and located on alluvial fans and in basins. The soil type specific to the project site is of the Ewa Series (EsB). Naturally occurring vegetation on this series include fingergrass, kiawe, koa haole, klu, and uhaloa. (See Figure 4).

The soil types specific to the project site are Ewa silty clay (EsB) and Ewa cobbly silty clay (Etb).

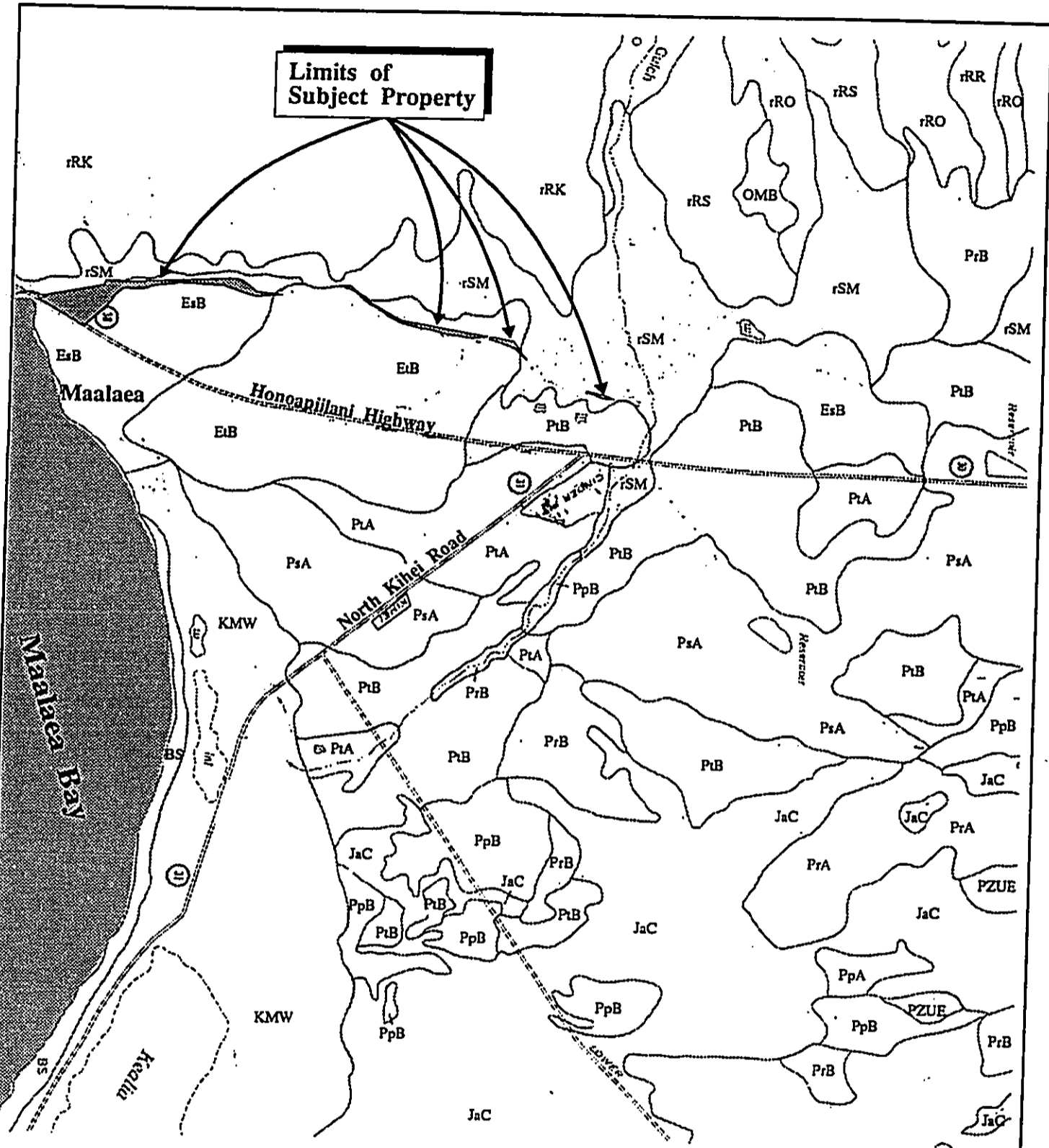


Figure 4 Maalaea Fields 771, 773, and 775
Soil Classifications




 Michael T. Munekiyo Consulting, Inc.
 Prepared for: C. Brewer Properties, Inc.

On a mauka portion of the project site are soils classified as stony alluvial land (rSM). This soil association consists of stones, boulders and soils deposited by streams along the bottoms of gulches and on alluvial fans. Natural vegetation consists of kiawe, klu, ilima, piligrass, and lantana, in the dry areas and guava, kukui, hilograss and Christmas berry in the wet areas.

The University of Hawaii's Land Study Bureau's Detailed Land Classification designates those areas under existing cultivation as "B72i". The letter designation "B" refers to the overall suitability of the land for agricultural use, with "A" representing the class of highest productivity and "E" the lowest. The numeric designations "72i" refers to land type characteristics (e.g., soil properties, topography, climate). Land type "72i" is characterized as well-drained lands with soils having a moderately fine texture.

A small uncultivated mauka portion of the subject request is classified as "E73". Land type "73" is characterized as rocky, well-drained lands having a medium to fine texture.

4. **Flood and Tsunami Hazard**

The subject property is located on mildly sloping lands and is bordered to the north by Pohakea Gulch. Portions of a drainage gulch makai of Parcel 1 of the subject property are designated Zone B on the Flood Insurance Rate Map for this region. (See Figure 5). Zone B indicates areas between the limits of the 100-year and 500-year flood. The subject property itself, given its elevation and topographic characteristics, is an area of minimal flooding (Zone C).

Surface runoff from the property is conveyed off-site, without adverse

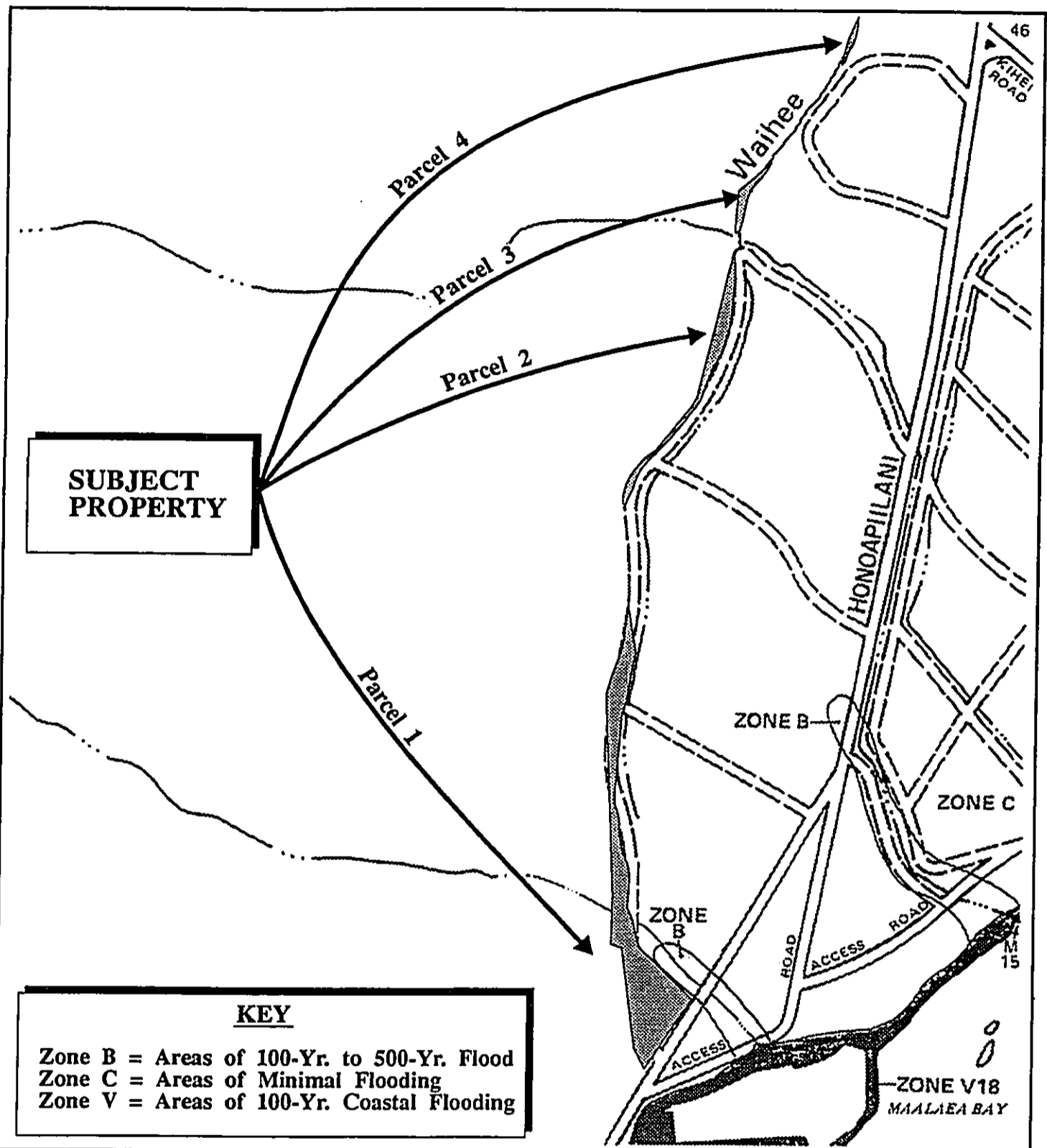


Figure 5 Maalaea Fields 771, 773, and 775
Flood Insurance Rate Map




 Michael T. Munekiyo Consulting, Inc.
 Prepared for: C. Brewer Properties, Inc.

impacts to downstream properties. A portion of the surface runoff from the property sheet flows to two drainage gulches and Pohakea Gulch. The unnamed gulches traverse the southerly and middle portions of the site while Pohakea Gulch is close to the northern boundary. Flows from these gulches are conveyed under Honoapiilani Highway, and ultimately discharged into the ocean. For the most part, surface runoff sheet flows toward Fields 771, 773, and 775 and Honoapiilani Highway. An earth embankment separates the fields from the Highway. Runoff generated within Fields 771, 773, and 775 and the adjoining State-owned "Conservation" lands, are conveyed across Honoapiilani Highway via box culverts, at the two unnamed gulches and Pohakea Gulch, and ultimately into the ocean.

The closest point of the site is located approximately 400 feet from the coastline and well beyond the limits of coastal inundation as delineated by the Flood Insurance Rate Maps.

5. Flora and Fauna

Approximately 14 acres of the subject property is cultivated in pineapple, and with the exception of common roadside weeds and grasses which border the fields, there are no other forms of vegetation on the cultivated portion of the site. Prior to being planted in pineapple, this area of the property was used for sugar cane cultivation.

The remainder of the site which is not under cultivation contains pili, cane grass, koa haole, ilima and kiawe. There are no known rare or endangered plant species in the surrounding environs.

The property does not serve as a habitat to any rare, endangered,

or threatened species of wildlife. Avifauna typically found in the surrounding kiawe/scrub vegetation include doves, mynas, Northern Cardinal, Gray and Black Francolin and the Japanese White-eye. Mammals which are common to this locale include the mongoose, mice, rats, and feral cats and dogs.

6. **Air Quality**

There are no point sources of airborne emissions in the immediate vicinity and the air quality at the property is considered good. Lands to the northeast are utilized for sugar cane cultivation by HC&S. As such, the area is subject to dust and equipment emissions associated with agricultural activities. The burning of sugar cane in the nearby sugar fields may create temporary increases in airborne particulates, although this occurrence is intermittent and of temporary duration.

Maui Electric Company's Maalaea Power Plant is located approximately 1-1/2 miles east of the property. However, there is no visible evidence that the power plant emissions adversely affect the air quality in the vicinity of the property.

7. **Noise Characteristics**

The subject property is surrounded by agricultural lands, open rangelands and a major roadway arterial which define the noise characteristics at the site. Background noises are primarily attributed to traffic flowing along Honoapiilani Highway. The operation of agricultural equipment such as pineapple harvesters, sprayers and trucks also contribute to noise levels on an intermittent and temporary basis. Noise generated by the agricultural operations are considered normal and acceptable for such activities and do not

adversely affect surrounding lands.

8. Scenic and Open Space Resources

The subject property, along with the surrounding agricultural and range lands establish the open space character of the region. The site is along the Honoapiilani Highway, which offers motorists uninterrupted views to the upper slopes of the West Maui Mountains.

9. Archaeological Resources

Most of the site has been actively used for agricultural operations. From an archaeological standpoint, surface disturbance (e.g., mass grading and continuous plowing) has been extensive, and there are no undisturbed areas within those portions used for agricultural operations.

For the remainder of the property, an archaeological inventory survey was performed in April 1992. The survey notes that the Lahaina Pali Trail extends from the vicinity of Ukumehame Beach Park to an area mauka of the subject property near Maalaea Harbor. No indication of any path or trail was found in the subject property.

The archaeological inventory survey notes that the subject property may have been marginal to prehistoric subsistence and settlement. Typically, inhabited areas were located close to the shoreline, while the uplands were utilized for dryland agriculture.

No artifacts, midden, or structures of historic or prehistoric significance were identified on the subject property. (See Appendix A).

B. SOCIO-ECONOMIC ENVIRONMENT

The subject property is situated along the foothills of the West Maui Mountains, at the southwesterly edge of the Central Maui isthmus. The West Maui foothills and the adjacent isthmus is known for its vast expanse of sugar cane and pineapple fields. The property is located to the northwest of Maalaea Village and the Maalaea Small Boat Harbor. The Village along Maalaea Road includes a few plantation-era homes, a restaurant, the Maalaea Store, and a U.S. Coast Guard Station. The residential core of Maalaea is located to the southeast of the site, along the sandy coastline of Maalaea Bay.

Waikapu Village is located approximately four (4) miles to the north of the property. Waikapu is identified as a rural residential community, with roots as a sugar plantation village. The Maui Tropical Plantation, an agricultural-oriented visitor attraction, is located at the southern edge of Waikapu. Two 18-hole golf courses are located south of Waikapu transforming former kiawe/scrub lands into a manicured landscape.

From a planning standpoint, the subject property is part of the Kihei-Makena Community Plan region. This region, stretching from Maalaea to LaPerouse Bay, encompasses the communities of Maalaea, Kihei, Wailea, and Makena. The urbanized areas of this Community Planning region is one of the fastest growing on the Island, with the 1987 resident population of 11,500 projected to increase by 76% to 21,400 in the year 2000. Much of this growth is attributed to the visitor industry which includes major world-class hotels in the Wailea-Makena region.

The Wailuku-Kahului Community Plan region to the north of the subject property is the center of commerce for the Island. This region includes the Kahului Harbor, the Island's only deep-port harbor, and the Kahului Airport.

Wailuku-Kahului is also the center of government, professional and light industrial activities. This region has also exhibited strong population growth, with the region's current population of 29,800 projected to increase to 43,500, or 46% by the year 2000.

C. PUBLIC SERVICES AND INFRASTRUCTURE

The subject property is located in the midst of agricultural and open space lands. Public services such as police and fire protection, and medical facilities are located in the urbanized areas of the Kihei-Makena and Wailuku-Kahului Community Plan regions. Numerous shoreline recreational areas are found along the lengthy stretch of coastline between Maalaea and Makena. This region, with its mild and dry climate and sandy beaches, provides an array of coastal recreational opportunities for residents and visitors. Inland recreational facilities, such as athletic playfields, tennis courts, and swimming pools, are located within the urbanized areas of Wailuku-Kahului and Kihei-Makena.

In keeping with the agricultural environs of the site, there are no public water and wastewater systems located proximate to the property. With the exception of drainage culverts which cross Honoapiilani Highway, there are no major drainage improvements in this area.

Chapter III

Assessment of Impacts

III. ASSESSMENT OF IMPACTS

A. IMPACTS TO THE PHYSICAL ENVIRONMENT

The proposed action is an "after-the-fact" request to reclassify 20.644 acres of land from the "Conservation" district to the "Agricultural" district. Approximately 14-acres are in active pineapple cultivation. This represents approximately .7% of WACI's pineapple operations and its continued use as a pineapple production field is not anticipated to have significant adverse impacts upon the surrounding physical environment.

Pineapple cultivation activities at the site will include clearing and planting, herbicide and pesticide application, harvesting and hauling. The pineapple growing cycle includes an 18-month growing period for initial planting and a 12-month growing period for the ratoon (second) crop. Nuisance effects of such operations include the generation of dust and noise. However, such nuisances are not considered adverse given the surrounding agricultural and open space character of the locale. The property is a part of the Central Maui agricultural belt which stretches from Waihee to Maalaea, and there are no unique natural features, ecological resources or cultural resources proximate to the property which will be affected by pineapple cultivation.

The remaining 6-acres, primarily consisting of agricultural roadway and vacant land, will remain as is complementary to neighboring agricultural use.

The continued use of the property for agricultural purposes will maintain the open space character of the area and will not impact scenic view corridors.

B. IMPACTS TO THE SOCIO-ECONOMIC ENVIRONMENT

The maintenance of the site for agricultural use will enhance the viability of the pineapple industry. With an estimated yield of 30-40 tons/acre, the

property can be expected to generate approximately 420-560 tons of pineapple per 12/18 month growing cycle. The incremental production value derived from the site will help support WACI's agricultural operations, which include a total labor force of 140 full-time employees and 50-75 seasonal workers.

The proposed reclassification request will establish the appropriateness of a use which has been in existence for many years. As such, there are no anticipated impacts to the socio-economic fabric of the community as a result of the continued use of the parcel for agricultural purposes.

C. IMPACTS TO PUBLIC SERVICES AND INFRASTRUCTURE

The use of the subject property for pineapple cultivation will not affect governmental public service and infrastructure systems. The property is contiguous to and a part of a larger pineapple cultivation operation which has in place an agricultural infrastructure system to serve the site. Access to the property will be via existing field roads and will not require changes in patterns of use upon public roadways (i.e., existing public roadway crossings will be utilized without need for additional roadway modifications or improvements). Crops are irrigated by WACI's privately maintained irrigation system, which includes the Waihee Ditch delivery system serving the site.

The addition of 20.644 acres to the Agricultural District will not result in increasing the number of WACI's permanent and seasonal employees. As such, the proposed action will not impact resources such as police and fire protection, and educational, medical, and recreational facilities.

Chapter IV

***Relationship to Governmental
Plans, Policies and Controls***

IV. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS

A. HAWAII STATE PLAN

The Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes) sets forth goals, objectives, policies and priorities to guide the long-range development of the State of Hawaii. The proposed reclassification request is in keeping with the following objectives and policies of the Hawaii State Plan.

Objectives and Policies for the Economy Agriculture (§ 226-7)

Objective: Plan for continued viability in Hawaii's sugar and pineapple industries.

Policy: Assure the availability of agriculturally suitable lands with adequate water to accommodate present and future needs.

Priority Guidelines (§ 226-103)

- Provide adequate agricultural lands to ensure the economic viability of the sugar and pineapple industries.

Comment: Most of the subject property has been used for both sugar cane and pineapple cultivation for more than 20 years. The site has in place an agricultural infrastructure system which complements the continued viability of the land for pineapple production.

Objectives and Policies for the Physical Environment-Land-Based, Shoreline, and Marine Resources (§ 226-11)

Objective: Plan for the: (1) Prudent use of Hawaii's land-based, shoreline, and marine resources; (2) Effective protection of Hawaii's unique and fragile environmental resources.

Policy: Ensure compatibility between land-based and water-based activities and natural resources and ecological systems.

Comment: The subject property is part of a larger pineapple cultivation operation and its continued use for pineapple cultivation will not adversely impact surrounding land and water-based activities and natural resources and ecological systems.

Objectives and Policies for the Physical Environment-Scenic, Natural Beauty, and Historic Resources (§ 226-12)

Objective: Plan for the enhancement of Hawaii's scenic assets, natural beauty, and multi-cultural/historical resources.

Policy: Promote the visual and aesthetic enjoyment of mountains, ocean, vistas, scenic landscapes, and other natural features.

Comment: The subject property is part of a vast expanse of contiguous agricultural lands which define Maui County's unique scenic and open space character. The continued use of the property for agricultural purposes will maintain this unique scenic landscape.

B. STATE AGRICULTURE FUNCTIONAL PLAN

The State Agriculture Functional Plan implements the Hawaii State Plan by identifying agriculture-related needs, problems and issues, and by recommending policies and priority actions which address the identified areas of concern. The proposed reclassification request is consistent with the following plan objectives and policies:

Objective: Achievement of productive agricultural use of lands most suitable and needed for agriculture.

Policy: Encourage productive use of the most suitable agricultural lands

Comment: The property is suitable for agricultural use in terms of its physical characteristics and availability of agricultural water, as evidenced by its current and previous use for pineapple and sugar cane cultivation.

C. STATE LAND USE DISTRICTS

Chapter 205, Hawaii Revised Statutes, relating to the Land Use Commission, establishes the four major land use districts in which all lands in the State are placed -- "Urban", "Rural", "Agricultural", and "Conservation". The subject property is within the "Limited" and "Resource" subzones of the "Conservation" district. (See Figure 6). The proposed action involves the reclassification of the property from the "Conservation" district to the "Agricultural" district.

In general, the "Conservation" district would include areas required for protecting watersheds and water resources; preserving and protecting historic areas and valuable scenic resources; providing park lands, wilderness, and beach reserves; conserving endemic plants, fish and wildlife; preventing floods and soil erosion; forestry; and open space areas. Lands within the "Agricultural" district would include activities or uses relating to cultivation of crops, orchards, forage, and forestry; farming and animal husbandry; aquaculture; and game and fish propagation.

Standards for determining the "Agricultural" district, in part, state that "'Agricultural lands"... shall include lands with a high capacity for agricultural production". The subject property is considered suitable for agriculture, as evidenced by its more than 20 years of use for sugar cane cultivation and its present use for pineapple cultivation. The site's physiographic characteristics and the existing agricultural infrastructure makes this parcel an important part of WACI's overall pineapple operation.

D. MAUI COUNTY GENERAL PLAN

The Maui County General Plan, updated in 1991, sets forth broad objectives and policies to help guide the long-range development of the County. As expressed in the Maui County Charter:

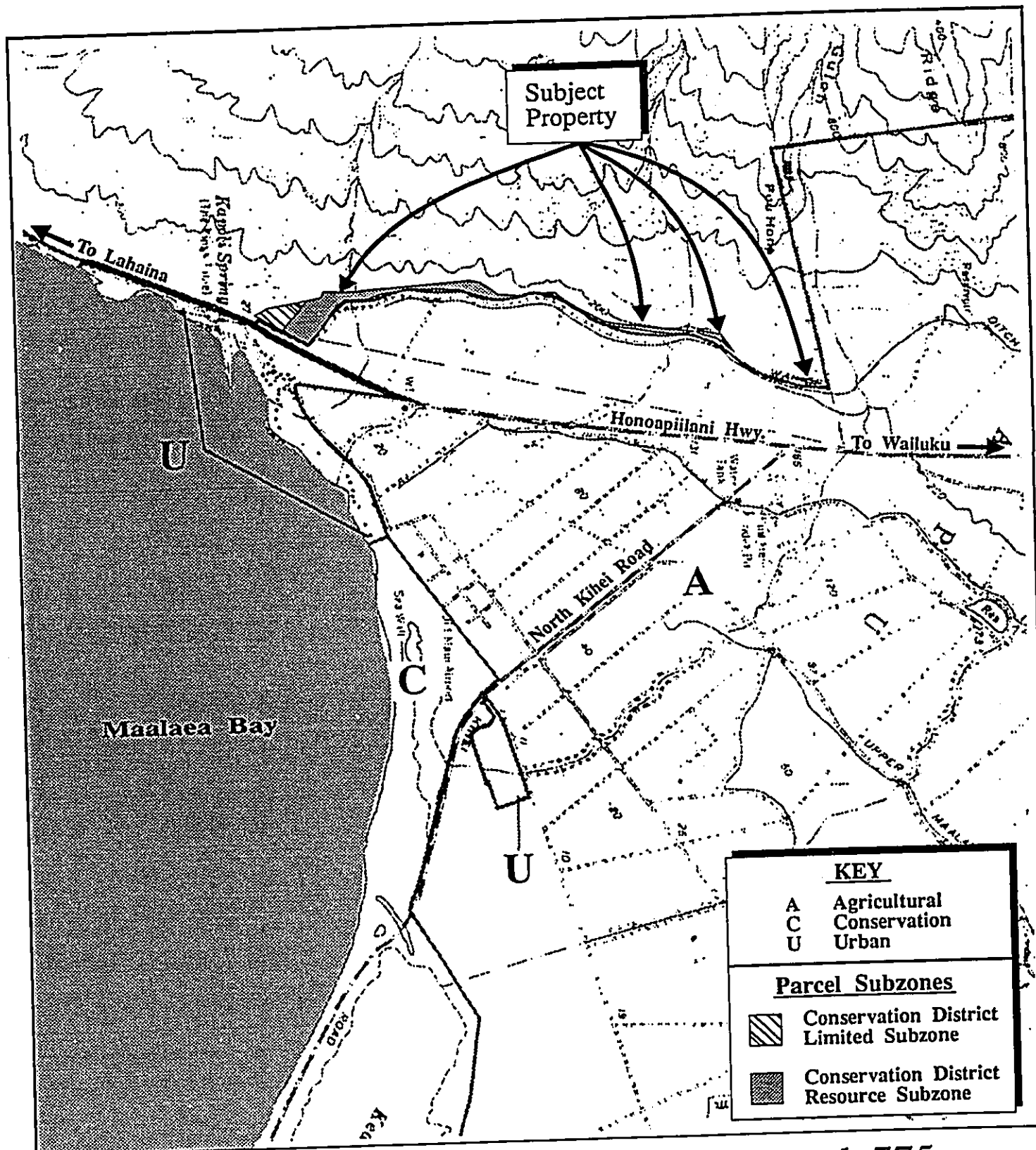


Figure 6 Maalaea Fields 771, 773, and 775
State Land Use District Designations




 Michael T. Munekiyo Consulting, Inc.
 Prepared for: C. Brewer Properties, Inc.

The purpose of the General Plan is to recognize and state the major problems and opportunities concerning the needs and the development of the County and the social, economic and environmental effects of such development and set forth the desired sequence, patterns and characteristics of future development.

The proposed request to reclassify 20.644 acres from the "Conservation" district to the "Agricultural" district is in keeping with the following General Plan objectives and policies:

Objective: To preserve lands that are well-suited for agricultural pursuits.

Policy: Promote the use of agricultural lands for diversified agricultural pursuits by providing public incentive and encouraging private initiative.

Objective: To maximize the use and yield of productive agricultural land throughout the County.

Policy: Ensure the availability of land that is well-suited for agricultural production.

E. KIHEI-MAKENA COMMUNITY PLAN

The subject property is located within the Kihei-Makena Community Plan region, one of nine Community Plan regions established in the County of Maui. Planning for each region is guided by the respective Community Plans, which are designed to implement the Maui County General Plan. Each Community Plan contains recommendations and standards which guide the sequencing, patterns, and characteristics of future development in the region. The Kihei-Makena Community Plan provides for the preservation and enhancement of important agricultural lands through the maintenance of land acreage required to sustain economically viable agricultural operations.

Land use guidelines are set forth by the Kihei-Makena Community Plan Land Use map. (See Figure 7). The subject property is designated

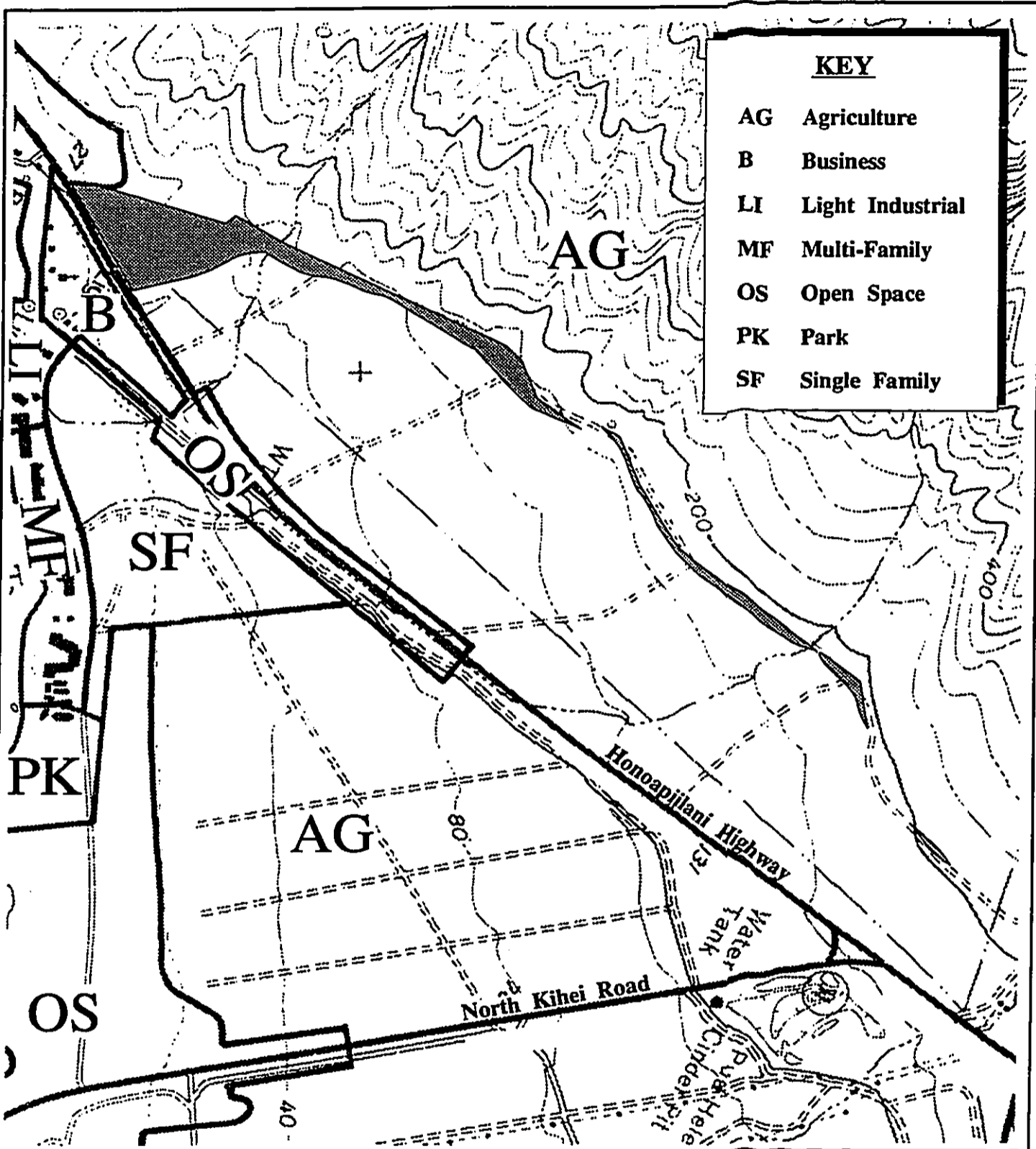
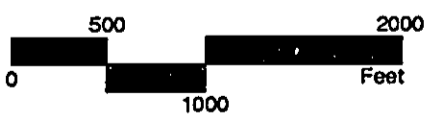


Figure 7 Maalaea Fields 771, 773, and 775
Community Plan Land Use Designations




Michael T. Munekiyo Consulting, Inc.
Prepared for: C. Brewer Properties, Inc.

"Agriculture" by the Kihei-Makena Plan.

F. HAWAII COASTAL ZONE MANAGEMENT PROGRAM/COUNTY SPECIAL MANAGEMENT AREA

The Hawaii Coastal Zone Management Program (HCZMP), as formalized in Chapter 205A, Hawaii Revised Statutes, establishes objectives and policies for the preservation, protection, and restoration of natural resources of Hawaii's coastal zone areas. The objectives of the HCZMP are as follows:

- A. Provide coastal recreational opportunities accessible to the public;
- B. Protect, preserve, and where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture;
- C. Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources;
- D. Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems;
- E. Provide public or private facilities and improvement important to the state's economy in suitable locations;
- F. Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, and subsidence; and
- G. Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

The proposed request is in keeping with the foregoing objectives.

The County of Maui's Special Management Area (SMA) permit procedures

have been established within the framework of the HCZMP. The makai portion of Parcel 1, which is in the vicinity of the Maalaea area, is located within the County SMA boundaries. The continued use of the property for agricultural use is not subject to SMA procedures.

Chapter V

Findings and Conclusion

V. FINDINGS AND CONCLUSION

The proposed request to reclassify 20.644 acres of land in Maalaea from the State "Conservation" district to the "Agricultural" district will not have a significant adverse impact upon the environment. The continued use of the property for agricultural crop production and appurtenant uses will not create adverse primary, secondary, or cumulative impacts upon the physical, cultural, ecological, and socioeconomic environments, and public services and infrastructure systems. The proposed request is intended to establish consistency between WACI-owned lands and the boundaries of the State Land Use Districts in this vicinity.

The subject property is suitable for agricultural crop production and its continued use in agriculture will help support the agricultural sector of the Island's economy and maintain the open space character of the Central Maui isthmus.

The proposed request is in conformance with the State Land Use Commission Standards for the "Agricultural" district and is consistent with the County General Plan and Kihei Makena Community Plan.

Chapter VI

***Agencies Consulted in the
Preparation of the
Environmental Assessment***

VI. AGENCIES CONSULTED IN THE PREPARATION OF THE ENVIRONMENTAL ASSESSMENT

A. State of Hawaii
Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawaii 96813

B. State of Hawaii
Department of Agriculture
1428 S. King Street
Honolulu, Hawaii 96813

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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County of Maui, Kihei-Makena Community Plan, July 1985.

State of Hawaii, Department of Agriculture, State Agriculture Functional Plan, June 1985.

State of Hawaii, Department of Business and Economic Development, Data Book, 1990.

U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Islands of Kauai, Oahu, Maui, Molokai and Lanai, State of Hawaii, 1972.

University of Hawaii, Department of Geography, Atlas of Hawaii, Second Edition, 1983.

University of Hawaii, Land Study Bureau, Detailed Land Classification, Island of Maui, June 1968.

Appendix A

Archaeological Inventory Report

**ARCHAEOLOGICAL INVENTORY SURVEY
LOCATED AT MAALAEA, AHUPUA'A OF
UKUMEHAME, WAILUKU DISTRICT,
ISLAND OF MAUI, TMK: 3-6-01:18(POR)
APRIL 1992**

**Prepared for: Munekiyo Consulting Co.
2035 Main Street
Wailuku, Hawaii 96793**

**Prepared by: Archaeological Consultants of Hawaii, Inc.
Joseph Kennedy, M.A.
Patrick J. Trimble, M.S.
59-624 Pupukea Rd.
Haleiwa, Hawaii 96712**

TABLE OF CONTENTS

Section 1: Abstract 1

Section 2: Introduction 1

Section 3: Physical Setting 1

Section 4: Historical Background and
Settlement Pattern 5

Section 5: Previous Archaeology 7

Section 6: Land Use Summary 11

Section 7: Methodology 11

Section 8: Findings 12

Section 9: Conclusion 12

Section 10: Bibliography 13

Map 1: Project Location on a Map of Maui 2

Map 2: Project Area on a U.S.G.S.
Topographic Map 3

Map 3: Large Scale Map of Project Area 4

Map 4: Location of Property on a 1941 Tax Map 6

Map 5: Map Evidencing the Termination of the
Lahaina Pali Trail Before
Encountering the Project Area 8

Map 6: Archaeological Sites Near the
Project Location 10

Section 1: Abstract

This document provides details of the archaeological investigation undertaken at Maalaea by Archaeological Consultants of Hawaii, Inc. for Munekiyo Consulting Co. The area surveyed lies between two roads. This area has been heavily disturbed by sugar cane, and more recently pineapple cultivation. ACH discovered no sites or cultural materials of historic or prehistoric significance on the subject property. It can be concluded that activities which may impact this portion of TMK 3-6-01:18 will have "no effect".

Section 2: Introduction

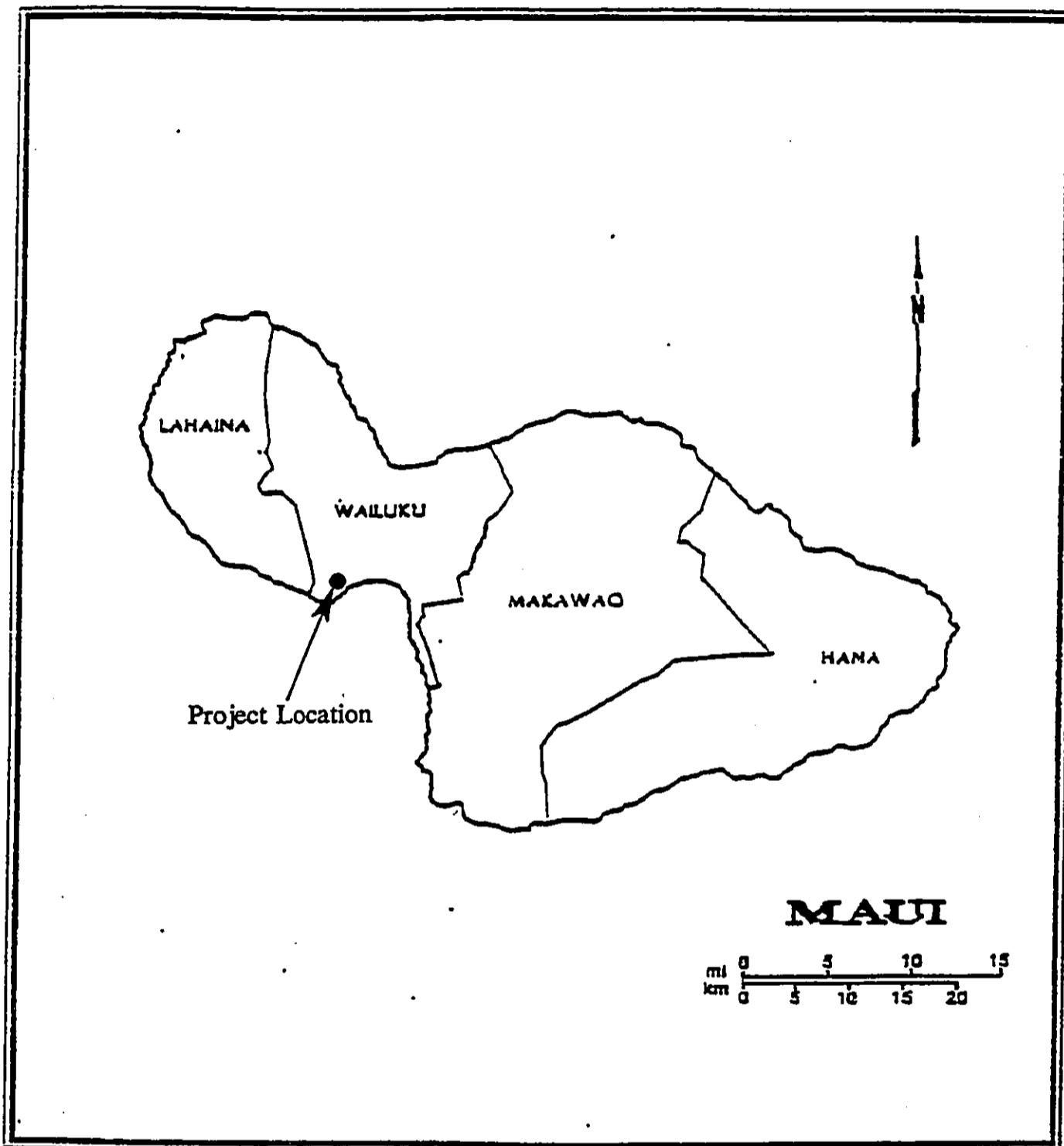
Archaeological Consultants of Hawaii, Inc. was contracted by M. T. Munekiyo Consulting Company to complete an archaeological inventory survey of a portion of the property at Maalaea, in the ahupua'a of Ukumehame, Wailuku District, a portion of TMK 3-6-01:18, Island of Maui (see Map 1). C. Brewer Properties, Inc. cultivates pineapple on the subject property, which is identified as Maalaea Field #775. The archaeological investigations are necessary to determine if sites of prehistoric or historic significance exist between the agricultural lands of Brewer Properties, Inc., and the conservation lands of the County of Maui.

Section 3: Physical Setting

The subject property is located at geographic grid co-ordinates 20 48'16 " N, and 156 31'03" W, and at UTM co-ordinates 2303500mN, 758000mE. The area surveyed by ACH is a narrow corridor, extending to the north and east from the Honoapiilani Highway. The length of the property surveyed is approximately 7000 feet (2.13 km), and the width varies from 5 to 25 feet (1.5 to 8 meters; see Map 2). Due to the narrowness of the project area and the relatively small scale of the 1:24,000 topographic map, the area surveyed by ACH is graphically portrayed at a larger scale on Map 3. The surveyed property is at an average elevation of 200 feet above mean sea level. Rain averages between 10 and 30 inches (Foote et al., 1972:29).

The soil varies between Ewa silty clay, Ewa cobbly silty clay, and Pulehu cobbly clay loam (refer to Foote et al., 1972). These soils are located on gradual slopes and include significant amounts of cobblestones. These soils are suitable for sugarcane. The area mauka of the subject area consists of alluvial soil deposited between stones, boulders and cobbles, classified by Foote, et al., as Stony Alluvial Land (1972:120).

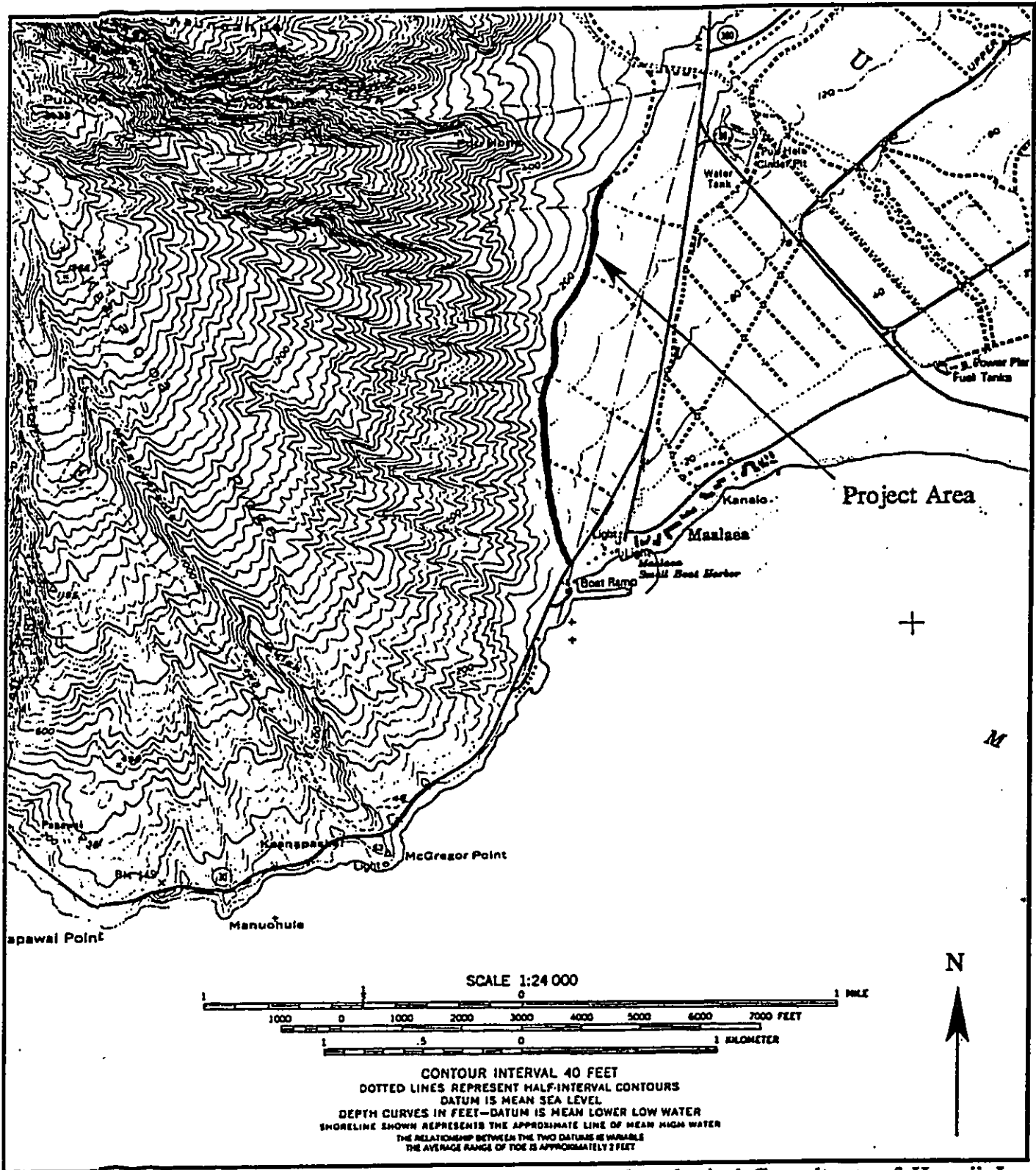
MAP 1: Project Location on a Map of Maui



Archaeological Consultants of Hawaii, Inc.

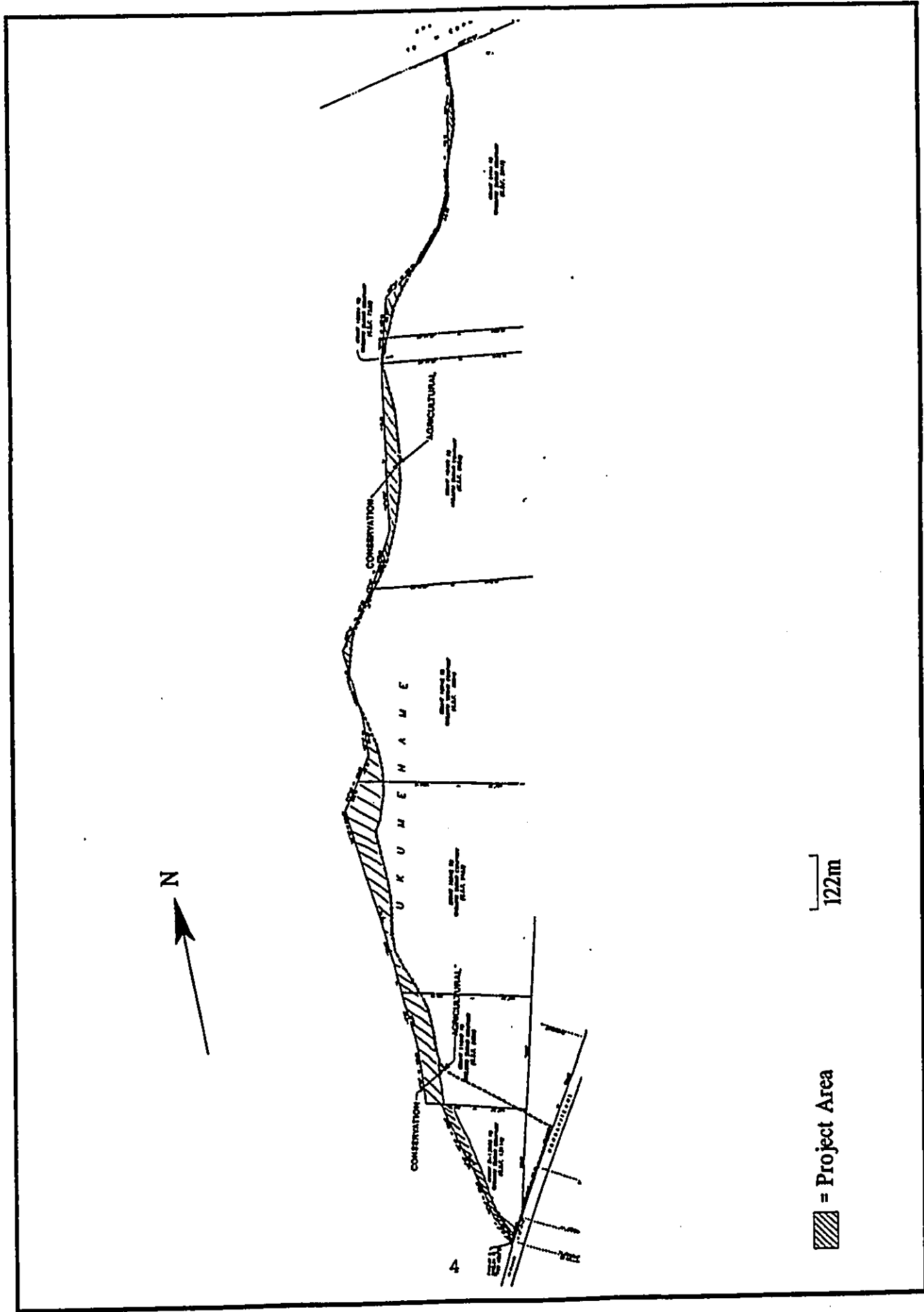
from: PHRI Project 88-525, 3-91

MAP 2: Project Area on a U.S.G.S. Topographic Map



Archaeological Consultants of Hawaii, Inc.

MAP 3: Large Scale Map of Project Area



The surface cover of the project area was primarily rocks and weedy vegetation. Specifically noted in the project area were kiawe (Prosopis pallida); 'ilima (sida fallax); haole koa (Leucaena glauca); pili (Heteropogon contortus); and cane grass (Setaria). The vegetation in this area was limited by the bordering field roads. These roads are necessary for the production of pineapples to the east of the survey zone. Generally, the edges of the project area had the least vegetative cover and offered the greatest visibility.

Section 4: Historical Background and Settlement Pattern

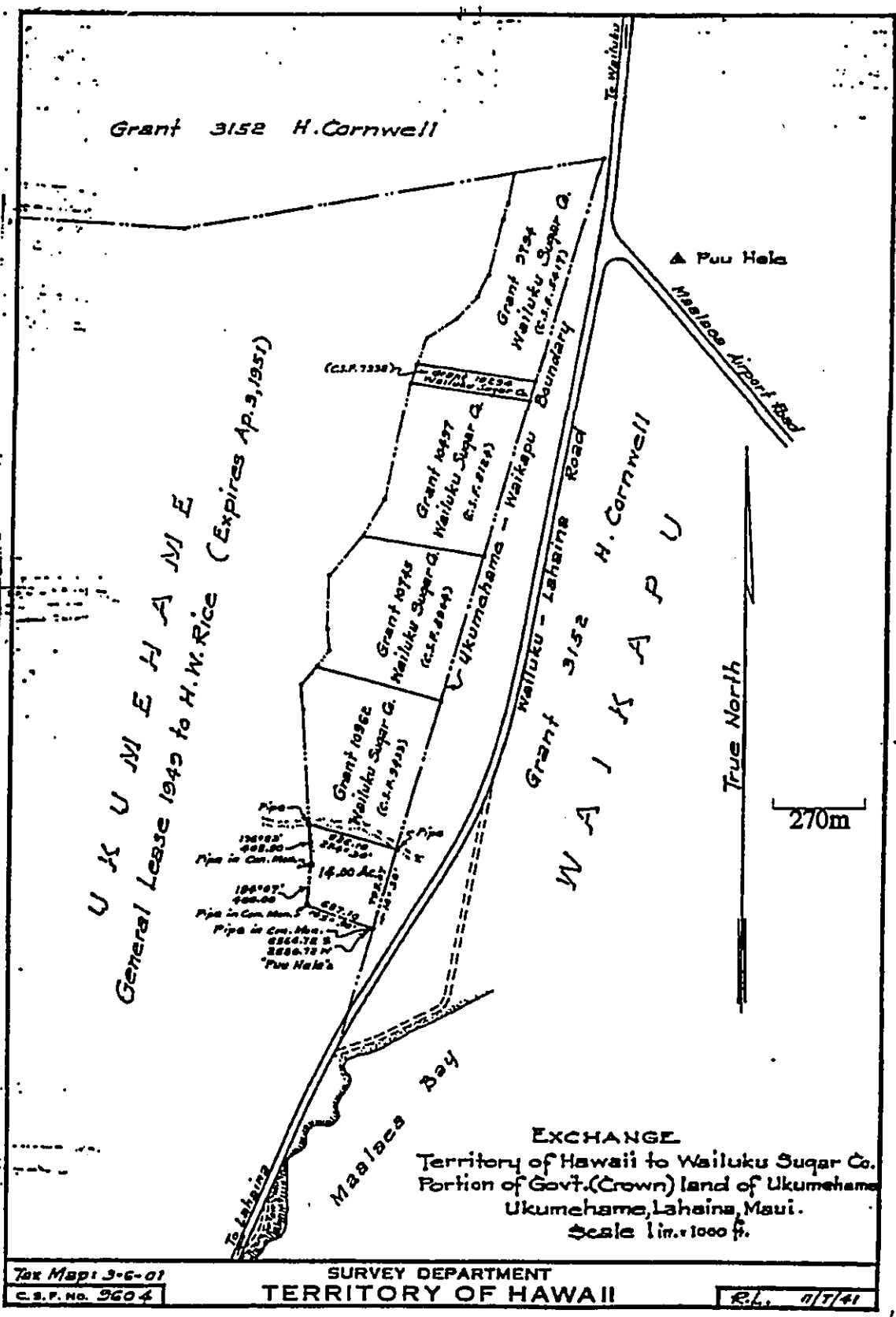
Today, the surveyed property is at the margin of agriculture (the pineapple fields) to the east, and conservation (livestock grazing) lands to the west. The subject property has no Land Commission Awards. However, a grant to lease these lands was enacted between the Territory of Hawaii and the Wailuku Sugar Company, recorded from a 1941 document on Map 4. According to informant testimony, sugarcane has been grown in the Maalaea plains east of the subject property, by the Wailuku Sugar Company, since the turn of the century. The earliest grant maps found by ACH were from 1927.

A local informant reported the belief that an old trail passed across the property surveyed by ACH. Indeed, the Lahaina Pali Trail descends toward the subject property from the heights of the Kealaloe Ridge. This trail

is an illustration of 19th century craftsmanship, which in a sense (given the fact that the trail was built less than 50 years after Western contact) is an extension of traditional Hawaiian craftsmanship adapted to new circumstances (Tomonari-Tuggle and Tuggle, 1991: 26).

The Lahaina Pali Trail extends 4.5 miles across the lower southern slopes of the west Maui Mountains, specifically Kealaloe Ridge. At its western end, the trail is situated mauka of the Honoapiilani Highway, just east of Ukumehame State Beach Park. The trail's eastern end is located off the subject property, mauka of the pineapple fields near Maalaea Harbor. The trail traverses an elevation range from about 100 feet to 1600 feet above mean sea level.

MAP 4: Location of Property on a 1941 Tax Map



Archaeological Consultants of Hawaii, Inc.

Tomonari-Tuggle and Tuggle, despite their thorough survey of the trail and their documentation of the sites along the Lahaina Pali Trail, failed to locate any remnants of this trail on the subject property or any continuation of this path through the project area to the Maalaea coast (see Map 5). The archaeological work of Tomonari-Tuggle and Tuggle is discussed further in Section 5.

The subject property, being located on the dry, leeward side of Maui, is an areas which may have been marginal to prehistoric subsistence and settlement. The subject property may have been the relatively peripheral, intermediate lands of the ahupua'a, removed geographically from the habitation zones typical of prehistoric Maui. Inhabited areas were: the initially settled shoreline endowed with the marine resources, (locally, the Ukumehame coastal flats); and the uplands utilized for dryland agriculture which supported the late prehistoric population expansion, (the West Maui Mountains). This scenario is substantiated, for Maui, by Kirch, who states:

Moving inland, the intermediate zone is relatively devoid of sites until the uplands are reached... (1985: 138).

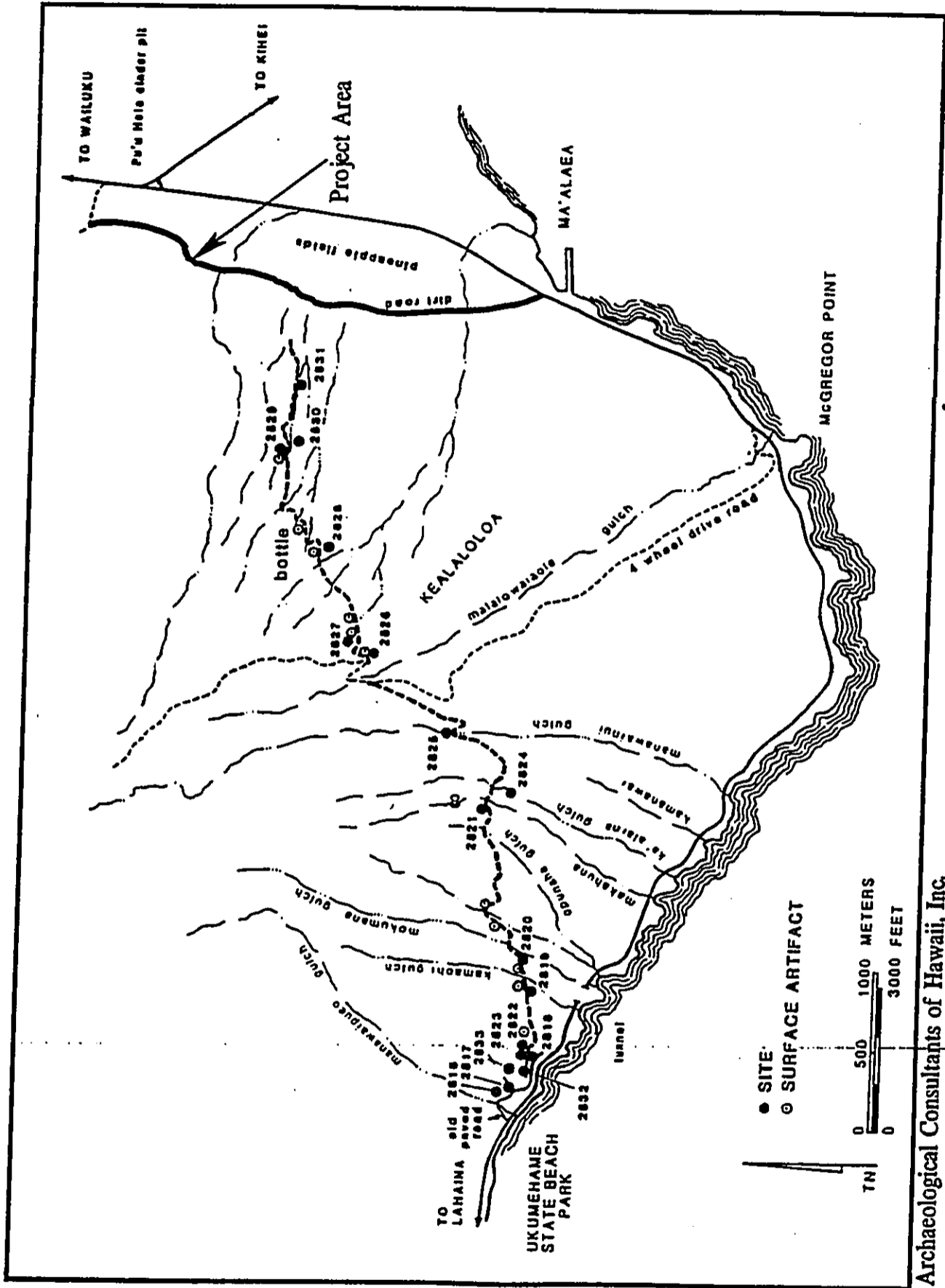
The historic population centers of this ahupua'a are located to the south and southwest of the project area, in the vicinity of the present-day Maalaea Harbor and the Ukumehame State Beach Park, respectively (Tomonari-Tuggle and Tuggle, 1991: 26). The distribution of known sites at the Department of Land and Natural Resources [DLNR], reflects the former settlement pattern.

Section 5: Previous Archaeology

Earlier this century, Winslow M. Walker conducted an island-wide survey of Maui for the B. P. Bishop Museum. Despite the inconsistent archaeological methodology typical of his era, Walker identified two heiau at Ukemehame and a heiau and associated petroglyphs at Maalaea. He wrote that along the coast between Maalaea and McGregor Point:

at least 45 [shelters] were noted. The shelters are low walled semi-circular or oval enclosures built against some large rock or group of rocks. Shells and pebbles are found around these sites (Walker unpublished).

MAP 5: Map Evidencing the Termination of the Lahaina Pali Trail Before Encountering The Project Area



from: Tomonari-Tuggle & Tuggle, 1991:17

Archaeological Consultants of Hawaii, Inc.

Walker did not mention the Lahaina Pali Trail, although Tomonari-Tuggle and Tuggle, in a more recent survey, identified 18 sites along this path. Three of the 18 sites are located in the vicinity of the subject property. These sites are numbered 2829, 2830, and 2831. Sites 2829 and 2830 are paved terraces measuring approximately 15 by 3 feet (4.5 x 1 m), associated with the trail. Site 2831 is a boulder alignment, which served as a 54 foot (6.5 m) alternate trail (Tomonari-Tuggle and Tuggle, 1991: 18). None of the sites identified by Walker or Tomonari-Tuggle and Tuggle were located on the subject property.

Concerning the terminus of the Lahaina Pali Trail in the conservation lands west of the project area, Tomonari-Tuggle and Tuggle surmise that:

Although several transects were run through this area, no trace of the trail could be found. The area appears to have been graded and there are military picket fenceposts and rolls of rusted barbed wire scattered throughout the area, which was reported to have been used by the U.S. military for training during WWII (1991:25-26)

Similarly, ACH found not even a faint indication of any path or trail in the surveyed area. Modern agricultural practices and field roads may have obliterated it, but it is more likely that this walkway ended mauka of the surveyed subject property, and therefore never crossed these portions of land.

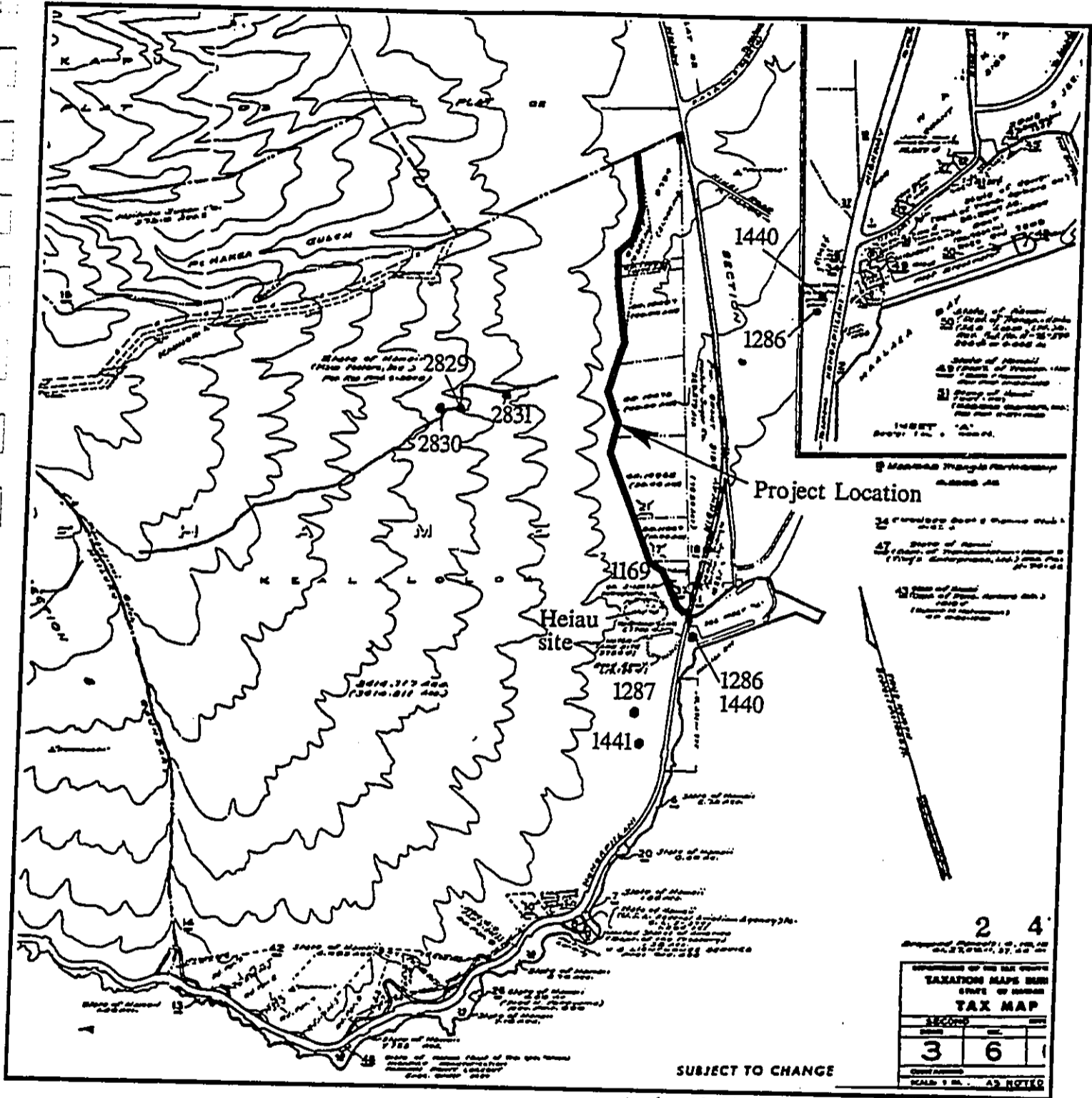
In our search of DLNR records, other prehistoric sites were identified, all makai (or in a southerly direction) of the subject property (see Map 6). Noteworthy among these 4 sites clustered near Maalaea Bay, are:

- site 1169, consisting of 8 petroglyphs;
- site 1286, consisting of grinder stones;
- site 1440, featuring a piko stone and grinder stones;
- site 1199, consisting of 10 petroglyphs;
- sites 1441 and 1287, noted as the Maalaea complex.

The heiau site noted by Walker is believed to no longer exist, perhaps having been destroyed by the military or agricultural clearing.

No previous archaeological surveys have been conducted in the project area.

MAP 6: Archaeological Sites Near the Project Location



Archaeological Consultants of Hawaii, Inc.

Section 6: Land Use Summary

In the ahupua'a of Ukamehame, Wailuku District on Maui, some expectations or hypotheses of the settlement pattern can be inferred from the previous archaeology and historic accounts of the area. A starting point for this predictive model is rooted in the environmental factors which influence cultural activities. The environment of the project area is relatively dry; precipitation falls primarily from November through to April (Foote et al., 1972:29). It is a leeward coastal plain, approximately 1 mile from the ocean at Maalaea.

In association with this environment, dryland agricultural features would be expected. These include, but are not limited to, enclosures and C-shaped or L-shaped structures, which may reflect permanent or temporary habitation, respectively. The people in this area may also have relied on marine resources, and wetland agriculture elsewhere on the island. The dryland crops such as sweet potato or bananas were important as ancillary staples.

The area surveyed by ACH is situated between land dominated one side by grazing cattle, burnt cane, and kiawe, and on the other side by pineapple fields. In the course of sugarcane field preparation, the construction of the field roads, the plowing under of the sugarcane to begin pineapple cultivation, the project area has been thoroughly disturbed. The project area is a marginal rock and waste pile created during a century of agricultural activity.

Section 7: Methodology

The archaeological field survey was conducted on April 14, 1992, under the auspices of the principal investigator, Mr. J. Kennedy, M.A. The field supervisor was Mr. M. O'Shaughnessy, B.A., assisted by Mr. P. J. Trimble, M.S. The surface survey, which covered 100% of the subject property, consisted of pedestrian sweeps. These sweeps were made from south to north, and never separated by more than 15 feet (5 meters). While areas with less vegetation permitted greater visibility, all areas were thoroughly surveyed.

Section 8: Findings

No artifacts, midden, or structures of historic or prehistoric significance were identified on the subject property. The area surveyed by ACH had been disturbed at least once by the bulldozing of rocks and soil during the cultivation of sugarcane and pineapple in this area. The absence of historic materials in the project area is likely to be the result of the building of the roads, the grading of agricultural fields, and the removal of rocks to facilitate farming. ACH concludes that the activities of commercial farmers have disturbed the subject area several times.

Man-made materials discovered on the survey included: concrete; bullets (fired relatively recently); small portions of broken and scattered cow bones; a portion of a clipboard; black plastic; a section of a boiler plate pipe (approximately 2.5 feet in diameter); various and sundry pieces of irrigation and fertilization piping; and trash, such as cardboard boxes, scraps of paper, paper cups, and oily cloth rags.

section 9: Conclusion

An inventory surface survey was conducted on the subject property. The property shows evidence of extensive disturbance, almost certainly associated with the cultivation of sugarcane and pineapple this century. No structures or materials of historic or prehistoric significance were discovered. ACH concludes that any proposal will have "no effect" on significant cultural resources.

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Walker, W.M.

n.d. "Archaeology of Maui" Typescript in Library of the Bishop Museum, Honolulu, HI.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
C. BREWER PROPERTIES, INC.)
To Amend the Conservation District)
Boundary into the Agricultural)
District for Approximately 20.644)
Acres at Maalaea, Ukumehame,)
Wailuku, Maui, Hawaii, Tax Map)
Key No.: 3-6-01: por. 18)

DOCKET NO. A91-672

C. BREWER PROPERTIES,
INC.

This is to certify that this is a true and correct
copy of the document on file in the office of the
State Land Use Commission, Honolulu, Hawaii.

JUN 22 1992

Date

by

[Signature]
Executive Officer

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
AND ORDER SUPPORTING A NEGATIVE DECLARATION FOR
AN AMENDED STATE LAND USE DISTRICT BOUNDARY AMENDMENT

JUN 22 10 43 AM '92

LAND USE COMMISSION
STATE OF HAWAII

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A91-672
C. BREWER PROPERTIES, INC.)	C. BREWER PROPERTIES,
)	INC.
To Amend the Conservation District)	
Boundary into the Agricultural)	
District for Approximately 20.644)	
Acres at Maalaea, Ukumehame,)	
Wailuku, Maui, Hawaii, Tax Map)	
Key No.: 3-6-01: por. 18)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
AND ORDER SUPPORTING A NEGATIVE DECLARATION FOR
AN AMENDED STATE LAND USE DISTRICT BOUNDARY AMENDMENT

The Land Use Commission (hereinafter "LUC"), having examined the amended environmental assessment filed by C. BREWER PROPERTIES, INC., A Hawaii Corporation (hereinafter "Applicant") on May 19, 1992, at its meeting of May 28, 1992, in Lahaina, Maui, hereby makes the following Findings of Fact, Conclusions of Law and Decision and Order:

FINDINGS OF FACT

PROCEDURAL MATTERS

1. Applicant filed a petition for a district boundary amendment to reclassify approximately 12.044 acres of land from the State Land Use Conservation District to the State Land Use Agricultural District on August 22, 1991. The petition included an environmental assessment (hereinafter "EA") pursuant to Chapter 343-5(a)(7), HRS, as amended.

2. At its meeting of September 19, 1991 and by order dated November 7, 1991, the Commission issued a negative declaration and accepted Applicant's petition for filing on September 19, 1991.

3. On November 21, 1991, the hearing on this docket was opened by the LUC's Hearing Officer, Benjamin Matsubara, Esq., at Kahului Library, Kahului, Maui, pursuant to notices published on October 17, 1991, in the Maui News and Honolulu Advertiser.

4. At the hearing, the Hearing Officer accepted a stipulation by the parties to continue the hearing to allow Applicant to request a boundary interpretation and prepare a supplemental EA to include additional lands in the petition.

5. On May 19, 1992, Applicant filed an amendment to its petition (hereinafter "Amended Petition") and an amended environmental assessment (hereinafter "Amended EA") to include approximately 8.6 acres of additional land owned by Wailuku Agribusiness Company, Inc. (hereinafter "WACI"), a subsidiary company of C. Brewer and Company, Ltd.

6. The amended area under the petition consists of approximately 20.644 acres (hereinafter "Property").

7. There were no objections from the Office of State Planning to the acceptance of the Amended EA. The County of Maui Planning Department also had no objections to the acceptance of the Amended EA.

8. At its meeting of May 28, 1992, the LUC determined that an Environmental Impact Statement is not required and accepted Applicant's Amended EA.

Description of the Affected Property and Proposed Action

9. The Property is approximately 20.644 acres and is designated within the State Land Use Conservation District. The Conservation District subzones of the parcel are designated Resource (R) and Limited (L) Subzones. The Limited subzone designation indicates limited uses where natural conditions suggest constraints on human activity. The Resource subzone designation indicates areas to develop, with proper management, to ensure sustained use of the natural resources of those areas.

10. The Property is identified as Maui Tax Map Key No. 3-6-01: por. 18.

11. The Property is a portion of pineapple Fields 771, 773, and 775, which are in current production. Approximately 14 acres of the Property are in pineapple production with the remainder consisting of agricultural access roads, vacant lands, and a temporary air monitoring station.

12. The Property is located just north of Maalaea Village and the Maalaea Small Boat Harbor along Honoapiilani Highway. The Property is also adjacent to State-owned Conservation District lands to the west, which are presently used for cattle grazing.

13. The Waikapu village is located approximately 4 miles to the north of the Property. Waikapu is identified as a

rural residential community, with roots as a sugar plantation village. Two 18-hole golf courses are located south of Waikapu.

14. The fee simple owner of the Property is WACI. Both WACI and Applicant are subsidiary companies of C. Brewer and Company, Ltd.

15. Portions of the Property have been in pineapple cultivation since the beginning of 1990. Prior to being planted in pineapple, the Property had been in sugar cane cultivation since approximately 1965.

16. The elevation of the Property ranges from 40 and 200 feet above sea level and is characterized by mildly sloping land at approximately 3 percent slope.

17. The rainfall at the Property site averages less than 15-inches per year.

18. The soil of the Property is of the Pulehu-Ewa-Jaucas association and is characteristically deep, well-drained, and located on alluvial fans and in basins. The specific soil type of the Property is the Ewa Series (EsB) and Ewa cobbly silty clay (Etb).

19. The Land Study Bureau's (LSB) Detailed Land Classification system designates the Property as "B" lands. A small uncultivated mauka portion of the Property is designated "E".

20. The Property is designated in Zone C on the Flood Insurance Rate Map (hereinafter "FIRM") which indicates an area

of minimum flooding. Surface runoff from the Property sheet flows to two drainage gulches and Pohakea Gulch. Flows from these gulches are conveyed under Honoapiilani Highway.

21. There are no known rare or endangered plant species in the surrounding area.

22. The Property does not serve as a habitat to any rare, endangered, or threatened species of wildlife.

23. An archaeological inventory survey done on the Property by Archaeological Consultants of Hawaii, Inc. No artifacts, midden, or structures of historic or prehistoric significance were identified on the Property.

24. The Property, along with the surrounding agricultural and range lands establish the open space character of the region.

25. Applicant proposes to continue the use of the Property for agricultural production purposes.

IMPACTS OF PROPOSED ACTIONS

26. Based on the Amended EA, the continued use of the Property as a pineapple production field, which includes clearing and planting, herbicide and pesticide application, harvesting and hauling will not have a significant adverse impact upon the surrounding physical environment.

27. Based on the Amended EA, access to the Property will continue to be via existing field roads and will not require changes in patterns of use upon public roadways.

28. Based on the Amended EA, water to the Property will continue to be supplied via the Waihe'e Ditch delivery system.

29. Based on the Amended EA, the maintenance of the Property for agricultural use will enhance the viability of the pineapple industry.

30. Based on the Amended EA, no endangered or threatened species of flora or fauna exist at the Property. Therefore, no adverse impacts to the flora and fauna are anticipated.

31. The Property is not located in a flood hazard zone as defined by FIRM.

32. The proposed continued use of the Property as a pineapple field will not have significant adverse impacts on public services and facilities.

CONCLUSIONS OF LAW

Pursuant to Chapter 343, Hawaii Revised Statutes, as amended, and Chapter 200 of Title 11, Hawaii Administrative Rules, entitled "Environmental Impact Statement Rules", the LUC, having considered the criteria for determining of potential environmental effects expressed in Chapter 200, and after considering the proposed amended action, the expected consequences of the proposed amended action, as well as the short and long-term effects of that action, concludes that the proposed amended action will not have a significant effect on

the environment and, therefore, does not require an Environmental Impact Statement.

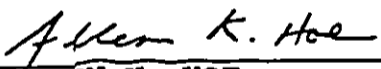
ORDER

IT IS HEREBY ORDERED that the proposed amended action by Applicant, C. Brewer Properties, Inc., in Docket No. A91-672, be and the same is hereby declared not to require an Environmental Impact Statement pursuant to Chapter 343, Hawaii Revised Statutes, as amended, and Chapter 200 of Title 11, Hawaii Administrative Rules, entitled "Environmental Impact Statement Rules."

IT IS FURTHER ORDERED that the Amended Petition be accepted for filing as of May 28, 1992.

Done this 22nd day of June 1992 per motion of May 28, 1992 at Lahaina, Maui, Hawaii.

LAND USE COMMISSION
STATE OF HAWAII



BY ALLEN K. HOE
Vice Chairman and Commissioner

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A91-672
C. BREWER PROPERTIES, INC.)	
To Amend the Conservation District)	C. BREWER PROPERTIES,
Boundary into the Agricultural)	INC.
District for Approximately 20.644)	
Acres at Maalaea, Ukumehame,)	
Wailuku, Maui, Hawaii, Tax Map)	
Key No.: 3-6-01: por. 18)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Findings of Fact, Conclusions of Law and Decision and Order Supporting A Negative Declaration for an Amended State Land Use District Boundary Amendment was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

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Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 22nd day of June 1992.



ESTHER UEDA
Executive Officer