

JOHN WAHEE
GOVERNOR OF HAWAII



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

DEPUTIES
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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

'93 DEC 20 16:57 P. O. BOX 621
HONOLULU, HAWAII 96809

REF:OCEA:SKK OFC. OF ENVIRONMENTAL
QUALITY CONTROL

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

FILE NO.: MA-8/30/93-2635
180-Day Exp. Date: 2/26/94
DOC. NO.: 3773

DEC 17 1993

MEMORANDUM

TO: Mr. Brian J. J. Choy, Director
Office of Environmental Quality Control

FROM: KEITH W. AHUE, Chairperson *KA*
Department of Land and Natural Resources

SUBJECT: Negative Declaration for the Proposed Landscaping of a
State Parcel, TMK: 2-1-06: por. of 10, Makena, Maui, Hawaii

The Department of Land and Natural Resource has reviewed the comments received during the 30-day public comment period which began on September 23, 1993. We have determined that this project will not have significant environmental effect and have issued a negative declaration. Please publish this notice as soon as possible in the OEQC Bulletin.

We have enclosed a completed OEQC Bulletin Publication Form and three copies of the Final EA. Please contact Sam Lemmo of our Office of Conservation and Environmental Affairs, at 587-0377, should you have any questions.

Attachment

1994-01-08-MA-~~FEA~~-Carlsberg Landscaping
of State Parcel

JAN - 8 1994

FINAL ENVIRONMENTAL ASSESSMENT

Proposed Landscaping at TMK 2-1-06:por. 10

Prepared for:

Judith Carlsberg

November 1993



Michael T. Munekiyo Consulting, Inc.

**FINAL
ENVIRONMENTAL ASSESSMENT**

**Proposed Landscaping
at TMK 2-1-06:por. 10**

Prepared for:

Judith Carlsberg

November 1993



Michael T. Munekiyo Consulting, Inc.

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PREFACE

This Environmental Assessment (EA) has been prepared in connection with Judith Carlsberg's proposed use of State Conservation lands (TMK 2-1-06:por. 10) for landscaping improvements. Accordingly, this report is prepared in accordance with Chapter 343, Hawaii Revised Statutes and Chapter 200 of Title 11, Administrative Rules, "Environmental Impact Statement Rules".

SUMMARY

Applicant and Landowner

The Applicant for the proposed request is Ms. Judith Carlsberg, the landowner of TMK 2-1-06:16. The proposed action will affect a portion of the State-owned parcel (TMK 2-1-06:portion 10) which adjoins the Applicant's property.

Approving Agency

State of Hawaii, Department of Land and Natural Resources.

Contact Person

For further information, contact Michael T. Munekiyo, c/o Michael T. Munekiyo Consulting, Inc., 1823 Wells Street, Suite 3, Wailuku, Maui, Hawaii 96793 or at telephone (808) 244-2015.

Property Location and Description

The subject parcel is located in Makena, Maui, Hawaii and is a portion of a 3.79-acre lot identified as TMK 2-1-06:por.10. The parcel is under the jurisdiction of the State of Hawaii as a beach reserve. The property is located makai of Keoneoio-Makena Road, south of Puu Olai, a red cinder cone which is part of the Makena-La Perouse Bay State Park. The parcel is undeveloped and vacant, and encompasses a rocky shoreline which is characteristic of this region of the Island. Existing vegetation on the subject parcel includes kiawe trees, hau trees, coconut palms and a variety of exotic weeds and grasses.

Proposed Action

The Applicant proposes to landscape a portion of State "Conservation" designated land which adjoins her property (TMK 2-1-06:16) to the west. The proposed landscaping involves approximately 0.87 acre of State-owned lands and will utilize plants that are commonly found along Hawaii's coastal region. The area mauka of the shoreline will be planted with beach naupaka and a Seashore Paspallum lawn. Plants already

existing on the subject property will be utilized, including hau, bestill, and wild cotton. The proposed landscaping will enhance the landscaping of the surrounding area. In addition, the applicant proposes to install an informal concrete path at the southwest extent of the subject property. This path, having an approximate length of 20 feet and a width of 3 feet, will facilitate public access along the rocky shoreline.

In the interest of further facilitating public access along the shoreline, the path will be indicated by a sign reading "Maniania Point Public Access" posted upon the Applicant's fence adjacent to the entrance to the pathway from Makena Road. Moreover, whereas the existing terrain is rather steep and difficult to negotiate, the Applicant is willing to level off the pathway to improve access to the area. The Applicant's intention is that the landscaping improvements should be as low-key as possible, emphasizing the use of indigenous plants. Grassing will be provided so that beach-users can picnic within the area. The Applicant is also willing to provide a hose-bib for use by fishermen.

A hedge will delineate and distinguish the privately-owned parcel from the State-owned parcel. In addition, bollards will be installed at property corners to visibly mark the limits of the private versus State-owned lands.

The project site is located in the State's "Conservation" district's "Protective" subzone and falls within the shoreline setback area and County Special Management Area boundaries.

Findings and Conclusion

The proposed landscaping improvements will not result in adverse impacts to air and noise quality, flora and fauna, scenic and open space resources, and archaeological resources. In addition, the proposed action will not adversely affect the socio-economic environment and will not increase demands upon existing public services and infrastructure systems.

The proposed landscaping improvements is in keeping with the Maui County General Plan, Kihei-Makena Community Plan and the County of Maui's Special Management Area objectives and policies.

Accordingly, the proposed project is not expected to result in any significant environmental impact.

Chapter 1

Introduction

I. INTRODUCTION

A. BACKGROUND AND PURPOSE

The subject property (TMK 2-1-06:por.10), consisting of approximately 0.87 acres, is located in Makena, Maui just south of Puu Olai. See Figure 1. The property is part of the State's "Conservation" district ("Protective" subzone) and is made up of a rocky shoreline where the land meets the ocean. Sandy soil borders the shoreline and extends to the Keoneio-Makena Road which provides access to the site. Existing vegetation at the property includes grasses, weeds, kiawe trees, wild cotton, coconut trees and hau trees. For the most part, the project site is composed of a rocky shoreline and open areas of sandy soil with little or no vegetation.

The Applicant is the owner of the adjoining parcel (TMK 2-1-06:16) located immediately inland of the subject property. The Applicant has constructed a single-family residential structure on her property and has installed landscaping and irrigation improvements as part of this construction. A Conservation District Use Permit (CDUP) has been issued for the single-family residence and attendant improvements. The Applicant wishes to provide landscaping improvements within the adjacent State-owned property located along the shoreline. See Figure 2. Landscaping of the State-owned parcel will encompass approximately 0.87 acres and will utilize vegetation compatible with coastal and near shore environs (e.g., beach naupaka and ^{new} Seashore Paspallum). The proposed landscaping is designed to blend with the surrounding areas. See Figure 3. Moreover, a path will be provided to facilitate access along the rocky shoreline.

In the interest of further facilitating public access along the shoreline, the path will be indicated by a sign reading "Maniania Point Public Access"

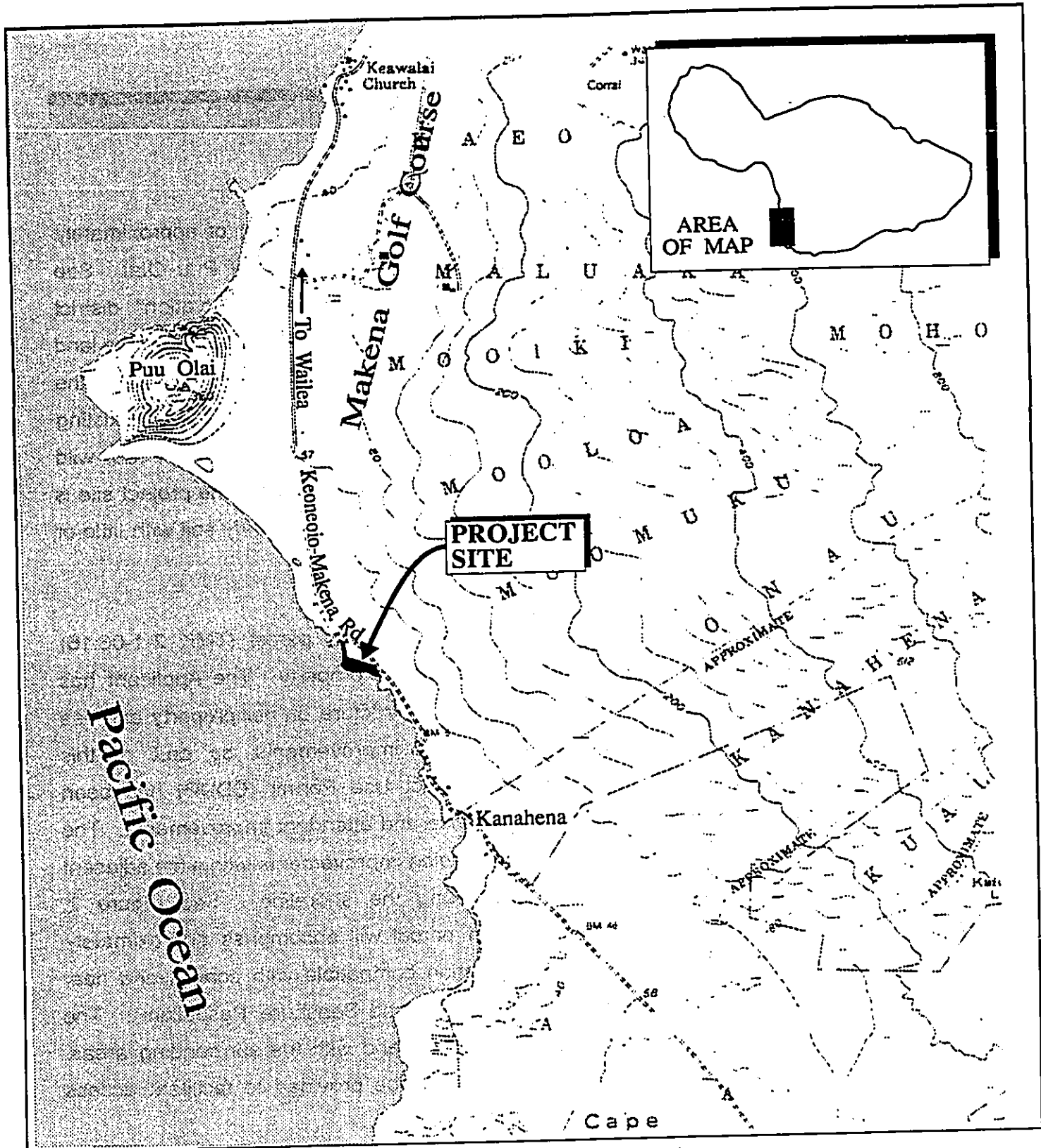
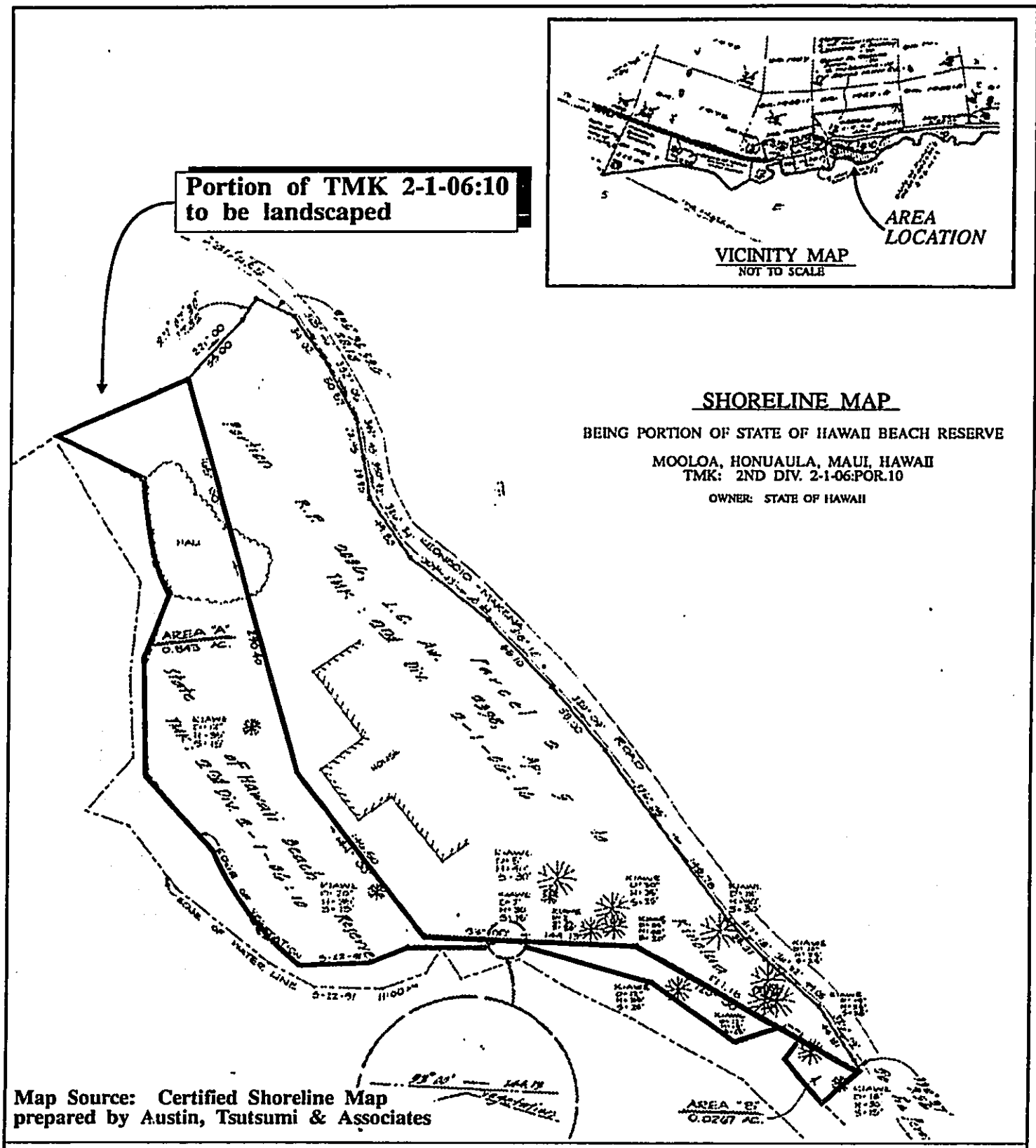


Figure 1 Proposed Landscaping at
 TMK 2-1-06:por. 10
 Regional Location Map




 Michael T. Munekiyo Consulting, Inc.
 Prepared for: Judith Carlsberg



**Figure 2 Proposed Landscaping at
TMK 2-1-06:por. 10
Shoreline Map**



NOT TO SCALE

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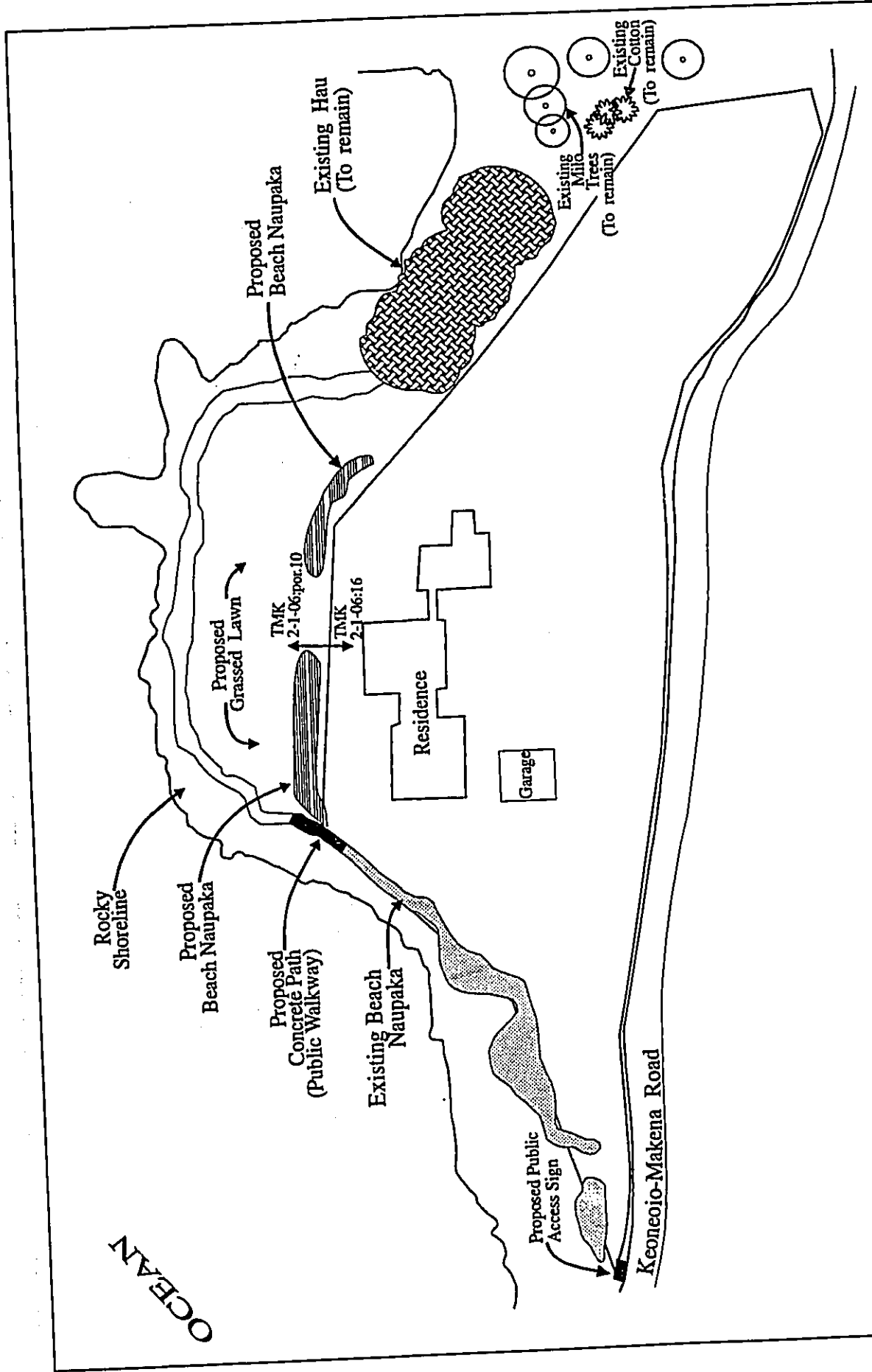


Figure 3 Proposed Landscaping at TMK 2-1-06:por. 10
Schematic Landscape Plan



Michael T. Munekiyo Consulting, Inc.
Prepared for: Judith Carlsberg

NOT TO SCALE

posted upon the Applicant's fence adjacent to the entrance to the pathway from Makena Road. Moreover, whereas the existing terrain is rather steep and difficult to negotiate, the Applicant is willing to level off the pathway to improve access to the area. The Applicant's intention is that the landscaping improvements should be as low-key as possible, emphasizing the use of indigenous plants. Grassing will be provided so that beach-users can picnic within the area. The Applicant is also willing to provide a hose-bib for use by fishermen.

A hedge will delineate and distinguish the privately-owned parcel from the State-owned parcel. (In addition, bollards will be installed at property corners to visibly mark the limits of the private versus State-owned lands.) *new*

Inasmuch as the proposed work will require a CDUP, this report documents project facts, characteristics, and impacts in accordance with Chapter 200 of Title 11, Administrative Rules, Environmental Impact Statement Rules.

Chapter II

Description of the Existing Environment

II. DESCRIPTION OF THE EXISTING ENVIRONMENT

A. PHYSICAL ENVIRONMENT

1. Surrounding Environment

The subject property is located south of the resort communities of Makena and Wailea. These resorts feature world-class hotels, restaurants, golf courses and related recreational amenities. Beyond the resort area to the south, Makena is sparsely populated and the Keoneoio-Makena Road provides access to the beaches and occasional homes found along the coastline.

The subject parcel is located along the Ahihi Bay coastline, with the project area being a part of a larger 3.79 acre piece of land under the jurisdiction of the State of Hawaii. The subject parcel borders the Applicant's property (TMK 2-1-06:16) along its western extent. Privately-held lands across Keoneoio-Makena Road are vacant and undeveloped.

2. Climate

Like most of the State of Hawaii, Maui experiences a relatively uniform year-round climate with mild and uniform temperatures, moderate humidity and consistent northeasterly tradewinds. However, local terrain can profoundly influence the climate in given areas. Makena, because of its location on the leeward coast of the Island, experiences a higher range of temperatures and lower rainfall than those areas located on the Island's windward side.

Rainfall in the project vicinity is approximately 20-inches per year, with most falling during the winter months of November through March. The summer months of April to October are generally dry, with rainfall under one-half inch per month. Makena is known to

experience long periods of dry weather when the rains of winter storms fail to materialize. These periods may last several years.

Temperatures recorded at the nearby Keawakapu Beach average a high of nearly 90 degrees Fahrenheit and a minimum ranging from the mid to upper 60°s during the summer months. The winter months experience high and low temperatures in the low 80°s and low 60°s, respectively.

Local wind conditions along the South Maui coast are unpredictable. This unpredictability is a result of inshore winds paralleling the Kihei to Makena coastline meeting with eddy currents of tradewinds reflected along the southeast slopes of Haleakala. The most common wind directions are from the northwest (26.4 percent) and from the northeast (22.0 percent).

3. **Topography and Soil Characteristics**

The terrain at the project site rises gently from sea level to approximately the 10-foot elevation at the Applicant's mauka property line. With the exception of the steep drops at the rocky coastline, the subject property and the Applicant's adjoining property possess a relatively flat and uniform terrain.

The soils underlying the project site and the adjacent areas belong to the Keawakapu-Makena soil association. This association is described as "gently sloping to moderately steep, well-drained soils that have a fine-textured or medium-textured subsoil and are shallow to deep over fragmental lava" (U.S. Department of Agriculture, 1972). Specific soil types found at the project site is Beaches (BS) and Makena loam, stony complex, 3 to 15 percent slopes (MXC). The BS soil type occurs as sandy, gravelly or

cobbly areas washed and reworked by ocean waves. The MXC soil type consists of Makena loam and stony land and includes areas where a'a lava cover as much as 15 percent of the surface. See Figure 4. Natural vegetation typically found on the Makena series include bristly foxtail, feather fingergrass, ilima and kiawe.

4. **Flood and Tsunami Hazard**

The subject parcel is located within the Flood Insurance Rate Map's Zone V14 which is defined as an area of 100-year coastal flooding. See Figure 5.

5. **Flora and Fauna**

Vegetation found in the project vicinity include a variety of grasses, weeds, trees, cacti and other plants. A flora survey conducted in the vicinity of the project site indicates that flora common to the area include buffelgrass, be-still tree, spiny amaranth, kiawe, koa-haole, hau and uhaloa (Environmental Impact Study Corp., 1982). Flora found at the site itself include coconuts, kiawe, hau, wild cotton and various weeds and grasses.

Common avifauna found in the vicinity of the property include Barred Dove, House Finch, Mockingbird, Mynah, Japanese White-eye, and Cardinals. Other birds that were not seen but are probably present include the Indian Gray Francolin, Ring-necked Pheasant, Hawaiian Short-eared Owl and the Barn Owl (Environmental Impact Study Corp., 1982). Mammals likely to be observed in the vicinity include dogs, cats, and mice.

Marine fauna noted in this area include corals, algae, a variety of sea urchins, species of cones and spiny lobsters (Environmental

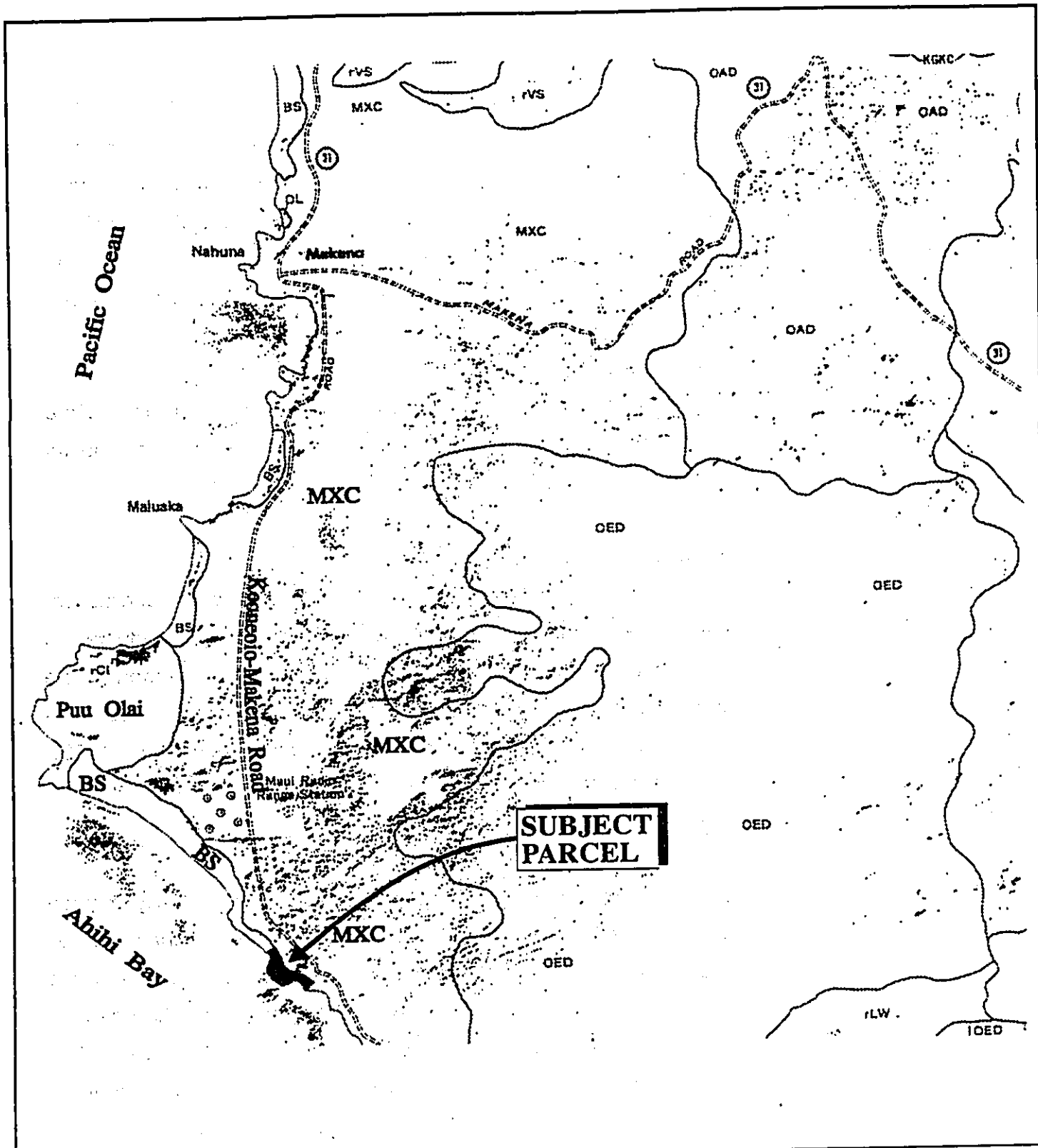
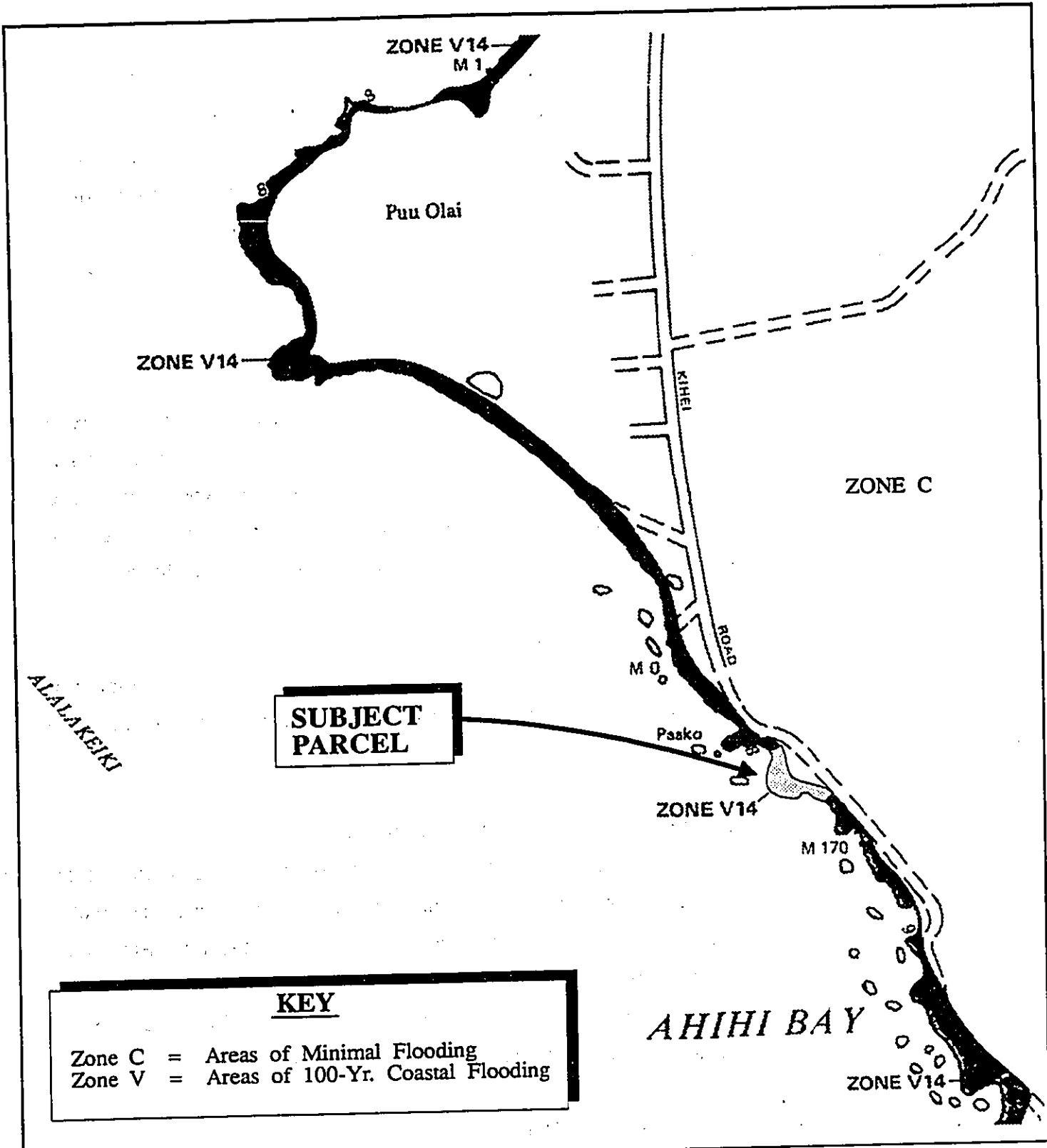


Figure 4

Proposed Landscaping at
 TMK 2-1-06:por. 10
 Soil Classifications



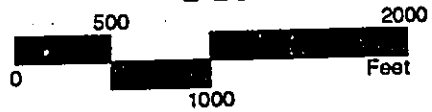
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 Prepared for: Judith Carlsberg



KEY

Zone C = Areas of Minimal Flooding
 Zone V = Areas of 100-Yr. Coastal Flooding

Figure 5 Proposed Landscaping at
 TMK 2-1-06:por. 10
 Flood Insurance Rate Map



Michael T. Munekiyo Consulting, Inc.
 Prepared for: Judith Carlsberg

Impact Study Corp., 1982). A large number of fish species have been observed in this region, including bluelined surgeonfish (maiko), orangeband surgeonfish (na'ena'e), convict tang (manini), saddle wrasse (hinalea lauili), milletseed butterflyfish (lauiliwili), Samoan goatfish (weke'a'a), and green damselfish (mamo, maomao).

6. **Air Quality**

There are no point sources of airborne emissions in the immediate vicinity of the project site. The air quality of the project area is primarily affected by dust and ocean salt spray. Rough seas and high wind conditions may generate ocean spray and fugitive dust which at times, extend mauka of Keoneoio-Makena Road.

7. **Noise Characteristics**

The property is located in a fairly undeveloped area of Makena. The predominant noise source is attributed to the ocean surf and local vehicular traffic.

8. **Scenic and Open Space Resources**

The project site is located on the shoreline and as such has an uninterrupted view of the ocean and Kaho'olawe Island. The water immediately fronting the project site is designated as a Protective subzone under the jurisdiction of the DLNR. Nearby, to the south, is the Ahihi-Kinau Natural Area Reserve. These are State designations which protect the resources of the areas.

9. **Archaeological Resources**

An archaeological assessment conducted for the proposed improvements revealed that a portion of the State-owned lands to

be landscaped has been altered with the importation and placement of fill material. See Appendix A. However, inspection of the exposed ground area and cut banks revealed no cultural material. Two probable historic burial plots are located within the hau grove at the northwest extent of the property. The burials will not be disturbed by the proposed landscaping.

No surface structural remnants were observed at the site.

B. SOCIO-ECONOMIC ENVIRONMENT

The project site is located along Maui's southwest coast which includes the town of Kihei and the master-planned resort communities of Wailea and Makena. Kihei is an active tourist destination area which includes several commercial centers and an expanding residential core. The resort communities of Wailea and Makena are home to several world-class hotels, a shopping village (at Wailea), single-family and multi-family resort residential units and three 18-hole golf courses. The Makena Resort's golf course is located approximately one-half mile to the north of the project site. There are approximately 30 to 40 residential units spread along the road between Polo Beach and Kanahena Point. The project site is located approximately one-half mile from Kanahena Point. Lands mauka of Keoneoio-Makena Road across the project site are privately-owned and undeveloped. Major landowners in this general vicinity include Seibu Hawaii, Inc. and Ulupalakua Ranch.

From a planning point of view, the subject parcel is part of the Kihei-Makena Community Plan region, encompassing an area from Maalaea to LaPerouse Bay. The urbanized area of this community planning region is one of the fastest growing on Maui. The 1990 resident population of 15,365 is projected to increase to 25,514 by the year 2010. This

represents a 66% increase. Most of this rapid growth is attributed to the expanding visitor industry plant.

C. PUBLIC SERVICES AND INFRASTRUCTURE

With the exception of a few private residences, the subject parcel is located in an area that is largely undeveloped. Public services such as police, fire protection and medical facilities are located in the urbanized areas of Kihei-Makena. Numerous beaches providing shoreline recreational activities are found along the coast. The Makena-LaPerouse Bay State Park is located at Puu Olai just north of the project site. Inland recreational facilities, including athletic playfields and tennis courts, are located within the urbanized areas of Kihei-Makena.

Access to the site is provided via Keoneoio-Makena Road, a narrow road which extends Makena Alanui Drive (servicing the Makena Resort) to the south. Water service is provided by the County of Maui's Board of Water Supply (BWS) via a 2-inch and 1-1/2 inch line which ends approximately 2,000 feet south of the subject property. There are no public wastewater systems located in proximity to the site and 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 a request to utilize approximately 0.87 acres of State "Conservation"-zoned lands for landscaping purposes. The subject parcel fronts private property and the landscaping is designed to blend with the natural setting of the area. Some existing vegetation will remain as part of the overall landscape plan.

Landscaping activities will involve importing materials (e.g., topsoil) and plants, excavating holes for the placement of plants and the construction of an informal concrete path. Nuisance effects of the landscaping installation include the generation of dust and noise, which are of a short-term nature normally associated with construction activities. The proposed landscaping is intended to blend with the natural vegetation and will not impinge on the scenic resources of the area. Lateral access along the shoreline will be facilitated with the construction of the concrete path.

B. IMPACTS TO THE SOCIO-ECONOMIC ENVIRONMENT

The proposed landscaping will not create adverse impacts upon the socio-economic environment.

C. IMPACTS TO PUBLIC SERVICES AND INFRASTRUCTURE

The use of the subject parcel will not affect governmental public service and infrastructure systems. The proposed action will not result in changes to the patterns of use upon the single road servicing this area of Makena.

The proposed landscaping will not impact use of public resources such as police, fire protection, educational, medical or recreational resources.

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 request to utilize State Conservation lands is in keeping with the following objectives and policies of the Hawaii State Plan.

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

Objective: Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawaii's scenic assets, natural beauty, and multi-cultural/historical resources.

Policy: Encourage the design of developments and activities that complement the natural beauty of the islands.

Comment: The subject parcel will be landscaped to complement and to blend with the surrounding environs. The use of low-growing plants and grasses will enhance views along the shoreline and will not obstruct the scenic vista from the shore.

B. STATE CONSERVATION LANDS FUNCTIONAL PLAN

The objective of the State Conservation Lands Functional Plan is to provide for a management plan for the use and protection of Hawaii's natural resources, including open spaces, watersheds, natural areas and endangered species. The proposed landscaping improvements are in keeping with the following Functional Plan objectives and policies.

Objective: Effective protection and prudent use of Hawaii's unique fragile, and significant environmental and natural resources.

Policy: Exercise an overall conservation ethic in the use of Hawaii's resources by protecting, preserving, and conserving the critical and significant natural resources of the State of Hawaii and controlling use of hazardous areas.

Comment: The proposed action will not degrade or adversely impact surrounding environmental and natural resources.

Objective: Effective protection and management of Hawaii's open space, watersheds and natural areas.

Comment: The proposed landscaping improvements will enhance the open space character along this section of coastline. The proposed action will not impact open space or scenic views to and along the shoreline.

Policy: Control erosion of State lands and forest areas through proper conservation and management program.

Comment: The proposed action will provide for stable ground surface conditions to minimize erosion from wind and runoff.

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. These districts are designated "Urban", "Rural", "Agricultural", and "Conservation". The subject parcel is within the "Protective" subzone of the "Conservation" district. See Figure 6. The proposed action involves the use of this land for landscaping purposes.

The objective of the Protective subzone is to protect valuable resources in designated areas, such as restricted watersheds; marine, plant, and wildlife sanctuaries; significant historic, archaeological, geological, and volcanological features and sites; and in other designated unique sites.

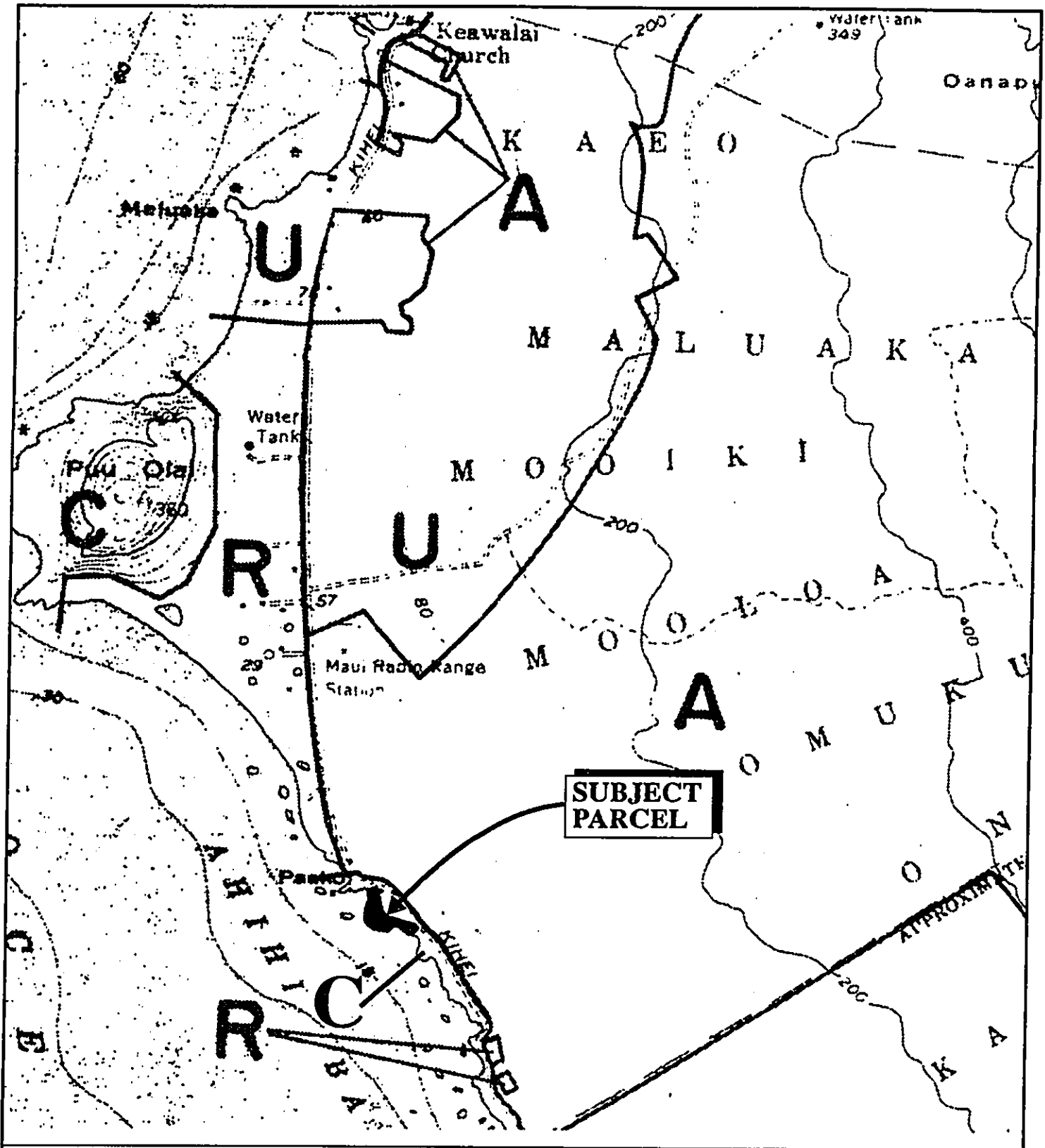


Figure 6 Proposed Landscaping at
 TMK 2-1-06:por. 10
 State Land Use District Designations



Michael T. Munekiyo Consulting, Inc.
 Prepared for: Judith Carlsberg

The proposed action to landscape the project site is in keeping with the permitted use of maintenance and protection of desired vegetation, including the removal of dead, deteriorated and noxious plants. Plant materials to be used for the project include beach naupaka (naupaka kahakai) which is commonly found along Hawaii's coastal regions. This action will not adversely impact the scenic resources of the area. The areas mauka of the shoreline will be covered with Seashore Paspallum grass commonly planted in Hawaii for its ability to thrive on sandy soil. Plants already existing on the subject property will be utilized and include hau, bestill and wild cotton.

D. MAUI COUNTY GENERAL PLAN

The Maui County General Plan (1990 Update) sets forth broad objectives and policies to help guide the long-range development of the County. As stated in the Maui County Charter, "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 action is in keeping with the following General Plan objectives and policies:

Objective: To preserve and protect the County's unique and fragile environmental resources.

Policy: Preserve for present and future generations the opportunity to experience the natural beauty of our islands.

Policy: Preserve scenic vistas and natural features.

E. KIHEI-MAKENA COMMUNITY PLAN

The subject parcel is located in the Kihei-Makena Community Plan region which is 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 requires that new shoreline development and construction respect and respond to the natural and cultural resources in the shoreline areas.

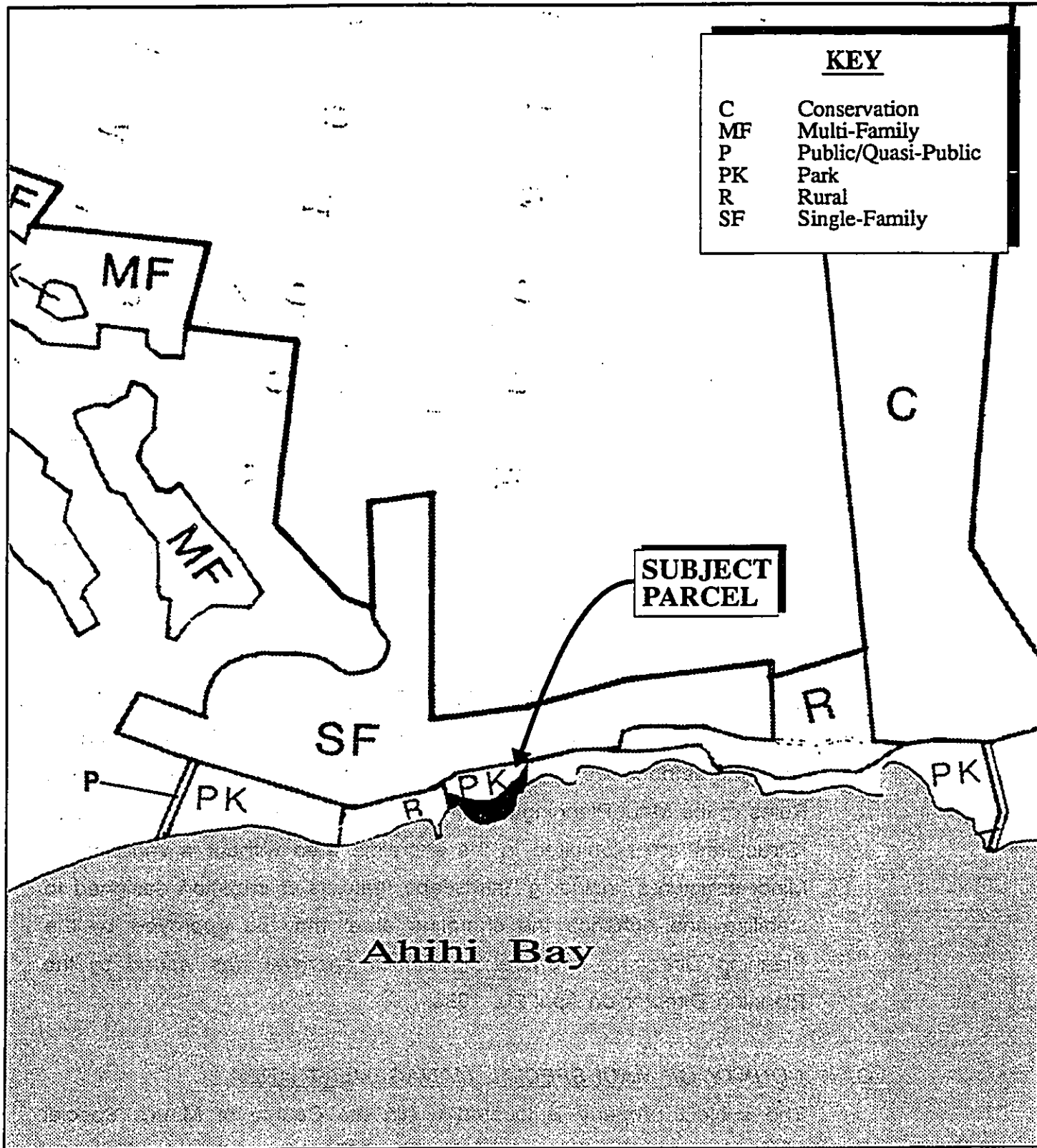
Land use guidelines are set forth by the Kihei-Makena Community Plan Land Use Map. See Figure 7. The subject parcel is designated "Park" by the Community Plan.

F. COUNTY OF MAUI SHORELINE SETBACK AREA

Portions of the subject property are located within the County of Maui's shoreline setback area. Pursuant to Section 12-5-11 of Chapter 5 of the Rules of the Maui Planning Commission (relating to the shoreline area), "Structures are prohibited in the shoreline area without a variance...". Minor structures, including "landscape features or irrigation designed to stabilize and enhance the shoreline area" may be approved by the Planning Director. A shoreline setback approval was issued by the Planning Director on April 20, 1993.

G. COUNTY OF MAUI SPECIAL MANAGEMENT AREA

The subject property is located within the County of Maui's Special Management Area. Pursuant to Chapter 205A, Hawaii Revised Statutes, and the Rules and Regulations of the Planning Commission of the County of Maui, projects located within the SMA are evaluated with respect to



KEY	
C	Conservation
MF	Multi-Family
P	Public/Quasi-Public
PK	Park
R	Rural
SF	Single-Family

Figure 7

Proposed Landscaping at
TMK 2-1-06:por. 10

Community Plan Land Use Designations



Michael T. Munekiyo Consulting, Inc.
Prepared for: Judith Carlsberg

SMA objectives, policies and guidelines. This section addresses the project's relationship to applicable coastal zone management considerations, as set forth in Chapter 205A and the Rules and Regulations of the Planning Commission.

1. **Recreational Resources**

Objective: Provide coastal recreational resources accessible to the public.

Policies:

- a. Improve coordination and funding of coastal recreation planning and management; and
- b. Provide adequate, accessible and diverse recreational opportunities in the coastal zone management area by:
 - (1) Protecting coastal resources uniquely suited for recreation activities that cannot be provided in other areas,
 - (2) Requiring replacement of coastal resources having significant recreational value, including but not limited to surfing sites and sandy beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable,
 - (3) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value,
 - (4) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation,
 - (5) Encouraging expanding public recreational use of county, state, and federally owned or controlled shoreline lands and waters having recreational value,
 - (6) Adopting water quality standards and regulating point and non-point sources of pollution to protect and

where feasible, restore the recreational value of coastal waters,

- (7) Encouraging reasonable dedication of shoreline areas with recreational value for public use as a part of discretionary approvals or permits, and crediting such dedication against the requirements of Section 46-6 of the Hawaii Revised Statutes.

Response:

The proposed landscaping will ensure the privacy of the public utilizing the beach area by shielding the Applicant's dwelling from public views. The concrete path will provide for improved access along the shoreline. The project will not impact the recreational value (i.e., fishing and diving) of the adjoining shoreline area.

2. Historical/Cultural Resources

Objective: Protect, preserve and where desirable, restore those natural and man-made historic and prehistoric resources in the coastal zone management areas that are significant in Hawaiian and American history and culture.

Policies:

1. Identify and analyze significant archaeological resources;
2. Maximize information retention through preservation of remains and artifacts or salvage operations; and
3. Support state goals for protection, restoration, interpretation and display of historic resources.

Response:

While portions of the area to be landscaped have been altered with the placement of fill material, inspection of exposed ground surface and cut banks revealed no cultural materials. Two probable historic burial plots are located within the hau grove at the northwest extent of the property. The burials will not be disturbed

during the landscaping. In addition, no surface structural remains were observed at the site. The proposed landscaping, therefore, is not anticipated to affect archaeological resources.

3. **Scenic and Open Space Resources**

Objective: Protect, preserve and where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies:

- a. Identify valued scenic resources in the coastal zone management area;
- b. 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;
- c. Preserve, maintain and, where desirable, improve and restore shoreline open space and scenic resources; and
- d. Encourage those developments which are not coastal dependent to locate in inland areas.

Response:

The proposed project is designed to enhance the scenic character of the property and surrounding environs. The project will not involve significant alteration to the existing topographic character of the site and will not affect public views to and along the shoreline. The proposed landscaping will be at a scale consistent with the site's surrounding character.

4. **Coastal Ecosystems**

Objective: Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.

Policies:

- a. Improve the technical basis for natural resource management;
- b. Preserve valuable coastal ecosystems of significant biological or economic importance;
- c. Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
- d. Promote water quantity and quality planning and management practices which reflect the tolerance of fresh water and marine ecosystems and prohibit land and water uses which violate state water quality standards.

Response:

The proposed landscaping will maintain the stability of surface soils and will not result in the degradation of coastal water ecosystems.

5. Economic Uses

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies:

- a. Concentrate in appropriate areas the location of coastal dependent development necessary to the state's economy;
- b. Insure that dependent development such as harbors and ports, visitor facilities, and energy-generating facilities are located, designed, and constructed to minimize adverse social, visual and environmental impacts in the coastal zone management area; and
- c. Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit coastal dependent development outside of presently designated areas when:

-
- (1) Utilization of presently designated locations is not feasible,
 - (2) Adverse environmental effects are minimized, and
 - (3) Important to the state's economy.

Response:

The proposed project does not affect facilities and improvements which impact upon the local economy.

6. Coastal Hazards

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion and subsidence.

Policies:

- a. Develop and communicate adequate information on storm wave, tsunami, flood, erosion and subsidence hazard;
- b. Control development in areas subject to storm wave, tsunami, flood, erosion and subsidence hazard;
- c. Ensure that developments comply with requirements of the Federal Flood Insurance Program; and
- d. Prevent coastal flooding from inland projects.

Response:

The project site is located within Zone "V-14" of the Flood Insurance Rate Map. The landscaping improvements will be subject to the 100-year coastal flooding. However, the proposed improvements will not expose adjoining properties to additional hazards.

7. **Managing Development**

Objective: Improve the development review process, communication, and public participation in the management of coastal resources and hazard.

Policies:

- a. Effectively utilize and implement existing law to the maximum extent possible in managing present and future coastal zone development;
- b. Facilitate timely processing of application for development permits and resolve overlapping of conflicting permit requirements; and
- c. 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.

Response:

Development of the proposed project will be conducted in accordance with applicable State and County requirements. Opportunity for review of the proposed action is provided through the County's Special Management Area permitting process.

An SMA minor permit has been issued by the Maui Planning Department for the proposed project.

Chapter V

Findings and Conclusion

V. FINDINGS AND CONCLUSION

The proposed landscaping improvements will not result in adverse impacts to air and noise quality, flora and fauna, scenic and open space resources, and archaeological resources. In addition, the proposed action will not adversely affect the socio-economic environment and will not increase demands upon existing public services and infrastructure systems. Moreover, the proposed improvements will serve to enhance the accessibility and beauty of the public beach area for the benefit of the entire community.

The proposed landscaping improvements is in keeping with the Maui County General Plan, Kihei-Makena Community Plan and the County of Maui's Special Management Area objectives and policies.

Accordingly, the proposed project is not expected to result in any significant environmental impact.

Chapter VI

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

VI. AGENCIES CONSULTED IN THE PREPARATION OF THE ENVIRONMENTAL ASSESSMENT

1. County of Maui, Planning Department
2. State of Hawaii, Department of Land and Natural Resources

Chapter VII

***Letters Received During Public
Comment Period and Responses***

GGP

JOHN WAINHE
GOVERNOR



BRIAN J. J. CHOI
Director

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
220 SOUTH KING STREET
FOURTH FLOOR
HONOLULU, HAWAII 96819
TELEPHONE (808) 586-4188

September 13, 1993

Mr. Keith W. Ahue, Chairperson
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Attention: Sam Lemmo

DLNR
OCEA

RECEIVED
SEP 15 PM 1:50

Dear Mr. Ahue,

Subject: Draft Environmental Assessment (DEA) for Judith Carlberg Application for a Revocable Permit to Landscape and Maintain a Government Beach Reserve at Makena, Maui (TMK 2-1-08: per. 10).

Thank you for the opportunity to review and comment on the subject document. We have the following comments:

1) Again we urge you, as the steward of our state's fragile natural resources, to establish an overall policy for protecting government beach reserves. The case-by-case review and approval of proposals to landscape government owned coastal areas has resulted in the unacceptable loss of natural beachfront habitats. Furthermore, the overall policy should give significant consideration to the public's right to access and enjoy unaltered government beach reserves.

2) Please describe in detail how the public would know that the subject parcel, including the grassy area, is state-owned and available for public use. The proposed landscaping of public land, contiguous to the applicant's privately-owned land might infer that the public land is an integral part of their residence. Are there existing topographical features which delineate the border between the two parcels?

*Hedge
+ bollards*

no

Mr. Keith W. Ahua
September 13, 1993
Page 2

3) In reference to Figure 3. describing the proposed landscaping:

- a) Please indicate more clearly where existing footpaths are. Does a footpath exist through the Beach Naupaka at the southwest border of the private parcel or will the proposed hedge and sign encourage travel through the Beach Naupaka? Will the proposed concrete pathway connect with an existing footpath bordering the rocky shoreline?
- b) Aki Sinoto recommended in his archaeological field assessment that existing stands of aisel should be kept and maintained. Please indicate on the figure where these stands are and proposed methods for maintaining them.

4) A more technical explanation of how the proposed grassed lawn will be created would be useful. What type of grass will be planted? Will proposed grass displace existing "... grasses, weeds, kiawe trees, wild cotton..."? If the "wild cotton" is native Mao, it should not be removed.

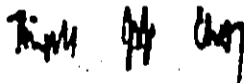
5) How will the proposed grassed lawn be maintained? Is an in-ground irrigation system anticipated?

6) Please describe the extent of excavation required for construction of the concrete pathway. A white concrete pathway may detract from the aesthetic quality of the rocky coastline surroundings. Please consider mitigating measures (e.g. alternative materials, tinting the concrete).

7) Please consult with your Department's Forestry and Wildlife Division for information regarding the possible presence of avifauna habitats within the parcel.

If you have any questions, please call Jeyan Thirugnanam at 586-4185.

Sincerely,



Brian J.J. Choy
Director

cc: Michael T. Munekiyo Consulting, Inc.
Judith Carlsberg



Michael T. Munekiyo Consulting, Inc.

November 16, 1993

Keith W. Ahue, Chairperson
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Attention: Mr. Sam Lemmo

**SUBJECT: Draft Environmental Assessment for Proposed Landscaping at
TMK 2-1-06: Portion of 10**

Thank you for forwarding to us the Office of Environmental Quality Control's (OEQC) September 13, 1993 letter regarding the subject matter. The purpose of this letter is to provide our responses to comments raised by OEQC.

Comment No. 1 Relating to Policies for Protecting Government Beach Reserves

Response: Response not required.

Comment No. 2 Regarding Public Perception of Landscaped Site

Response: As described in the Draft Environmental Assessment, signage and walkway improvements will be provided to facilitate access to TMK 2-1-06:10. Along the southwest extent of TMK 2-1-06:16 (Carlsberg parcel) there is a grade difference which distinguishes TMK 2-1-06:10 from the Carlsberg property. In the area proposed for grassed landscaping (i.e., area fronting the residence) there are no existing topographical features which define the boundary of the State-owned parcel and the Carlsberg property. To minimize public perception that TMK 2-1-06:10 is a part of a private residence (TMK 2-1-06:16), the applicant is willing to establish a landscaped hedge along the border of the two parcels (fronting the residence) to define the limits of State-owned versus privately-owned lands. A landscaped hedge will serve as a screening feature to provide privacy to users of the beach reserve.

Also, to further separate the area, the Maui Planning Department has required that bollards be installed permanently by the applicant at the south/southwest and the southwest/west property corners. The bollards are to be a minimum twenty-four (24) inches tall and made of wood, brass, bronze, or black anodized finish.

Planning • Environmental Studies • Project Management
1823 Wells St., Suite 3, Wailuku, Hawaii 96793 • Phone: (808) 244-2015 • Fax: (808) 244-8729

Keith W. Ahue, Chairperson
November 16, 1993
Page 2

Comment No. 3a Requesting Clarification of Figure 3

Response: TMK 2-1-06:10 is accessible by foot from Makena Road at the southwest corner of the Carlsberg property. The course of the existing pedestrian access for TMK 2-1-06:10 is shown on Exhibit A, attached hereto. The concrete path will provide for continuous pedestrian access along the shoreline by connecting to the natural pedestrian course and providing easy pedestrian access along an area of the shoreline which is rocky and uneven. The concrete path therefore will serve to facilitate access to and along TMK 2-1-06:10.

Comment No. 3b Requesting Clarification of Existing Vegetation to be Maintained

Response: Aki Sinoto recommends that stands of milo, hau and sisal be kept maintained and undisturbed. The area referred to by Mr. Sinoto is shown on Exhibit B. This area will not be disturbed (i.e., there will be no removal of existing vegetation and no addition of new landscape materials). Should maintenance of the milo, hau, and sisal be required, it is anticipated that such maintenance would be limited periodic trimming to limit excessive overgrowth.

Comment No. 4 Relating to the Character of the Proposed Grassed Lawn

Response: The planting of the grassed lawn will involve the placement of a four to six inch topsoil layer, followed by the planting of grass stolons. Seashore Paspallum grass will be used for the proposed landscaped area. The area to be grassed is for the most part, compacted earth, sparsely vegetated with weeds. The proposed landscaping will not result in the displacement of an existing grassed area and will not affect the hau, milo and wild cotton stands located to the north.

Comment No. 5 Regarding Lawn Maintenance

Response: An in-ground irrigation system is proposed to be installed and used for the regular watering of the grassed area.

Comment No. 6. Relating to the Construction of the Concrete Path

Response: The concrete path will not require any excavation (except for minimal digging required for formwork). Concrete tinting will be considered to ensure that the visual impacts of the walkway are minimized.

Keith W. Ahue, Chairperson
November 16, 1993
Page 3

Comment No. 7 Regarding Consultation with the Division of Forestry and Wildlife

Response: The Division of Forestry and Wildlife has been consulted.

We hope that the responses satisfactorily address the questions and comments raised to enable the processing and publication of the final environmental assessment.

Thank you for the opportunity to respond to the OEQC's comments. If there are any questions or if additional information is needed, please do not hesitate to call.

Very truly yours,



Michael T. Munekiyo, A.I.C.P.

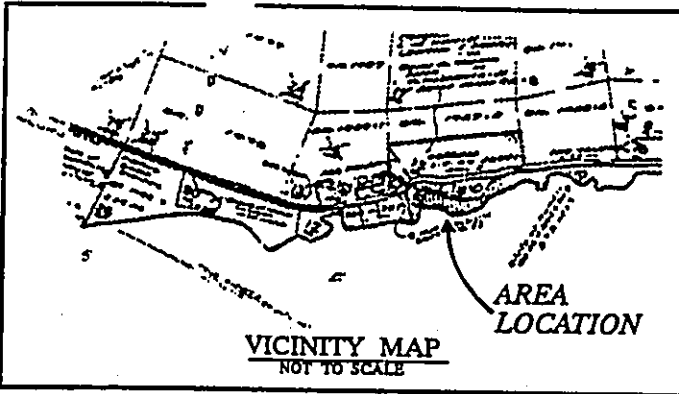
MTM:ln

Enclosures

cc: Brian Choy, OEQC (w/ enclosure)
Grant Chun, Carlsmith Ball (w/enclosure)

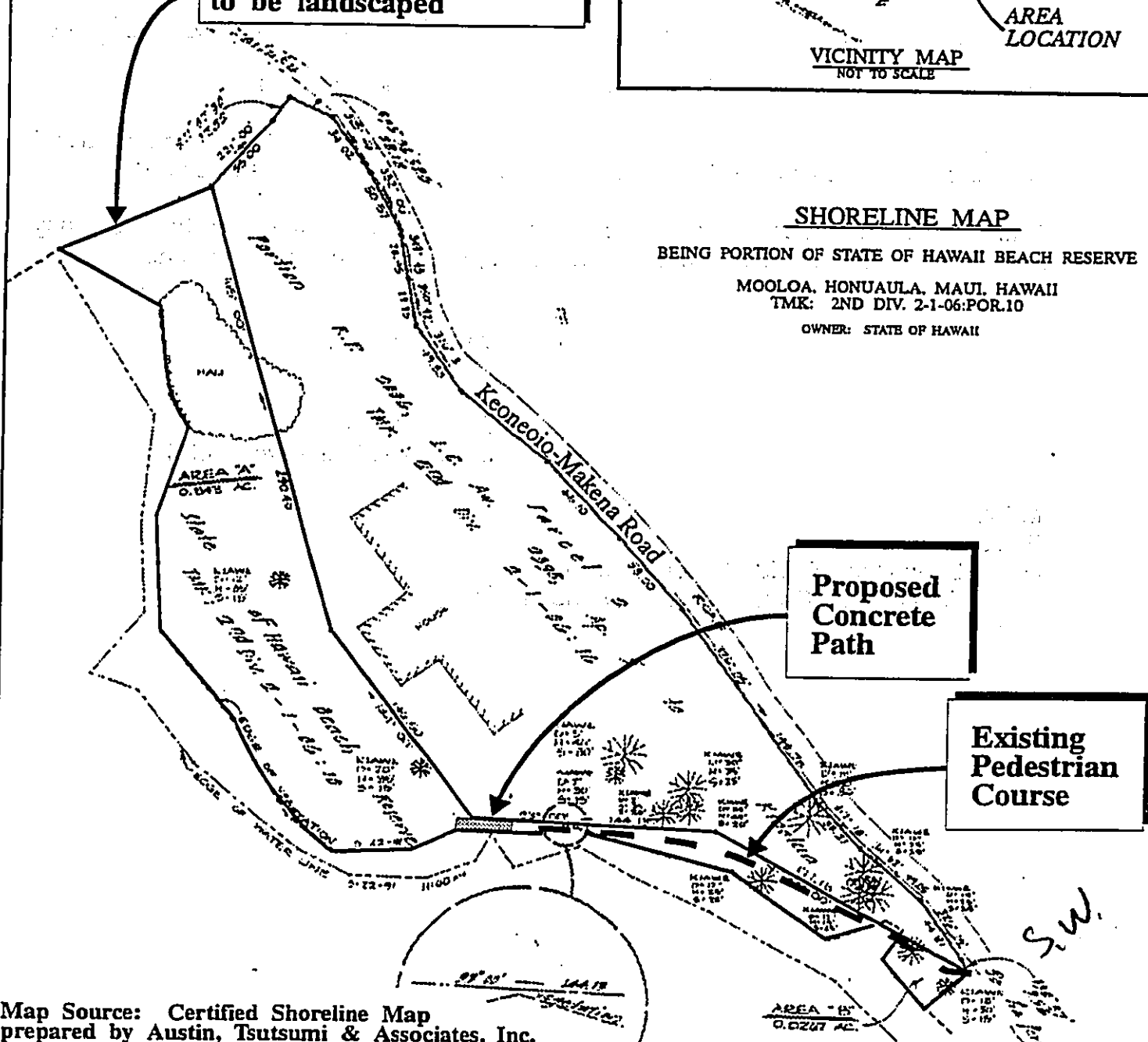
carlsberg.001.le10

Portion of TMK 2-1-06:10
to be landscaped



SHORELINE MAP

BEING PORTION OF STATE OF HAWAII BEACH RESERVE
MOOLOA, HONUULA, MAUI, HAWAII
TMK: 2ND DIV. 2-1-06:POR.10
OWNER: STATE OF HAWAII



Proposed
Concrete
Path

Existing
Pedestrian
Course

Map Source: Certified Shoreline Map
prepared by Austin, Tsutsumi & Associates, Inc.

**Exhibit A Proposed Landscaping at
TMK 2-1-06:por. 10
Shoreline Map**



NOT TO SCALE


Michael T. Munekiyo Consulting, Inc.
Prepared for: Judith Carlsberg

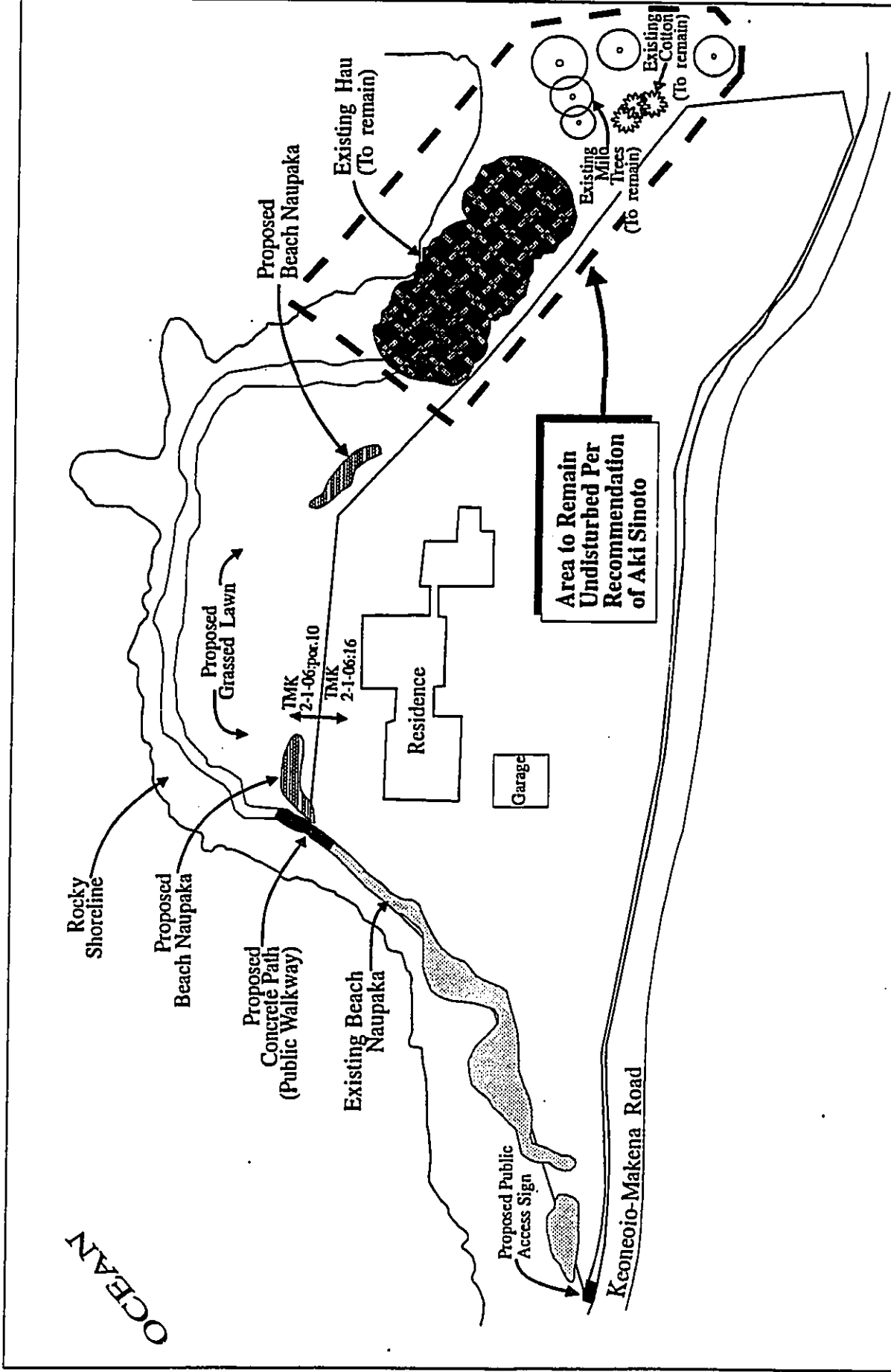


Exhibit B Proposed Landscaping at TMK 2-1-06:por. 10

Schematic Landscape Plan



NOT TO SCALE



Michael T. Munekiyo Consulting, Inc.
Prepared for: Judith Carlsberg

References

REFERENCES

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

Department of Land and Natural Resources, State Conservation Lands Functional Plan, June 1984.

Environmental Impact Study Corp. and Muroda and Associates, Inc., Revised Environmental Impact Statement for Makena Road, Makena, Maui, Hawaii, Prepared for the County of Maui, Department of Public Works, February 1982.

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.

Appendix A

Archaeological Assessment

Aki Sinoto Consulting
2333 Kapiolani Blvd., #2704
Honolulu, Hawai'i 96826
(808) 941-9538

September 17, 1991

Mr. Michael T. Munekiyo
MTM Consulting
2035 Main Street
Wailuku, Hawai'i 96793

Dear Mike:

Subject: Results of Field Assessment of Portions of TMK 2-1-06:10
Fronting TMK 2-1-06:16, Mo'omuku, Makawao, Maui

The field assessment of the above referenced parcel was completed on 4 July 1991, however, due to the extensive recent disturbance observed within the State-owned parcel, completion of this letter report was delayed until inquiries could be made to regulatory agencies.

The pre-field literature search produced minimal information. The coastal strip of land including the subject portion was designated government land during the Great Mahele and subsequently taken over by the State. The privately owned portion at the time of the Mahele was a portion of L.C.A. 2398, Apana 5 to Kinolua. It is listed in the 'Ili of Maniania, Mo'oloa ahupua'a, Honuauia District. No other land use information is readily available.

No previously recorded archaeological sites are present within the subject parcel. The most recent previous archaeological work undertaken in the area was the Statewide Inventory conducted in 1973 by the Bishop Museum. Prior to that, Winslow Walker included this area in his Archaeology of Maui (1931:102-103). Walker recorded a coastal shrine or ko'a on a small point of land located immediately south of the subject area. Site 50-Ma-B7-1 (State 50-50-14-1019), was included in the Statewide Inventory records as the Pa'ako Point Ko'a.

The project area is a coastal strip of land located *makai* of the Keoneoio-Makena Road just south of the area known popularly as "Big Beach" and roughly in the central portions of Ahihi Bay (see figure). The shoreline is rocky with intermittent cobble beaches. The soil in the area is predominantly makena loam and minimal sand occurs only at the northern portion of the project area. Vegetation is limited to a few stands of *milo* (*Thespesia populnea*), *hau* (*Hibiscus tiliaceus*), *'ilima* (*Sida fallax*), *kiawe* (*Prosopis pallida*), and sisal (*Agave sisalana*). A few cotton plants (*Gossypium barbadense*) occur near the northern boundary.

At the time of the field assessment, new construction consisting of moss-rock walls with intermittent sections of chainlink fencing along the road, a newly graded pad for a house, the house itself nearly 75% complete, and

small areas of landscaping were evident within the private parcel. Within the portion of the State-owned parcel that fronts this residential lot, the ground surface has been disturbed. Most of the alteration has been the importation of fill materials to raise the level of the house pad roughly 3-4 feet. Apparently, most of the disturbance of the State owned portion occurred as an indirect effect of the filling of the adjacent area. Inspection of the exposed ground surface area and cut banks revealed no cultural materials in the areas immediately fronting the house lot. Two probable historic burial plots, rectangular single stone alignments, occur within the hau grove in the State-owned portion at the northern half of the parcel. Within this area behind the cobble beach and leading up to the newly constructed driveway and gate area are some midden scatters and stained soil probably the result of compounded previous disturbances. No surface structural remnants were observed.

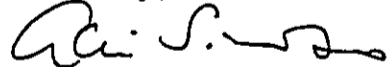
According to the contractors at the site, the proposed landscaping plan calls for planting grass up to the edge of the rocky shoreline with a sprinkler system. No further work is deemed necessary for this project area. However, the following recommendations are presented:

- 1) the stands of milo, hau, and sisal should be kept and maintained undisturbed,
- 2) the grassing should be limited to the areas immediately fronting the house,
- 3) the northern portion, especially behind the beach, should remain undisturbed, and
- 4) should any artifacts or cultural features be exposed or encountered during any construction or landscaping related activities, the Maui Island archaeologist, Ms. Theresa Donham, from the Historic Preservation Division, State Dept. of Land and Natural Resources should be contacted.

I have been in touch with both Theresa Donham and Annie Griffin of HPD/DLNR. Neither have reviewed any application regarding this particular parcel and indicated that it probably went through their Land Management Division. I informed them that the recent disturbance did not affect any significant archaeological resources.

Should you have any questions, please contact me at 941-9538.

Sincerely,



Aki Sinoto
Archaeologist

attachment

