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GOVERNOR OF HAWAII



KEITH W. AHUE, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

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RECORDED

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621
HONOLULU, HAWAII 96809

OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

OCT 15 1993

Ref:LM-PO:SL

AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
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CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

Mr. Brian J. J. Choy, Director
Office of Environmental Quality Control
220 South King Street
4th Floor
Honolulu, HI 96813

Refer to:MA-93:642

Dear Mr. Choy:

Subject: Negative Declaration for Gregory Garneau, et al.,
for Portion Hoolawa-Mokupapa, Hamakualoa,
Makawao, Maui, Tax Map Key: 2-9-02:12

The Department of Land and Natural Resources, Division of Land Management has reviewed the comments received during the 30-day public comment period. The agency has determined that this project will not have a significant environmental effect and has issued a negative declaration. Please publish this notice in your next scheduled OEQC Bulletin.

We have enclosed a completed OEQC Bulletin Publication Form and four (4) copies of the final Environmental Assessment. Please contact Mr. Steve Lau at 587-0439 if you have any questions.

Very truly yours,

Keith W. Ahue
KEITH W. AHUE

Encs.

cc Maui District Land Board Member
Maui District Land Office

NOV 8 1993

1993-11-08-MA-FEA-Garneau, Patea and Torres Request for
access and utility easement

ENVIRONMENTAL ASSESSMENT

Prepared by:

Mr. Gregory J. Garneau
91-1016 Ikulani Street
Ewa Beach, Hawaii 96706
(808) 486-0898

May 21, 1993

ENVIRONMENTAL ASSESSMENT

The following is submitted to the Department of Land and Natural Resources as part of an application for an Access Easement Across State-owned Land.

Subject Parcel: 869 square feet of State-owned Land, a portion of a larger parcel identified as Tax Map Key No. 2-9-02:12, located in Honopou, Hamakualoa, Makawao, Maui.

Applicants: Elvis R. Pila Patea, Steven M. Torres, and Gregory J. Garneau, owners of parcel identified as TK 2-9-01:35 which adjoins the subject parcel. For questions concerning this environmental assessment contact Gregory J. Garneau at 91-1016 Ikulani Street, Ewa Beach, Hawaii 96706, Telephone (808) 527-8018 (days), (808) 689-0962 (evenings).

Approving Agency: Department of Land and Natural Resources.

Other Agencies Consulted:

We have consulted with the following agencies in making this assessment and will comply with all relevant regulations as required:

- (1) Land Use and Code Division of the Department of Public Works (See Exhibit "A" attached sent in response to our request for comments on this application);
- (2) Office of Environmental Quality Control;
- (3) Department of Land and Natural Resources, Planning Department;
- (4) Department of Land and Natural Resources Division, State Historic Preservation Division. (See Exhibit "B" attached sent in response to our request for comments on this application);

Existing Site Condition:

The proposed Access Easement Across State-owned Land is a parcel of land with an area of 869 square feet which connects the Hoolawa Landing Road to applicants' parcel. A more particular description is attached as Exhibit "C", a mettes and bounds description of the proposed easement prepared by Mr. Edgardo Valera, Registered Land Surveyor, for the applicants.

The proposed easement is a portion of government land owned by the State of Hawaii upon which no man-made structure has ever been erected. The proposed easement is for an access roadway 24 feet wide and 58.24 feet long (on the State land portion) extending from the existing Hoolawa Road (30 feet wide) to parcels TK: 2-9-01:32 and 2-9-01:35.

The survey map submitted along with the Master Application to the Department of Land and Natural Resources documents the use area. There are no trees in the way of the proposed roadway and a minimum slope will be cut for the road. There is an existing dirt road in the area which is in current use. The area slopes sideways and towards TK: 2-9-1:34 and downwards towards parcel TK: 2-9-1:35. The slope is very slight and there is, at most, a one foot drop in slope from the highest to the lowest points.

There are no rare native plants in the path of the proposed roadway. The vegetation in the area is horse cane and wedelia ground cover. There are no shrubs and no trees located in the path of the roadway. The area is not located along the shore.

The General Objective:

- (1) To provide legal access to the applicants' property, now landlocked, which will enable the applicants to apply for loans, permits, and insurance.
- (2) To provide access to applicants' property without adverse effect on the natural topography and existing vegetation.

Summary of Proposed Use:

To grade an access roadway following a survey to gain access to applicants' property TK: 2-9-01:35. There will be a minimum cut and grade through a grassy area.

Governmental Agencies' Comments:

- (1) Land Use and Codes Administration, County of Maui, Department of Public Works and Waste Management. In a letter dated May 17, 1993, Mr. Glenn Ueno commented as follows on the applicants' proposed roadway easement:

"Easements for roadway purposes shall be "subdivided" in accordance with and are subject to the requirements of Title 18 of the Maui County Code (MCC). For your information, the required right-of-way and pavement width for the easement is based upon the amount of lots it serves. The pavement type is based on the zoning of the subject parcels."

Mr. Ueno's letter included no opposition to the proposed easement. The applicants will comply with all applicable provisions of the Maui County Code.

- (2) Department of Land and Natural Resources, Division of Land Management. No opposition to proposed access across State-owned land. There is an existing lease of State-owned land by Mr. Steven DeCoite, RPS #6588, for pasture purposes. There are also two applications for easements pending in the area - one from a company known as Landing at Lahaina and a second from a neighbor, Mr. Bob Zywecki. Applicants' proposed easement overlaps portions of the other two proposed easements.
- (3) Department of Land and Natural Resources, State Historic Preservation Division. In a letter dated May 13, 1993, Mr. Don Hibbard, Administrator of the State Historic Preservation Division commented as follows on the applicants' proposed roadway easement:

"We reviewed our records and found that no historic sites exist on this parcel. As your letter indicated, this proposed easement is an existing road and has been used as an easement for several years. Since this road already exists and the purpose of the easement is only to formalize its use, we believe that the easement will have no effect on historic sites. We have made the same determination in 1990 when another proposal was submitted to the Division of Land Management to purchase the perpetual and non-exclusive use of this road."

Determination:

Based upon the proposed use and the comments of the above agencies, the applicants see no negative environmental impact to the State-owned land.

Supplemental Documents:

- (1) Letters from government agencies asked to comment on the proposed easement (Exhibits "A" and "B").
- (2) Survey map of existing site showing proposed access easement (submitted previously under separate cover with Master Application).
- (3) Mettes and Bounds description of proposed easement (Exhibit "C").
- (4) Photograph of existing site condition (Exhibit "D").
- (5) Statement of existing use of applicants' property (Exhibit "E")

LINDA CROCKETT LINGLE
Mayor
GEORGE N. KAYA
Director
CHARLES JENCKS
Deputy Director
AARON SHINMOTO, P.E.
Chief Staff Engineer



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
AND WASTE MANAGEMENT

LAND USE AND CODES ADMINISTRATION
250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

May 17, 1993

RALPH NAGAMINE, L.S., P.E.
Land Use and Codes Administration
EASSIE MILLER, P.E.
Wastewater Reclamation Division
LLOYD P.C.W. LEE, P.E.
Engineering Division
DAVID WISSMAR, P.E.
Solid Waste Division
BRIAN HASHIRO, P.E.
Highways Division

Mr. Greg Garneau
91-1016 Ikulani Street
Ewa Beach, Hawaii 96706

SUBJECT: HUELO HUI PARTITION
Designation of Access Easement
TMK: (2) 2-9-01:34 & 35
(2) 2-9-02:12

Dear Mr. Garneau:

This is in reply to your request for comments to complete an environmental assessment for a roadway easement over and across lands owned by the State of Hawaii. We offer the following comment:

- * Easements for roadway purposes shall be "subdivided" in accordance with and are subject to the requirements of Title 18 of the Maui County Code (MCC).

For your information, the required right-of-way and pavement width for the easement is based upon the amount of lots it serves. The pavement type is based on the zoning of the subject parcels.

If you have any questions regarding this letter, please call Glen Ueno of our Land Use and Codes Administration at 243-7373.

Very truly yours,

GEORGE N. KAYA
Director of Public Works

GAU
garneau.cas

EXHIBIT "A"



JOHN WAINHEE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
33 SOUTH KING STREET, 8TH FLOOR
HONOLULU, HAWAII 96813

KEITH AHLE, CHAIRPERSON
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DIVISION

LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

May 13, 1993

Mr. Greg Garneau
91-1016 Ikulani Street
Ewa Beach, Hawaii 96706

LOG NO: 8294
DOC NO: 9305AG06

Dear Garneau:

**SUBJECT: Historic Preservation Review of a Proposed Easement,
Huelo Hui Partition
Hoolawa, Makawao, Maui
TMK: 2-9-01: 34, 35 & 2-9-02: 12**

This responds to your letter dated April 30, 1993 requesting our comments on your proposed roadway easement across a State-owned property, parcel 12.

We reviewed our records and found that no historic sites exist on this parcel. As your letter indicates, this proposed easement is an existing road and has been used as an easement for several years. Since this road already exists and the purpose of this easement is only to formalize its use, we believe that the easement will have no effect on historic sites. We have made the same determination in 1990 when another proposal was submitted to the Division of Land Management to purchase the perpetual and non-exclusive use of this road.

Should you have any questions, please contact Ms. Annie Griffin at 587-0013.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don Hibbard".

DON HIBBARD, Administrator
State Historic Preservation Division

c: Stephen Lau, Land Management

AG:l11

EXHIBIT "B"

Easement "C"
For Access Purposes in Favor of
Parcel 32 and 35 of TMK 2nd, 2-9-01
Hoolawa, Hamakualoa, Maui, Hawaii

ALL OF THAT CERTAIN PARCEL OF LAND known as Easement "C", an easement for access purposes in favor of Parcel 32, being Grant 1260 to Kapahu, and Parcel 35, being Royal Patent 2781, Land Commission Award 6510-D:1 to Manoa, of Tax Map Key Second Division, 2-9-01 respectively, over and across Parcel 12 of Tax Map Key Second Division, 2-9-01 (owned by the State of Hawaii), situate at Hoolawa, Hamakualoa, Island and County of Maui, State of Hawaii, and more particularly described as follows:

BEGINNING at a pipe in concrete on the westernmost corner of this easement, the common corner of Grant 1254 to Mehe, Royal Patent 2781, Land Commission Award 6510-D:1 to Manoa, Grant 1260 to Kapahu, and Grant 1076 to Wahahee, the coordinates of said point of beginning being

North 8,066.69 feet
East 13,028.25 feet

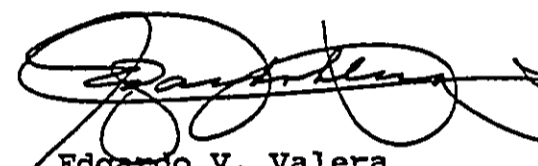
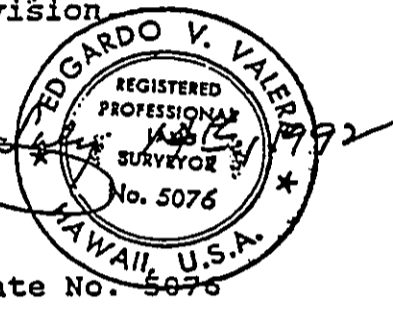
referred to Government Survey Triangulation Station "KAPUAI" and running by azimuths measured clockwise from true South (meridian of said "KAPUAI"); thence,

1. 263° 15' 25.36 feet along Grant 1076 to Wahahee, being Parcel 13 of Tax Map Key 2nd, 2-9-02, to a point; thence,
2. 308° 30' 39.44 feet over and across Parcel 12 of Tax Map Key 2nd, 2-9-02, to a point on the west side of Hoolawa Road; thence,
3. Along the west side of Hoolawa Road on a curve to the right with a radius of 44.63 feet and a central angle of 23° 19' 05", the chord azimuth and distance being
35° 29' 04.5" 18.04 feet to a point; thence,

4. 128° 30'

58.24 feet along Grant 1251 to Mehe,
being Parcel 34 of Tax Map Key
2nd, 2-9-01, to a point of
beginning and containing an
area of 869 square feet, more
or less.

This work was prepared by me
or under my direct supervision
VALERA, INC.

Edgardo V. Valera
Registered Land Surveyor
State of Hawaii Certificate No. 5076
End of description.

#2187-A

DOCUMENT CAPTURED AS RECEIVED



EXHIBIT "D"

P.O. Box 37957
Honolulu, Hawaii 96837-0957
August 15, 1993

Mr. Brian J. J. Choy, Director
State of Hawaii
220 South King Street, Fourth Floor
Office of Environmental Quality Control
Honolulu, Hawaii 96813

Re: Your Letter Dated June 30, 1993 Sent to Mr. Philip Ohta, Maui
Land Management Division

Dear Mr. Choy:

Subject: Draft Environmental Assessment for the Garneau, Patea,
and Torres Request for Access and Utility Easement,
Makawao, Maui

The proposed use of our property is for residential use, that is,
construction of a single, owner-occupied dwelling. I believe that
both Mr. Ohta and Mrs. Carlene Vares have separately provided you
with this information.

If you need any further information, do not hesitate to contact me
at the above address or on Oahu at 527-8018.

Thank you for your help in this matter.

Very truly yours,


GREGORY J. GARNEAU

EXHIBIT "E"