JAMES "KIMO" APANA
Mayor

JOHN E. MIN
Director

CLAYTON I. YOSHIDA
Deputy Director

COUNTY OF MAUI
DEPARTMENT OF PLANNING

July 13, 1999

'99 JUL 13 P3:37

OFC. OF ENVIRONMENTAL QUALITY CONTROL

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control (OEQC)
State Office Tower, Room 702
235 South Beretania Street
Honolulu, Hawaii 96813-2437

Dear Ms. Salmonson:

RE: Final Environmental Assessment (EA) for the Harbor Village Project at 576 Front Street, TMK: 4-6-07:003, 007 and 010, Lahaina, Maui, Hawaii (EA 990002)

The Maui Planning Department (Department), as the accepting authority, is transmitting for publication in the upcoming OEQC Bulletin the Final Environmental Assessment for the Harbor Village Project located on Front Street in Lahaina, in which a Finding of No Significant Impact (FONSI) has been determined. The applicants for the project are Terry Lee and Steve Gatchel of JDI Limited Partners.

A description of the proposed action is attached to the OEQC Bulletin Publication Form and will also be sent by the applicant by electronic mail (E-Mail) to OEQC in a WordPerfect format. In addition, the Department has enclosed four (4) copies of the Final Environmental Assessment Report (prepared by the applicant).

Thank you for your cooperation. If additional clarification is required, please contact Ms. Ann Cua, Staff Planner, of this office at 270-7735.

Very truly yours,

Clayton I. Yoshida

for JOHN E. MIN
Planning Director

JEM:ATC:cmb
Enclosures
c: Christopher L. Hart, Chris Hart & Partners
Clayton Yoshida, AICP, Deputy Director of Planning
Ann Cua, Staff Planner
TMK Project File (w/Enclosures)
General File
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Final
Environmental Assessment

for

Harbor Village

576 Front Street
Lahaina, Maui, Hawai`i
TMK: 4-7-07: 3, 7 and 10

CHRIS HART & PARTNERS

July 1999

Final

Environmental Assessment

for

Harbor Village

576 Front Street
Lahaina, Maui, Hawai`i
TMK: 4-7-07: 3, 7 and 10

Prepared for:

Mr. Terry Lee
Mr. Stephen Gatchell
JDI Limited Partners
721 Wainee Street, Suite 201
Lahaina, Maui, Hawai`i 96761
Phone: 661-8380

Prepared by:

Chris Hart & Partners
Landscape Architecture and Planning
1955 Main Street, Suite 200
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Phone: 242-1955

July 1999

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APPENDICES

1. INTRODUCTION

A. OVERVIEW OF THE REQUEST

This environmental assessment has been prepared in support of a joint application for a Special Management Area (SMA) Permit, Historic District Approval, and Off-site Parking Approval for Harbor Village, a proposed commercial and restaurant building with related parking and landscape improvements at 576 Front Street in Lahaina, Maui (see Figures No. 1 and 2A). The applicants, Mr. Terry Lee and Mr. Steve Gatchell of JDI Limited Partners (JDI), have control of three contiguous parcels. They own TMK 4-6-07:03 (Parcel 3) where they will build an approximately 24,000-square-foot restaurant and retail structure. They have entered into long-term leases for Parcels 7 and 10 that will be developed for parking to accommodate 139 cars. This application includes all three parcels.

This application has been prepared in compliance with Chapter 205A, Hawaii Revised Statutes (HRS); the Environmental Impact Statement Rules, Chapter 200, Department of Health, Hawaii Administrative Rules (HAR); and the Rules and Regulations of the Planning Commission of the County of Maui relating to the Special Management Area. Pursuant to Chapter 343, HRS, a request for a new project within any historic site or district designated in the National or Hawaii Register of Historic Sites requires the preparation of an Environmental Assessment.

B. IDENTIFICATION OF THE APPLICANT

Tax Map Keys:	4-6-07: 03	18,912 square feet
	4-6-07: 07	15,028 square feet
	4-6-07: 10	38,594 square feet

Owner/Lessee:

JDI Limited Partners
721 Wainee Street, Suite 201
Lahaina, Maui, Hawai`i 96761
Phone: (808) 661-8380
Fax: (808) 667-1827

Applicant/ Planning Consultant:	Chris Hart & Partners Landscape Architecture and Planning 1955 Main Street, Suite 200 Wailuku, Maui, Hawai`i 96793 Phone: (808) 242-1955 Fax: (808) 242-1956
Accepting Agency:	Department of Planning County of Maui 250 South High Street Wailuku, Maui, Hawai`i 96793

C. PROPERTY LOCATION AND EXISTING LAND USE

The Harbor Village project is located at the south end of Lahaina Town's Commercial District on the mauka (east) side of Front Street, just south of Prison Street (see Figures No. 1 and 2A). Currently on Parcel 3 are two older redwood residences (see Figure No. 2B). These have been converted to business use and have been used as a visitor information center, an art gallery and a clothing store. In 1998 Parcel 3 was re-designated on the West Maui Community Plan from Public/Quasi Public to Business/Commercial. The West Maui Community Plan was adopted by Ordinance No. 2476 and became effective on February 27, 1996 (see Figure No. 4).

Parcel 7 is a temporary gravel-filled parking lot used for overflow parking for the County parking lot. Parcel 10 contains several residential cottages located amongst dense vegetation. Parcel 44 is a narrow strip of State-owned land, bordering the County parking lot and running from Parcel 10 to Front Street, currently used to access the overflow parking on Parcel 7 (see Figure No. 2C).

D. LAND USE DESIGNATIONS

Parcel 3:

State Land Use Classification:	Urban
West Maui Community Plan:	Business/Commercial
County Zoning:	Historic District No. 2 (see Figure No. 5)
Other Designations:	Special Management Area Lahaina Historic District

Parcels 7 & 10:

State Land Use Classification:	Urban
West Maui Community Plan:	Public/Quasi Public
County Zoning:	Historic District No. 2
Other Designations:	Special Management Area, Lahaina Historic District

E. BACKGROUND INFORMATION

For many years the Parcel 3 property was the home of the Ng family. Although the property was zoned Historic District No. 2 which allows business use, it had been designated for public/quasi public use on the Community Plan since 1984, under the assumption that it would eventually become an expansion of the County parking lot. However, the County of Maui had no interest pursuing this expansion. After JDI purchased the property in 1996, minor improvements were made to the existing structures and the use was converted to business as permitted in the Historic District Ordinance. JDI subsequently applied for a Community Plan amendment from "P" (Public/Quasi Public) to "B" (Business/Commercial). This amendment was approved in March 1998.

The proposed project will fulfill the policies of Maui County's General Plan and the West Maui Community Plan by increasing the variety of commercial/retail services and amenities offered at the south end of Old Lahaina Town.

F. PROPOSED ACTION

The purpose of this application is to request a Special Management Area Permit and Off-site Parking Approval from the Maui Planning Commission and Historic District Approval from the Cultural Resources Commission in order to construct Harbor Village, a 23,917-square-foot commercial complex, along with related landscaping, off-site parking, infrastructure and utility improvements (see Figure No. 3).

The request involves three contiguous parcels. The primary parcel (TMK 4-6-07:03) is an 18,912-square-foot lot owned by JDI, referred to as "Parcel 3". Immediately to the east is TMK 4-6-7:07, a 15,028-square-foot parcel owned by the Catholic Diocese of Hawaii (Parcel 7). The third parcel, TMK 4-6-7:10, a 38,681-square-foot parcel, is owned by the Richardson family (and referred to as Parcel 10). The applicants have entered into long-term leases on the latter two parcels.

The proposed action will involve the demolition and removal of the two existing structures on Parcel 3, and construction of a two-story building complex situated along a north-south axis. The envisioned tenant mix includes 10 first floor retail shops and stores, with two restaurants on the second floor. The conceptual project plans are illustrated in Figures No. 6 and 7. The building footprint will occupy an area of 12,105 square feet, the ground floor area. The gross second floor area is 11,812 square feet, with a net dining area of 7,875 square feet.

Parcels 7 and 10 will be improved for parking. The proposed improvements include clearing and grubbing, grading, paving, landscaping and lighting. The off-site parking area will be accessed through the existing County parking lot (Parcels 4 and 5). Drainage from the parking lots is proposed to be conveyed to an existing culvert on Front Street through the State-owned Parcel 44.

The project's architectural style is compatible with existing buildings in Lahaina and conforms to the detailing suggested in the *Architectural Style Book for Lahaina*. The building is broken into five distinct massing components that read as separate buildings, reducing the mass of the proposed structure and creating a pedestrian-friendly series of storefronts. An interior courtyard similar to that found at Mariner's Alley is incorporated into the plan to create an interesting and inviting streetscape. The building is set back from the Front Street property line approximately 6 feet to allow for the balconies and canopies found on similar properties (which are not allowed under contemporary codes to overhang public property). The facades and balconies will be constructed of wood siding or stucco. The doors and window frames will be wood and will be designed to reflect the detailing found in the Lahaina *Style Book*. The colors selected will reflect the guidelines. The "back of the house" activities such as the loading dock, refuse containers, and propane tanks have been concealed in the rear of the structure.

Landscaping amenities will consist of mature palm trees and other ground cover, with wood walkways and wooden rope-wrapped bollards, which will impart the theme of the project, "Harbor Village." A portion of the south end of the structure's first floor will be dedicated to the Friends of Moku`ula and Hui `O Wa`a Kaulua, to be used as a pictorial museum for interpretive historic and cultural displays.

The existing improvements are scheduled for demolition in January 2000, with construction expected to commence in February 2000. The redeveloped complex is expected to be completed by the fourth quarter 2000.

G. ALTERNATIVES

1. No Action

The two existing older buildings on Parcel 3 have been converted to business use. These buildings have been properly permitted and can continue indefinitely under their current use and appearance. However, the no action alternative will prevent full development of the potential of this commercial property, the construction of a complex that is compatible with the style of Lahaina Town, and the creation of up to 175 full- and part-time jobs and 30 parking stalls over and above the 109 required for the project. In the regional context, this no-action alternative would prevent the last linkage of the commercial corridor between town and 505 Front Street.

2. Alternative Siting

A smaller building with angled-in parking along the front, results in an automobile-oriented "strip mall" configuration considered inappropriate for the Historic District. Historic District regulations prohibit direct access to parking lots from Front Street which greatly restricts the alternative site layouts on a small parcel. The proposed siting of the building at the front of the property would keep the on-street character, with parking in the back and off site.

3. Alternative Styles, Size, and Configuration

The Historic District design guidelines are quite specific and do not give much leeway for alternative styles. Even so, the architect paid special attention to detail and materials to capture and replicate the old Lahaina style. The second story balcony and fenestration are designed to minimize blank or inhospitable walls. The design conforms to the Victorian (including "Monterey" or "western" types) style of the late 1800s as described in the *Lahaina Environmental Design Manual*, in the section on Historic Architectural Styles—Lahaina Area. These guidelines have been adopted by the Cultural Resources Commission.

II. DESCRIPTION OF THE EXISTING ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATION MEASURES

A. PHYSICAL ENVIRONMENT

1. Existing Site Conditions

The 18,912-square-foot commercial site (Parcel 3) contains 2 one-story wooden-frame residential structures which have been renovated and modified to allow for commercial use (see Figures No. 2B and 8A). One structure has an area of 1,180 square feet, and the second structure has an area of 1,515 square feet.

Parcel 7 is a graded dirt lot used for overflow parking. The parcel had previously been leased by the County of Maui on a month-to-month basis. The surface is gravel and the lot is unimproved by paving, lighting or landscaping.

Parcel 10 is partially overgrown with weeds and littered with rubbish. There are several cottages on the lot, including two substandard "cane" houses, currently occupied. The tenants have leases that expire in summer of 1999. At that time, the area will be cleared and the houses demolished.

2. Surrounding Land Uses

The proposed project is located on the west side of Maui in historic Lahaina Town. Lahaina Town contains regional commercial services, major civic facilities, and residential neighborhoods. The town's significant features, its historic character, its compact small-town scale, and its vitality are embodied in the Front Street environs.

The subject site is located in the middle of Lahaina Town's Urban District, which extends from above Honoapiilani Highway to the ocean and from Puamana Park to just north of Mala. The Community Plan map presents an illustration the range of uses planned within the Lahaina's urban core (see Figure No. 4).

Specific uses surrounding the subject site include the following (see Figures No. 2A and 8).

♦*North:* Abutting the property's northern boundary is the County's Prison Street parking lot. Directly contiguous to the Richardson parcel is the Maui Medical Group clinic. Further north, across Prison Street, are commercial businesses and single-family residences.

County Zoning:	Historic District No. 2.
West Maui Community Plan:	Public/Quasi Public and Business.

♦*South:* Abutting the property's southern boundary is a Malu`ulu `O Lele Park, tennis courts, a County parking lot and then Shaw Street. Further south, across Shaw Street, are single-family residences.

County Zoning:	Historic District No. 1.
West Maui Community Plan:	Public/Quasi Public and Park.

♦*East:* Abutting the property's eastern boundary is a portion of the County's Prison Street parking lot and the Malu`ulu `O Lele Cultural Center. Further east, beyond the parking lot, are single-family residences.

County Zoning:	Historic District No. 2.
West Maui Community Plan:	Public/Quasi Public and Business.

♦*West:* Across Front Street are King Kamehameha III Elementary School and Holy Innocent's Episcopal Church. Further west are the Pacific Ocean and Lahaina Small Boat Harbor.

County Zoning:	Historic District No. 1.
West Maui Community Plan:	Public/Quasi Public and Park.

Potential Impacts. The immediate surrounding neighborhood is known to be an area that attracts homeless people and derelicts, especially at night around the Prison Street parking lot and the King Kamehameha III Elementary School. The Harbor Village building will provide lighting at night, and improve the safety of pedestrians walking between 505 Front Street and the main concentration of the Lahaina business district. The increase in commercial activity provided by these shops will attract more residents and visitors to the south end of Old Lahaina Town's commercial section, especially at night. Another positive impact will be the provision in the County/Harbor Village parking lot of 30 parking stalls above and beyond the number required.

3. Climate

The climate in the West Maui region is influenced by persistent north-northeasterly trade winds. Lahaina Town is located in the dry leeward portion of West Maui. Average annual temperature is 75°F. Average monthly temperatures vary by about 9 degrees between the coolest and warmest months. Rainfall at the project site averages approximately 15 inches per year.

4. Topography and Soils

Existing Conditions. The Parcel 3 property slopes to the southwest with a low depression on the southern third of the property. There is a drainage ditch next to the southern boundary. Site topography has been modified to accommodate existing building structures and parking areas. Parcel 7 is very flat and runoff generally ponds before percolating into the ground. Parcel 10 is heavily overgrown, and contains a depressed area on the eastern half of the lot where runoff collects and eventually percolates into the ground. There are no significant topographic constraints within the subject properties.

The soil type specific to the three parcels is Ewa silty clay loam, 0 to 3 percent slopes (EaA). EaA soils consist of well-drained soils in basins and on alluvial fans. These soils developed in alluvium derived from basic igneous rock. Runoff is very slow and the erosion hazard is slight. Parcel 3 has an existing grade range from 5 feet to 8 feet above mean sea level.

5. Flood and Tsunami Hazard

Existing Conditions. The Flood Insurance Rate Map for the area was revised in 1998 by the Federal Emergency Management Agency due to the drainage improvements effected by the recent Front Street improvement project. The revised map shows the Parcel 3 property primarily in Zone C with the southeasterly corner of the parcel in Zone B. Zone C is an area of minimal flooding, not subject to the Flood Hazard District Ordinance, Chapter 19.62 of the Maui County Code. Zone B defines an area between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one foot. The County of Maui adopted this revised map in August 1998 (see Figure No. 9, the Flood Insurance Rate Map, Community Panel Number 150003 0163C).

Parcel 7 and Parcel 10 are both located in Zone C (see Figure No. 9), and therefore are not subject to the Flood Hazard District Ordinance.

Potential Impacts and Mitigation Measures. The proposed project should have no adverse impacts upon the three parcels, their neighbors or downstream properties with regards to flood hazard potential. (See Section II.D.4. on drainage for a discussion of stormwater runoff.)

6. Terrestrial Biota (Flora and Fauna)

Existing Conditions. The subject properties are substantially improved. Landscape improvements include mature shade trees as well as various tropical plants and hedges including kiawe, plumeria, mock orange, loulo and various grasses. There are no rare, endangered or threatened species of plants at the site.

Animal life in the project vicinity similarly reflects the urban character of the region. Avifauna typically found in Lahaina Town includes the common myna, several species of dove, cardinal, house finch, and house sparrow. Mammals common to this area include cats, dogs, rodents, and mongooses.

Potential Impacts and Mitigation Measures. There are no known significant habitats of rare, endangered or threatened species of flora and fauna located on the subject properties. The proposed project will have no significant impact upon the flora and fauna found on the subject properties.

7. Marine Environment and Resources

Existing Conditions. The project site is located approximately 400 feet from the ocean, and is separated from the ocean by developed properties and Front Street.

Potential Impacts and Mitigation Measures. The distance of the project site from the ocean prevents any direct impact to nearshore waters. The potential for impacts from stormwater runoff will be minimized by the incorporation of mitigation measures. In order to minimize impacts to water quality from runoff, the applicant is proposing to install a retention and cleansing baffled interceptor system onsite before the runoff enters drain line "F," the 8-foot x 3.5-foot concrete box culvert that drains directly into the ocean. This interceptor system will reduce oils, dirt and other contaminants in the paved parking lot runoff. The building itself will direct its rain gutter downspouts and surface runoff into landscaped areas to minimize direct flow into the drainage culvert.

8. Air Quality

Existing Conditions. Air quality in the Lahaina region is considered relatively good. Point sources (e.g., the Pioneer Sugar Mill) and non-point sources (e.g., automobiles) of emissions are not significant to generate a high concentration of pollutants. The relatively high quality of air can also be attributed to the region's constant exposure to wind, which quickly disperses concentrations of emissions. The rapid dispersion is especially evident during the burning of sugarcane in the fields of West Maui.

Potential Impacts and Mitigation Measures. Potential impacts on air quality could be in increased vehicular traffic (car emissions) or smoke and odors from the restaurant operation. At full occupancy the complex could employ up to 150 people. However, the operations will not produce a "rush hour" concentration of vehicles and emission. The work hours will be dispersed over an 18-hour period, from morning landscapers to night-time clean-up crews. A secured bike rack will be provided to encourage employees and patrons to ride to the premises. As the attached traffic report indicates, the volume of traffic generated directly by the project is not considered significant when compared to the overall amount of vehicular traffic in Lahaina Town. Additionally, the creation of jobs within the existing urban core and within walking distance to many homes and apartments will minimize an automobile-dependent urban sprawl. During restaurant operations, any open-air grills will be vented through hoods to prevent direct emissions into the atmosphere. The proposed project is not anticipated to be detrimental to local air quality.

9. Noise Characteristics

Existing Conditions. Traffic noise from Front Street is the predominant source of background noise in the vicinity of the subject properties. The adjoining parking lot and the elementary school across the street are additional sources of noise in this location.

Potential Impacts and Mitigation Measures. The proposed Harbor Village project may produce slightly increased noise levels at the property due to the increase in human and vehicle traffic during operational hours. Compared to the area's ambient noise levels, this increase is not considered significant. The second story balcony will have noise associated with restaurant activities and music. There will be no live music during school hours. Therefore, proposed activities for Parcel 3 are not expected to have a significant impact upon the existing noise conditions.

10. Visual Resources

Existing Conditions. The Harbor Village properties are located within the historic Lahaina Town area. Portions of Lahaina's Front Street have scenic ocean views, particularly north of the project site. In the project area, there are structures on both sides of the street. The property will be part of the man-made historic corridor of Front Street. The site does not provide a valuable vantage point to scenic resources.

Potential Impacts and Mitigation Measures. The property will contribute to the "Lahaina Town look" with respect to the scale, texture, materials, and facades of Plantation-era residential structures. The architectural design of the building, the inner courtyard, the facades and balconies and the surrounding landscaping will contribute to the attractiveness of this section of Lahaina. The pictorial museum at the south end of the first floor will provide displays of cultural and historic interest. The proposed improvements will be appropriate for Front Street and the surrounding area, which are consistent with the scale, building massing and architectural character of historic Lahaina Town. Therefore, the proposed project will not have a negative impact upon the visual character of the site and its immediate environs.

11. Archaeological/Historical Resources

Existing Conditions. Lahaina was central to the Hawaiian Kingdom, serving as its capital during the first half of the nineteenth century. The palace complex site of Kamehameha III was located makai of the present County of Maui Malu`ulu `O Lele Park, together with Loko `O Mokuhini`a, a large fishpond in precontact times. The boundary of the palace complex is listed in the National Register of Historic Places as including Tax Map Key 4-6-07, Parcels 1, 2, 35, and 36. The reconstructed map of Waine`e Ahupua`a in 1848 indicates that the Loko `O Mokuhini`a once extended onto the subject properties.

Lahaina Town is registered in the National and State Registers of Historic Places. Portions along the Front Street corridor are designated by the County as Maui County Historic Districts No. 1 and No. 2. Lahaina Historic District No. 2 differs from Historic District No. 1 in that there are no individual historic structures or sites to be preserved or restored. The purpose of this district is rather to preserve the architectural styles that are unique to Lahaina and contribute to its charm. The subject properties are located in Historic District No. 2.

The current site of Kamehameha III School, across Front Street from Parcel 3, is the former site of royal residences. While most of the surface remains associated with

these and other important sites have been destroyed, there exists the possibility of subsurface remains in the areas which have been previously undisturbed. The subject properties are also located next to Parcel 2, the Malu`ulu `O Lele Park.

Parcel 3 has been previously cleared and graded for use as single family residences and recently for business/commercial use. It is unlikely that any significant historic or cultural remains exist on this parcel.

After Parcels 7 and 10 were leased by JDI, Xamanek Researches conducted an inventory level survey, in mid-October 1998 (see Appendix A). The inventory survey was conducted per State Historic Preservation Division requirements since both parcels are in close proximity to Loko `O Mokuhini`a. Two previously unrecorded archaeological sites were located during the inventory survey, a largely rebuilt boundary wall and a partially intact subsurface cultural deposit. These sites are briefly discussed below.

Site 50-50-03-4682. This wall runs parallel to the property line between Parcels 7 and 10. It appears to be a postcontact boundary wall that has been partially rebuilt in relatively recent times. The site is deemed significant under Criterion "D" of Federal and State historic preservation guidelines—sites which have yielded, or are likely to yield, information important for research on prehistory or history. It will be more fully evaluated in the summer of 1999, after the current tenants on Parcel 10 vacate the property.

Site 50-50-03-4690. A discontinuous, partially intact subsurface deposit remnant associated with an in situ urchin spine file or abrader, impacted by past grading and grubbing activities, was located on Parcel 7. The charcoal remnant, interpreted as evidence of a late precontact permanent habitation site, was sent to a laboratory for analysis. A radiometric date indicates the occupation occurred between 1475 and 1665. This remnant qualifies for significance under Criterion "D".

The 4 backhoe trenches on the accessible portions of Parcel 10 yielded postcontact material culture remains, primarily refuse from the 20th century. Groundwater was encountered within 1 meter of the surface of trenches 12 and 13, preventing further investigation of some possible precontact material cultural remains. Portable remains noted included scattered water worn pebbles, coconut shells, coral, and some late 19th century and early 20th century ceramic shards, earthenware, bottle glass, copper, iron and refuse.

The inventory survey located deposits that appear to be freshwater pond sediments on a mauka (western) portion of Parcel 10, an area that may formerly have

been part of Loko Puako, a precontact fishpond. The remainder of Parcel 10 is presently occupied by cottages with tenants and therefore unavailable for backhoe trench testing.

After the current tenants' lease expires at the end of June 1999 and the property has been vacated, additional inventory level subsurface testing will be done.

Potential Impacts and Mitigation Measures. A review of the properties by Xamanek Researches determined that this site is located within an area that has generally proven to be rich with pre- and postcontact cultural resources. As such, archaeological monitoring will take place during subsurface disturbances on the parcels. If significant material cultural remains are located on Parcel 3 during the monitoring process, an inventory survey on the project area may be necessary. For the proposed construction on Parcel 3, the attached Archaeological Monitoring Plan and SHPD Approval Letter (Appendix B) lay out an 11 point plan that satisfies the concerns of SHPD. With the approved monitoring plan, the proposed project is not anticipated to have a significant impact upon archaeological or historical resources.

Either passive preservation or limited data recovery is recommended for Site 4690 on Parcel 7, depending on the level of subsurface disturbance. The applicant proposes to do passive preservation, as subsurface disturbance is expected to be minimal.

Further work on Parcel 10, Phase II of the inventory survey, will be conducted in the summer of 1999 when the current tenants have vacated the property and the entire area is available for testing. At that time it will also be determined whether the Site 4682 boundary wall extends below the surface and/or is associated with a buried cultural deposit, in which case it may be appropriate to carry out data recovery work on it. In order to preserve the wall, the parking lot has been reconfigured. With the use of compact parking stalls, no portion of the wall will need to be removed.

B. SOCIO-ECONOMIC ENVIRONMENT

1. Population

Existing Conditions. The population of the County of Maui has exhibited relatively strong growth over the past decade with a 1997 population of 118,864, an 18.4 percent increase over the 1990 population of 100,374 (US Bureau of the Census, 3/17/98). The 1990 population of Maui Island was 91,361 (Community Resources, Inc., March 1994).

The 1990 population of Lahaina District was 14,574, a 41.7 percent increase over Lahaina District's 1980 population of 10,284.

Potential Impacts and Mitigation Measures. Given the region's relatively high unemployment rate, the jobs created by this project will likely be filled by existing residents. These service level jobs are not the type that would attract in-migration to the region for employment opportunities.

The proposed project should therefore not have a significant impact on local population levels.

2. Economy

Existing Conditions. The Lahaina economy is based primarily on the visitor industry. Visitor accommodations are located near the shoreline along with necessary support facilities and residential communities. Kapalua and Kaanapali have developed into important visitor destination anchors while old Lahaina Town, with its historic character and charm, has developed into the region's visitor, service, commercial and residential center. Agriculture is a second important part of Lahaina's economy. Sugarcane and pineapple fields are found in the Lahaina District, and the historic Pioneer Mill on Lahainaluna Road continues to process cane.

Potential Impacts and Mitigation Measures. In the long term, the proposed project with its change of use from low-density commercial use with a total floor area of 2,695 square feet to a higher-density commercial use with a total floor area of 23,917 square feet will provide increased employment opportunities in the Lahaina region. The total employment including both retail and restaurant could include up to 150 full- and part-time employees. The proposed project will have a positive impact on the local economy and will create employment opportunities.

C. PUBLIC SERVICES

1. Recreational Facilities

Existing Conditions. Lahaina has a wide reputation as a recreational destination, particularly for ocean-related activities. Ocean sports and recreation available in the Lahaina District include swimming, fishing, surfing, scuba diving, snorkeling, sailing,

and para-sailing. State and County beach parks in the Lahaina District include the Honolua-Mokuleia Marine Life Conservation District, the D. T. Fleming Park, Honokowai Beach Park, Wahikuli State Wayside, Kamehameha Iki Park, Puamana Beach Park, Lanuniupoko State Wayside, Ukumehama Beach Park, and Papalaua State Wayside. Important non-ocean parks include the Lahaina Recreational Center and Malu`ulu `O Lele Park.

Potential Impacts and Mitigation Measures. The type of jobs generated by this project are expected to be filled by the existing population. The retail and restaurant customers will be either existing residents or tourists who arrive with Maui as an overall destination. The project will not be a primary generator of either visitors or permanent residents. Therefore, the proposed project is not expected to generate any incremental impact on the area's recreational facilities.

2. Police and Fire Protection

Existing Conditions. The Lahaina District Station of the Maui County Police Department has provided police protection for Lahaina District since 1974. The station is located behind the Lahaina Civic Center in Wahikuli. Police protection in the Front Street improvement area is supplemented by the Front Street "Koban" (substation), the base for Lahaina's 3 police bicycle patrol officers.

Fire protection in the Lahaina District is provided by the Maui County Fire Department's Lahaina station. The Lahaina fire station, built in 1972, is staffed by 30 firefighters: 3 shifts with 10 men on each shift. The station has 2 fire trucks.

Potential Impacts and Mitigation Measures. The proposed project is well within the service area for police and fire protection. Additionally, since the restaurants and shops will be geared to family activities, they should not attract patrons normally associated with police response calls. The replacement of the older homes by a modern building and clearing of the underbrush will probably decrease the fire hazard impacts in the area.

3. Solid Waste

Existing Conditions. Only two landfills are currently operating on Maui, the Central Maui Landfill in Puunene, and the Hana Landfill. The County provides single-family residential solid waste collection, taken to the Central Maui Landfill, which also accepts waste from private refuse collection companies. A convenience station is located in

Olowalu to service West Maui residents. Solid wastes are transported from this convenience station to the Central Maui Landfill. A private company provides existing solid waste collection.

Potential Impacts and Mitigation Measures. Solid waste collection for the proposed project will continue to be provided by a private collection company. Tenants will be urged to separate rubbish to utilize County recycling opportunities and to minimize solid waste generation. The collection dumpsters will be located in the rear of the building in a screened area that will minimize the view and odors from Front Street.

4. Health Care

Maui Memorial Medical Center, the only major medical facility on the island, serves the Lahaina region. Acute, general and emergency care services are provided by the 194-bed facility. In addition, numerous privately operated medical/dental clinics and offices are located in the Lahaina area to serve the region's residents.

Potential Impacts and Mitigation Measures. Since the proposed action will not generate a population increase, the proposed project will not have any significant impact on health care.

5. Schools

Existing Conditions. The Lahaina District is serviced by both private and public schools, which provide education from preschool through high school. Public schools in the Lahaina District include the King Kamehameha III Elementary School from kindergarten through fifth grade, the Lahaina Intermediate School for grades six through eight, and Lahainaluna High School for grades nine through twelve. Private schools in the Lahaina District include Sacred Hearts School for grades kindergarten through twelve and several preschools.

Potential Impacts and Mitigation Measures. The proposed project will not generate new students, thus it will not have a significant impact upon the area's educational facilities. The applicants will also take care to minimize any impact of their projects on Kamehameha III School. Their loading zones will be located in the rear of the building to minimize noise including the sound of back-up alarms. The proposed left turn lane into the parking lots will increase safety for parents dropping off school children. The lighting and activity on the project's grounds will minimize the dark area between the

school and the tennis courts. The increase in commercial activity provided by the project will be a significant deterrent to vagrants who congregate in the overgrown lots and dark areas in this vicinity.

D. INFRASTRUCTURE

1. Wastewater

Existing Conditions. A 10-inch County sewer line located along Front Street serves Parcel 3. Sewage from the property is transported to the pump station at Mala Wharf and pumped to the wastewater treatment plant at Honokowai.

Potential Impacts and Mitigation Measures. Depending on the final design, the total water consumption for domestic use and irrigation will be between 7,500 and 10,000 gallons per day (gpd). Using normal ratios, this will generate approximately 2/3 the amount of wastewater or approximately 5,000 to 6,700 gpd of wastewater. The existing West Maui treatment plant has a design capacity of 9 Mgd and a current throughput of 5 1/2 Mgd leaving an unused capacity of 3 1/2 Mgd. Of this 3 1/2 Mgd, 1.8 Mgd is reserved for Housing Finance and Development Corporation (HFDC), and 0.5 Mgd for The Kapalua Resort. The remaining 1.2 Mgd capacity is unallocated and available on a first-come first-served basis. Therefore the project's incremental contribution to wastewater treatment is negligible and will not result in significant impact.

2. Water

Existing Conditions. Lahaina Town's water sources are the Kahana Stream and a water well near Lahainaluna School. The Alaeloa Source reinforces this system with a 16-inch transmission line along Lower Honoapiilani Road from Honoapiilani to Lahaina Town.

Two 5/8-inch water meters service Parcel 3. These meters receive water from a 12-inch waterline located along Front Street. Fire protection for Parcel 3 is provided by existing fire hydrants fronting Parcel 3 along Front Street.

Potential Impacts and Mitigation Measures. Discussions with the Department of Water Supply indicate that the project will have no measurable impact on the existing system.

3. Roadways and Traffic

Existing Conditions. The average right-of-way width along Front Street fronting the property is approximately 33 feet, and the pavement width is approximately 30 feet. As part of the recent Front Street improvement project, new curbs, gutters and sidewalks have been installed on both sides of Front Street. Parcel 3 has two access driveways along Front Street, 69 feet apart. These will be eliminated when the new project is built.

The new project does not propose access from either Front Street or Mokuhina Place. Site access is proposed via the existing driveways to the County public parking lot, located on the corner of Front and Prison Streets.

The key to the design and viability of the project is adequate parking. The developers want to maintain the "on street" aspect of Lahaina Town by placing the plantation style building close to the sidewalk, so that all vehicle access for parking and loading will be from the rear of the building. Accordingly, they have entered into long-term leases on the two adjacent parcels for parking. The preliminary parking demand for the project including retail, restaurant and employee parking, is 109.

Parcel 7, TMK 4-6-7:07, contains 15,028 square feet and has space for approximately 44 cars. Parcel 10, TMK 4-6-7:10, 38,594 square feet has space for approximately 95 cars. The total parking of 139 stalls is anticipated to provide approximately 30 more stalls than required for the project. Both lots will be landscaped and paved. The current County parking lot has room for 76 cars and 6 tour buses providing for a total of 215 cars and 6 buses among the three lots. The proposed layout integrates vehicular circulation of the County and private parcels.

This proposal requires County Council approval for the right of access across the County parcel. An agreement has been prepared by the County of Maui Corporation Counsel and has been forwarded to the County Council for approval.

A complete Traffic Impact Analysis Report (TIAR) was prepared by Randall S. Okaneku P.E. and is attached (Appendix C). The following is a summary of this report.

Front Street is a two lane, two-way collector roadway that extends along the entire length of Lahaina Town. Front Street is unsignalized at its intersection with Prison Street. Vehicles southbound on Front Street, turning left onto Prison Street, must turn from the through lane of traffic. The posted speed on Front Street is 20 miles per hour. Prison Street is a two-way, two-lane roadway, which extends from Front Street to Honoapiilani Highway, a signalized intersection. Prison Street is stop-controlled at its Tee-intersection with Front Street.

On the day of the analysis, the intersection of Front Street and Prison Street operated at a satisfactory level of service (LOS) B or better, during the AM peak hour of

traffic, between 7:15 and 8:15. The County public parking lot driveways on Front Street and Prison Street also operated at LOS B or better during the AM peak hour of traffic.

The most significant traffic generator during the AM peak hour was Kamehameha III School. Parents parked in the County parking lot and walked their children across Front Street to the school grounds. Periodic queuing was observed as a result of the crossing guard stopping traffic to permit parents and children to cross Front Street.

The PM peak hour of traffic occurred between 3:15 and 4:15. The intersection of Front Street and Prison Street again operated at LOS B or better.

During the PM peak hour of traffic, queuing on northbound Front Street was a result of slow moving traffic, pedestrian traffic, and left turn movements north of Prison Street. Queuing in the southbound direction on Front Street resulted from vehicles turning left onto Prison Street. Tour buses, turning left onto Prison Street, create long delays to through traffic on Front Street. Because of the restricted width of Prison Street, tour bus drivers must wait until both lanes on Prison Street are clear before turning, as they must use the full width of Prison Street.

Consideration should be given to restricting tour buses from turning left from Front Street to Prison Street because of the limited road width. Even with the proposed exclusive left turn lane on Front Street at Prison Street, tour buses may still have difficulty negotiating the turning movement without crossing over into the makai bound lane on Prison Street.

We recommend that tour buses be directed to turn at Shaw Street. The turning radius of that intersection is significantly larger and the intersection of Shaw Street and Honoapiilani Highway is signalized.

Potential Impacts and Mitigation Measures. The intersection of Honoapiilani Highway and Front Street is expected to continue to operate at the same satisfactory level of service with or without the proposed project. Prison Street at Front Street is expected to operate at LOS C during PM peak hours of traffic and LOS B during AM peak hours. The parking lot driveways on Front Street and Prison Street are expected to operate at satisfactory LOS B or better during the AM and PM peak hours of traffic.

The left turn traffic on southbound Front Street at the parking lot driveway marginally meets the AASHTO volume warrant for an exclusive left turn lane during the PM peak hour of traffic. Therefore, an exclusive left turn lane should be provided on southbound Front Street at the County public parking lot driveway. In order to accommodate the exclusive left turn lane within the existing roadway, an additional 120 linear feet of the existing parallel parking (6 stalls) would be eliminated on Front Street.

The potential loss of 6 on-street parking spaces, due to a left turn lane at the County public parking lot driveway, will be replaced with the 30 extra stalls developed in the County/Harbor Village parking lot. The conversion of existing angle parking to parallel parking and the elimination of existing parallel parking would further improve traffic flow on Front Street by eliminating the frictional delays that result from parking maneuvers.

The PM peak hour use of the proposed restaurant is expected to occur after the PM peak period of traffic on Front Street. The retail component of the proposed project is expected to attract mostly pass-by trips, i.e. traffic passing the site or people parking in the County public parking lot and walking to other destinations in Lahaina Town. Indirect traffic impacts are expected to occur as a result of the increased parking capacity at the County public parking lot. The proposed project is not expected to significantly impact traffic in the study area.

4. Drainage

Existing Conditions. Lahaina Town is located within three major drainage basins. Heavy rainfall within Lahaina Town causes flooding within low-lying areas and streets. Major flooding could occur due to a long duration storm.

The majority of drainage systems within Lahaina Town were implemented due to various recent developments within the area. These include the Baker Street drainage (36" pipe), the Papalaua Street drainage (24" and 30" pipes), Dickenson Street drainage (24" and 30" pipes), Prison Street drainage (24" pipe), and Malu`ulu `O Lele Park drainage (referred to as drain line "F", a system of open channels and pipelines). There are also a number of systems built over 40 years ago. The existing drainage systems discharge into the ocean. As part of the Front Street improvement project, the County of Maui has installed a comprehensive drainage collection system within the Front Street corridor. These facilities were designed in preparation for the full build out of the Lahaina Town area.

Across the front of Parcel 3, there is a 24-inch drainage line that runs along Front Street and connects with drain line "F", discharging into the ocean.

Parcel 3 currently has two commercial buildings and 6 parking stalls. The existing grades range from 8 feet to 5 feet above mean sea level (MSL). The amount of runoff generated by the existing conditions in Parcel 3 is Q_{10} = 1.3 cfs. The runoff from the property primarily sheet flows in a southeasterly direction and drains into an existing ditch which runs adjacent to the property. The ditch is connected to a double 8-

foot x 3.5-foot reinforced concrete box culvert, which crosses under Front Street and discharges directly into the ocean.

Parcel 7 is currently used as an unpaved parking lot. It is adjacent to the County municipal parking lot. Runoff from the property primarily ponds within the lot and percolates into the ground. The existing runoff is calculated to be 0.7 cfs.

Parcel 10 is heavily overgrown and has several residences. Runoff from the property generally sheet flows toward the eastern half of the property and percolates into the ground. The existing runoff is calculated to be 2.5 cfs. The property is located in Zone C as indicated by the Flood Insurance Rate Map.

Potential Impacts and Mitigation Measures. The proposed improvements will include inlets to collect the onsite runoff. The inlets will be connected to the existing drainage system located on Front Street. With the proposed changes, there will be an increase of runoff that sheet flows into Front Street's drainage system, due to the larger footprint of the proposed structure and the increase in paved surfaces. The increased runoff due to the proposed improvements on Parcel 3 is calculated to be 1.9 cfs, or an increase of 0.6 cfs. On Parcel 7, the proposed improvements are calculated to result in a runoff of 1.5 cfs, an increase of 0.8 cfs. On Parcel 10, the improvements are calculated to result in a runoff of 3.9 cfs, in increase of 1.4 cfs. According to the *Rules for the Design of Storm Drainage Facilities*, additional runoff from the development must be retained only when there is no connection available to an existing system. This does not apply to the Harbor Village project (see Appendix D).

The drainage from Parcels 7 and 10 is proposed to be conveyed from the parking lots to the culvert on Front Street through the State-owned Parcel 44.

The drainage system on Front Street was upgraded as part of the Front Street improvement project in 1996. The new drainage facilities were designed to accommodate the full build out of Lahaina's urban core. Therefore, the proposed project will not have a significant impact upon Lahaina Town's existing drainage system or adjacent or downstream properties.

5. Electrical and Telephone Systems

Existing Conditions. Maui Electric Company, Ltd. (MECO) presently provides electrical service to the project site. Any additional electrical power needs for the subject properties will be supplied by MECO.

GTE Hawaiian Telephone Company maintains overhead telephone lines that serve the subject properties.

Potential Impacts and Mitigation Measures. Both MECO and GTE have confirmed that their existing systems have the capacity to service the project. The proposed action will not negatively impact service in the Lahaina area.

III. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES, AND CONTROLS

A. STATE LAND USE LAWS

Chapter 205, Hawaii Revised Statutes, relating to the Land Use Commission, establishes four major land use districts into which all lands in the State are placed. These districts are designated Urban, Rural, Agricultural, and Conservation. The three subject properties are within the Urban District. The existing and proposed improvements are permitted within the Urban District.

B. MAUI COUNTY ZONING

The subject properties are located in the Historic District No. 2. Two historic districts have been created for Lahaina Town, and Historic District No. 2 differs from Historic District No. 1 in that there are no historic structures or sites within this district to be preserved or restored. The purpose of this district is to protect the charm of Lahaina by preserving the architectural styles that are unique to Lahaina.

In Maui County Code Chapter 19.52, art galleries, book, stationary or gift shops, business offices and agencies, haberdasheries and women's apparel shops, and jewelry stores or fine art shops, newsstands and magazine stands, photography shops, restaurants, cafe or bars and retail stores or businesses are identified among other permitted uses (§19.52.090; Items No. 12, 18, 19, 29, 32, 36, 37, 42 and 51). Item No. 49 permits public parking areas, "provided that none shall abut Front Street."

The Cultural Resources Commission's adopted policies for preserving Maui's historic properties include cultural and architectural guidelines published in five books, listed in the References section at the end of this report. Harbor Village has been designed to conform with the traditional architectural styles of Lahaina in the 1800s as described in the *Lahaina Environmental Design Manual* and *The Architectural Style Book for Lahaina*, and will maintain the character of old Lahaina Town. The shops and restaurants of Harbor Village also fulfill the Financial Program goal of the Lahaina Restoration &

Preservation publication (page 55), contributing to the economy and providing an attractive center for visitors and vacationers.

C. GENERAL PLAN OF THE COUNTY OF MAUI

The General Plan of the County of Maui (1990 update) provides long term goals, objectives, and policies directed toward improving living conditions in the County. Social, environmental, and economic issues are addressed that influence future growth in Maui County. The subject properties' uses are consistent with the following General Plan objectives and policies:

Objective: To see that all developments are well designed and are in harmony with their surroundings.
Policies: Require that appropriate principles of urban design be observed in the planning of all new developments.

Objective: To provide an economic climate that will encourage controlled expansion and diversification of the County's economic base.
Policies: Maintain a diversified economic environment compatible with acceptable and consistent employment.

D. WEST MAUI COMMUNITY PLAN

Nine community plan regions have been established in Maui County. Each region's growth and development is guided by a community plan, which contain objectives and policies in accordance with the Maui County General Plan. The purpose of the community plan is to outline a relatively detailed agenda for carrying out these objectives.

The subject properties are located within the West Maui Community Plan which was recently amended by ordinance No. 2646 on March 25, 1998. Parcel 3 is presently designated as Commercial/Business. Parcels 7 and 10 are designated Public/Quasi Public on the community Plan, which allows both private and public parking lots. The proposed use is consistent with the following West Maui Community Plan goals, objectives, and policies:

Goal: An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of the residents and visitors in a manner that provides for the stable social and economic well-being of residents and preservation and enhancement of the region's open spaces and natural environmental resources (page no. 15).

Objectives and Policies:

♦The area bounded by Honoapiilani Highway and Front Street is defined as Lahaina Town. Within this core, there is allowed a higher density of commercial and civic activities with lower density residential uses on the periphery to emphasize the importance of Lahaina Town as the regional service center and an attraction to residents and visitors alike (page no. 18).

Goal: A diversified economy that provides a range of stable employment opportunities for residents, allows for desired commercial services for the community, and supports the existing visitor and agriculture industries, all in a manner that will enhance both the community's quality of life and the environment (page no. 25).

Objectives and Policies:

- Promote a diversified economic base which offers long term employment to West Maui residents and maintains overall stability in economic activity in the areas of:
- Visitor-related services/commercial services.
- Recreation-related service/commercial service.
- Residential-related service/commercial service (page no. 26).

Goal: An attractive and functionally integrated urban environment that enhances neighborhood character, promotes quality design at the resort destinations of Kaanapali and Kapalua, defines a unified landscape planting and beautification theme along major roads and highways, watercourses, and at major public facilities, and recognizes the importance and traditions of the region (page no. 33).

Objectives and Policies:

- Maintain the scale, building massing and architectural character of historic Lahaina Town.
- Front Street landscape planting should provide canopy shade trees, compatible in scale and subordinated to adjacent buildings. These trees should allow views of

storefronts and the ocean and not obscure the continuous facades of the commercial district.

- New buildings and renovation of existing buildings in Lahaina Town should respect the scale, texture, materials, and facades of existing structures in the Lahaina Historic District.
- Building heights should reflect the context of existing building heights and massing in the Lahaina Historic District. The maximum building heights shall be two stories *or 35 feet with a mixture of one- and two-story building heights encouraged* (page no. 34).

E. SPECIAL MANAGEMENT AREA OBJECTIVES AND POLICIES

The following is a review of the proposed project within the context of the Special Management Area objectives, policies and guidelines, pursuant to HRS Chapter 205A and Chapter 202, Special Management Area Rules for the Maui 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:

- Protecting coastal resources' uniquely suited recreation activities that cannot be provided in other areas;
- 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;
- Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;

- Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
- Encouraging expanding public recreational use of county, state and federally owned or controlled shoreline lands and waters having recreational value;
- 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; and
- Encouraging reasonable dedication of shoreline areas with recreational value for public use as 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 project is located approximately 400 feet inland from the shoreline and is separated from the coastline by Front Street and developed areas. Furthermore, the proposed construction on the property will comply with applicable rules relating to prevention of pollution of nearshore waters. The granting of the proposed project will have no significant impact on the public's use of the 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:

a. Identify and analyze significant archaeological resources;
b. Maximize information retention through preservation of remains and artifacts or salvage operation; and
c. Support State goals for protection, restoration, interpretation and display of historic resources.

Response: A review by Xamanek Researches determined that the subject properties are located within an area that has generally proven to be rich with pre- and postcontact cultural resources. Mr. Erik Fredericksen, Xamanek Researches; Mr. Boyd Dixon, SHPD; and Messrs. Terry Lee and Stephen Gatchell agreed that archaeological monitoring is needed during subsurface disturbances on the subject parcels. In the event that

significant material cultural remains are located during the monitoring process, an inventory survey on Parcel 3 may be necessary. The attached archaeological monitoring plan (Appendix B) sets forth an 11-point plan to satisfy the concerns of SHPD. With the proposed archaeological monitoring plan in place, the proposed construction on Parcel 3 is not anticipated to have a significant impact upon archaeological or historical resources.

Either passive preservation or limited data recovery has been recommended for Parcel 7, depending on the level, if any, of subsurface disturbance. The applicant proposes to do passive preservation, as subsurface disturbance is expected to be minimal.

Further work on Parcel 10, Phase II of the inventory survey, will be conducted in the summer of 1999 when the current tenants have vacated the property and the entire area is available for testing. At that time it will also be determined whether the Site 4682 boundary wall extends below the surface and/or is associated with a buried cutural deposit, in which case it may be appropriate to carry out data recovery work on it. In order to preserve the wall, the parking lot has been reconfigured. With the use of compact parking stalls, no portion of the wall will need to be removed.

3. Scenic and Open Space Resources

Objective: Protect, preserve and, where desirable, restore or improve the quality of the 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 the 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 subject properties are not part of a scenic corridor, nor do they provide valuable vantage points to scenic resources. The proposed project maintains the "Lahaina Town look" and fits into the surrounding area. The proposed development

will be reviewed by the County of Maui's Cultural Resource Commission for consistency with Lahaina's historic architectural character.

4. Coastal Ecosystems

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

Policies:

a. Improve the technical basis for mature resource management;

b. Preserve valuable coastal ecosystems of significant biological or economic importance;

c. Minimize disruption and 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 water uses which violate State water quality standards.

Response: As noted in Section E.1, the proposed project is located approximately 400 feet inland from the shoreline and is separated from the coastline by Front Street and developed areas. The granting of the proposed project will have no significant impact on the region's coastal ecosystem, and there will be no significant impact to nearshore waters from point or non-point sources of pollution, with the incorporation of the mitigation measures, e.g., the baffled interceptor to be installed between the parking lots on Parcels 7 and 10 and drain line "F" which crosses under Front Street and discharges into the ocean.

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 coastal dependent development such as harbors and ports, visitor facilities, and energy-generating facilities are located, designed, and constructed to minimize significant social, visual and environmental impacts in the coastal zone management areas; and
c. Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, 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) the development is important to the State's economy.

Response: The subject properties will be developed in accordance with zoning and is a continuation of established pattern of commercial uses on Front Street. The location is considered complimentary to the urban uses within Lahaina Town. The newly created jobs will have a positive impact on the region's job market for Maui residents.

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 development comply with requirements of the Federal Flood Insurance Program; and
d. Prevent coastal flooding from inland projects.

Response: The flood map has been revised by the Federal Emergency Management Agency due to the recent drainage improvements associated with the Front Street improvement project. The revised map shows the subject properties primarily in Zone C with the southeasterly corner of Parcel 3 in Zone B. Zone B defines an area between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with an average depths less than one foot. Zone C is an area of minimal flooding and is not subject to the Flood Hazard District ordinance.

In addition, the proposed project will not have a significant impact on downstream properties.

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 the 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: The proposed development will be conducted in accordance with applicable State and County requirements and the SMA Permit permitting process requires a public review. Opportunity for review of the proposed action is provided through the County's Special Management Area Permit and Off-site Parking Approval processes.

8. Public Participation

Objective: Stimulate public awareness, education and participation in coastal management.

Policies:

a. Maintain a public advisory body to identify coastal management problems and to provide policy advice and assistance to the coastal zone management program;
b. Disseminate information on coastal management issues by means of educational materials, published reports, staff contact and public workshops for persons and organizations concerned with coastal related issues, development, and government activities; and
c. Organize workshops, policy dialogues, and site specific mediations to respond to coastal issues and conflict.

Response: At the time of submittal, a Notice of Application will be published in The Maui News. In addition, a Notice of Public Hearing will be mailed to the surrounding

land owners, which includes a brief description of the property, the property location map, and the date and time of the scheduled Maui Planning Commission public hearing. In addition, a notice of scheduled public hearing dates will be published, by the Planning Department, in The Maui News. The public will be allowed to participate in the public hearing portion of the Maui Planning Commission meeting.

9. Beach Protection

Objective: Protect beaches for public use and recreation.

Policies:

a. Locate new structures inland from the shoreline setback to conserve open space and to minimize loss of improvements due to erosion;
b. Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and
c. Minimize the construction of public erosion-protection structures seaward of the shoreline.

Response: As noted earlier, the proposed project is located approximately 400 feet inland from the shoreline. Accordingly, the property has no involvement with construction of structures within the shoreline area. The proposed project will not have any impact upon public beaches.

10. Marine Resources

Objective: Implement the State's ocean resource management plan.

Policies:

a. Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
b. Assure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
c. Coordinate the management of marine and coastal resources and activities management to improve effectiveness and efficiency;
d. Assert and articulate the interest of the state as a partner with federal agencies in the sound management of the ocean resources within the United States exclusive

economic zone;

e. Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon the ocean and coastal resources; and
f. Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

Response: Because the subject properties are located approximately 400 feet inland from the shoreline and are separated from the coastline by Front Street and developed areas, the granting of the proposed project will have no significant impact on the region's coastal or marine resources, and there will be no significant impact to nearshore waters from point and non-point sources of pollution, with the incorporation of mitigation measures, particularly the baffled interceptor to be installed between the parking lots on Parcels 7 and 10 and drain line "F" that will reduce contaminants in the runoff. The proposed development and construction will comply with all applicable State and County regulations that prevent the pollution of nearshore waters.

F. ENVIRONMENTAL ASSESSMENT SIGNIFICANCE CRITERIA

An agency determines that an action may have a significant impact on the environment if it meets any of the following criteria.

1. *Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;*

The Archaeological Monitoring Plan proposed and accepted by the SHPD reflects the commitment to protect cultural resources. By incorporating mitigation measures during construction, there will be no adverse impacts to the beaches and nearshore waters from point and non-point sources of pollution.

2. *Curtails the range of beneficial uses of the environment;*

The subject properties are already developed in an existing urban area. Although there will be an intensification of uses, these uses will not expand beyond the existing 'built environment" and thus will not curtail alternative beneficial uses of the property

3. *Conflicts with the State's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;*

The proposed project concurs with the County of Maui's General Plan and West Maui's Community Plan environmental policies, goals and guidelines, which are consistent with the State's environmental policies, goals and guidelines.

4. *Substantially affects the economic or social welfare of the community or State;*

The use of the site will change from low-density commercial use with a total floor area of 2,695 square feet to a higher-density commercial use with a total floor area of 23,917 square feet. Upon completion, this project will provide increased employment opportunities in the Lahaina region. The proposed project will have a positive impact on the local economy and employment opportunities.

Furthermore, the proposed project will not negatively impact recreational facilities, health care, schools or population counts, thereby not impacting the social welfare of the community.

5. *Substantially affects public health;*

The proposed project will not negatively impact the health care system of Maui.

6. *Involves substantial secondary impacts, such as population changes or effects on public facilities;*

The proposed project will generate employment for existing residents and not generate population growth. There will be no negative impact on recreational facilities, or schools, thereby not causing any secondary impacts.

7. *Involves a substantial degradation of environmental quality;*

As previously discussed in SMA Sections III.E.1, 4, 9, and 10, the proposed project is located approximately 400 feet inland from the shoreline and is separated from the coastline by Front Street and developed areas. The granting of the project will have no significant impact on the region's coastal or marine resources, and mitigation measures will be implemented to ensure that there will be no significant impact to nearshore waters from point and non-point sources of pollution. Furthermore, the proposed development and construction on the property will comply with applicable State and County regulations relating to prevention of pollution of nearshore waters.

8. *Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;*

The proposed project will consist of a complete build-out of the property with maximum coverage of the site and height. There is no commitment to a larger action, and as discussed throughout the report, the environment will be protected through mitigative measures.

9. *Substantially affects a rare, threatened, or endangered species, or its habitat;*

The subject properties have already been substantially improved. Landscape improvements include mature shade trees as well as various tropical plants and hedges including kiawe, plumeria, mock orange, loulo and various grasses. There are no rare, endangered or threatened species of plant at the site.

Animal life in the project vicinity similarly reflects the urban character of the region. Avifauna typically found Lahaina Town includes the common myna, several species of dove, cardinal, house finch, and house sparrow. Mammals common to this area include cats, dogs, rodents, and mongoose.

There are no known significant habitats of rare, endangered or threatened species of flora and fauna located on the subject properties.

10. *Detrimentally affects air or water quality or ambient noise levels;*

Air quality in the Lahaina region is considered relatively good. Point sources (e.g., the Pioneer Sugar Mill) and non-point sources (e.g., automobiles) of emissions do not generate high concentrations of pollutants. The relatively high quality of air can also be attributed to the region's constant exposure to wind, which quickly disperses concentrations of emissions. This rapid dispersion is evident during the burning of sugarcane in the fields of West Maui.

The increase in the number of employees, as well as customers, may result in a slight increase in the volume of traffic. However, this increase is not considered significant compared to the overall amount of traffic in Lahaina Town. As such, the proposed project is not anticipated to be detrimental to local air quality. The project is geared to independent consumers and not as a tour bus destination.

Water quality is discussed in the Marine Environment section. The primary concern is drain line "F," the 8-foot x 3.5-foot concrete box culvert that drains directly into the ocean. The quality of the off-shore ocean water is critical to Lahaina's environment and visitor industry. The applicant is proposing to install a large retention and cleansing baffled interceptor system onsite before the runoff enters the drain line. This will reduce the oils, dirt and other contaminants inherent in paved parking lot runoff. The building itself will direct its rain gutter downspouts and surface runoff into landscaped areas to minimize direct flow into the drainage culvert.

The proposed Harbor Village may generate increased noise levels due to increased human and vehicle traffic during operational hours. When compared to the area's ambient noise levels, this increase is not considered significant.

11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;*

The 1998 revised Flood Insurance Rate Map shows Parcel 3 primarily in Zone C with the southeasterly corner of the parcel in Zone B. Zone B defines an area between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with an average depth less than one foot.

12. *Substantially affects scenic vistas and view planes identified in county or state plans or studies;*

The site is not a part of a scenic or unique scenic corridor nor does it provide a valuable vantage point to scenic resources. However, it will be part of the man-made historic corridor of Front Street. The proposed improvements will be compatible with the scale, building massing and architectural character of historic Lahaina Town. Therefore, the proposed project will not have negative impacts upon the visual character of the site and its immediate environs.

13. *Requires substantial energy consumption.*

The proposed usage of the site consists of approximately 12,000 square feet of retail and 12,000 square feet of restaurant space. The building will be air conditioned, but the demand will be consistent with buildings of this type, which will not require substantial energy consumption.

G. REQUIRED PERMITS AND APPROVALS

The subject properties are located within the Lahaina Historic District (LHD), Special Management Area (SMA), and is within the Lahaina Town Historic Landmark Area. The LHD and SMA require development permits and the Historic Landmark designation requires an Environmental Assessment.

IV. FINDINGS AND CONCLUSIONS

Approval of the subject request would allow the owners, JDI Limited Partners, to develop their under-utilized commercial property. Since the property is presently being used under its Commercial/Business designation, the granting of the Special Management Area Permit and Off-site Parking Approval will allow the owners to develop the site according to existing codes.

The proposed project will have a positive impact on employment opportunities. It will not have any significant impact upon surrounding areas, archaeological or historic sites, nor will it have a significant impact upon local population. Public service needs such as police, medical facilities and schools will not be significantly impacted by the amendment. Impacts upon roadways, water, wastewater, drainage, and other infrastructure systems are not considered significant.

Considering the foregoing findings, it is concluded that the proposed action will not result in any negative significant impacts.

V. LIST OF AGENCIES AND INDIVIDUALS CONSULTED DURING PREPARATION OF DRAFT ENVIRONMENTAL ASSESSMENT

STATE OF HAWAII

Department of Land and Natural Resources:
Mr. Boyd Dixon, Historic Preservation Division

COUNTY OF MAUI

Department of Public Works and Waste Management: Waste Water Division
Land Use and Codes Administration
Department of Water Supply

OTHER INDIVIDUALS AND AGENCIES

Lahaina Restoration Foundation
Mr. Keoki Freeland, Executive Director
Kamehameha III Elementary School
Mr. Rick Paul, Principal
Hui O Waa Kaulua
Christine Moschetti, Executive Director
Friends of Moku'ula
Akoni Akana, Executive Director
Holy Innocents' Church
Rev. Charles Cannon
Lahaina Town Action Committee
Theo Morrison, Executive Director
Maui Medical Group
Buck Buchanan
Dave Chenoweth

VI. REFERENCES

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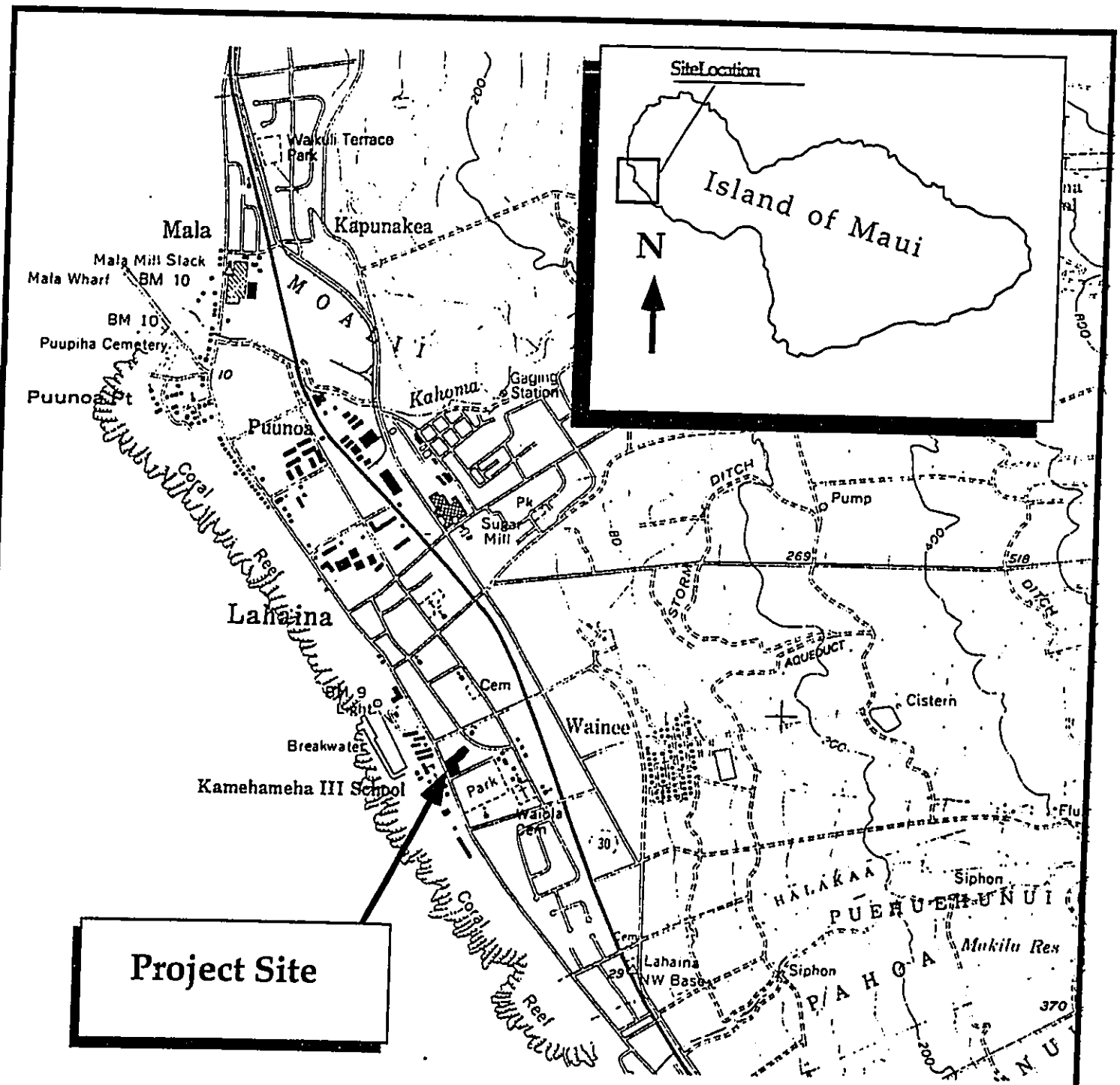
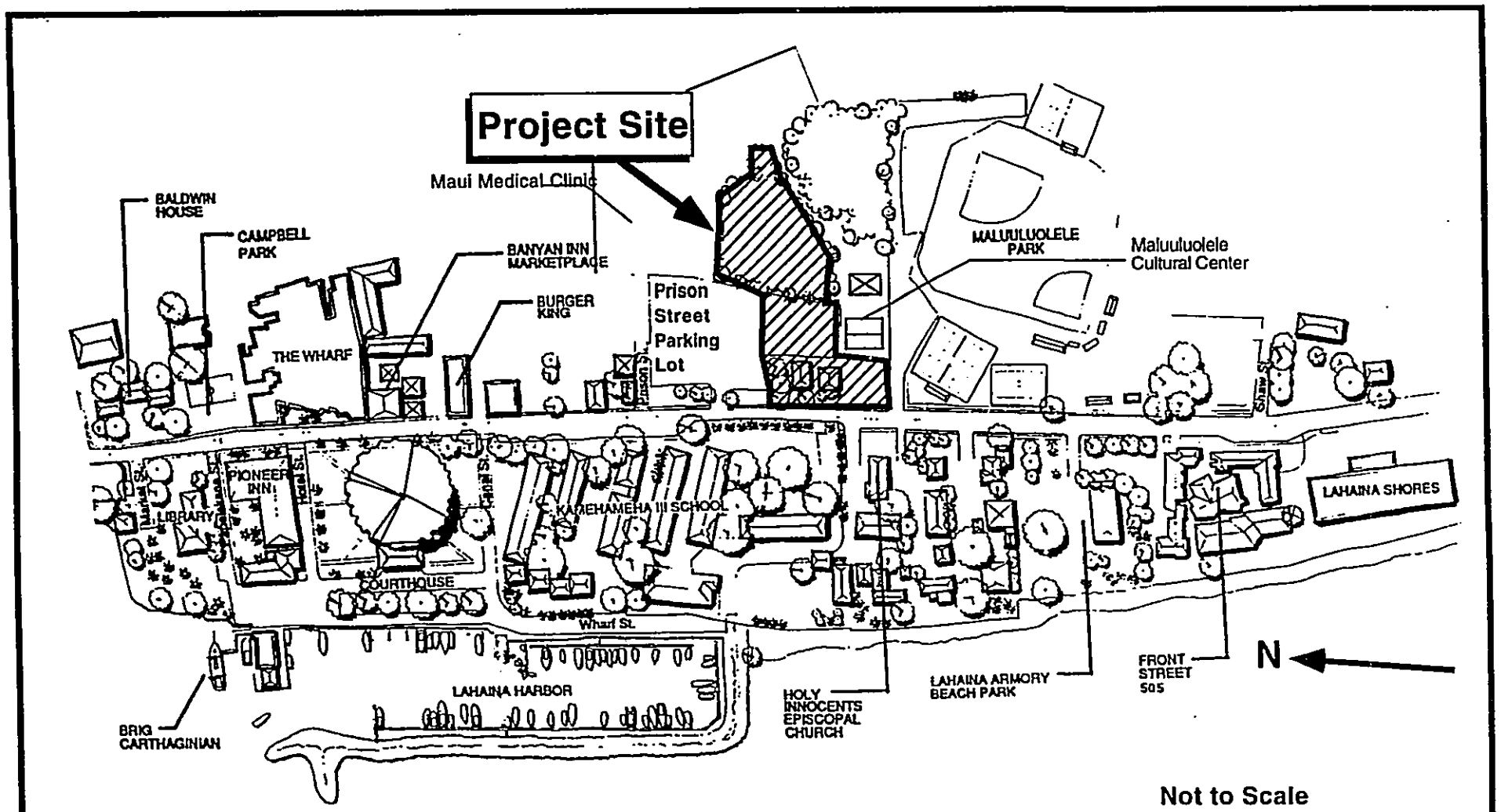
FIGURES



Regional Location Map
Harbor Village
576 Front Street
Lahaina, Maui, Hawai`i
TMK 4-6-07: 03, 07 & 10

CHRIS HART & PARTNERS

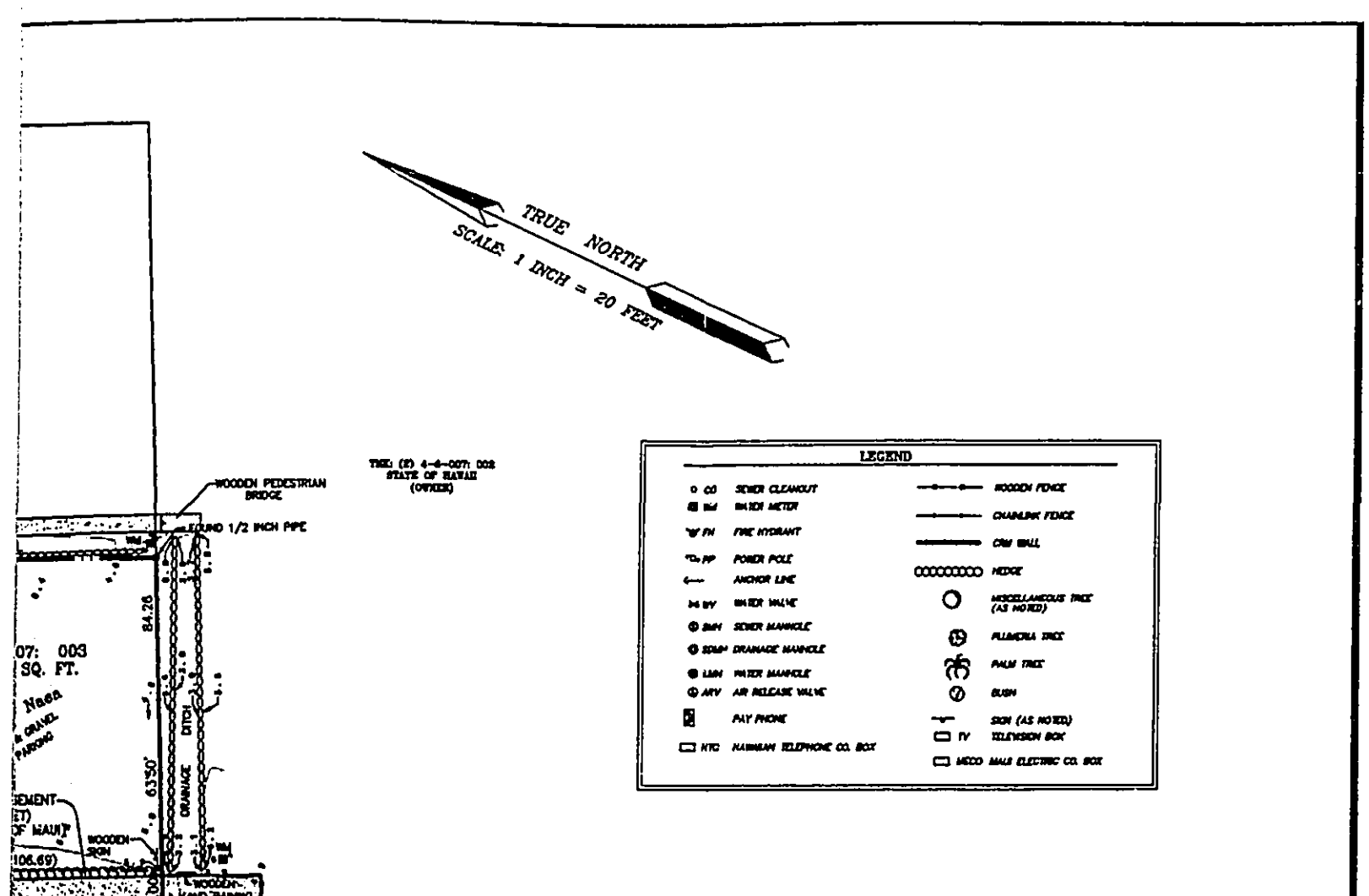
Figure No. 1



Location Map
Harbor Village
576 Front Street
Lahaina, Maui, Hawai`i
TMK 4-6-07: 03, 07 & 10

CHRIS HART & PARTNERS

Figure No. 2a



TOPOGRAPHIC SURVEY OF PARCEL 3 OF TAX MAP KEY (2) 4-6-007

Being a portion of Royal Patent 1196,
Land Commission Award 10427,
Apana 3 to George Naea

SITUATED AT PAKALA, LAHAINA, MAUI, HAWAII

Prepared for:
JUSTDOIT INC.
721 WAINEE STREET,
SUITE 201
Lahaina, Hawaii 96761

Scale: 1 inch = 20 Feet
Date: March 5, 1998

BRUCE R. LEE
LICENSED PROFESSIONAL LAND SURVEYOR
No. 5663-LS
HAWAII, U.S.A.

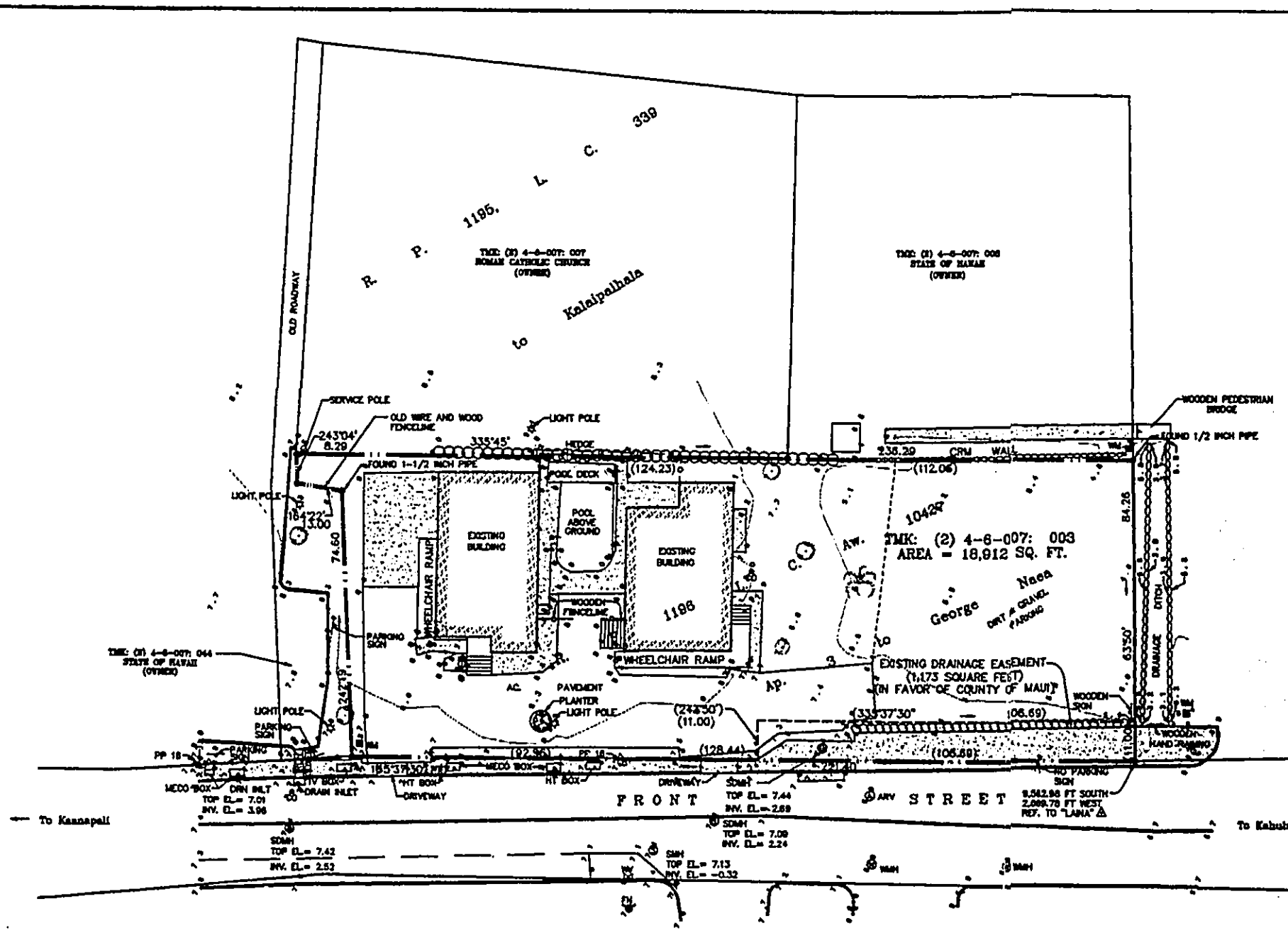
This plat was prepared from a survey on the ground performed by me or under my direct supervision.

BRUCE R. LEE
Licensed Professional Land Surveyor Certificate No. 5663-LS

Existing Conditions
Parcel 3

Figure No. 2b

LAND SURVEYORS, INC.
SUITE D, WAILUKU, MAUI, HAWAII 96793



NOTES:

1. Azimuths and coordinates shown hereon refer to Government Survey Triangulation Station "LAHA", designated thus " A ".
2. Owners of adjoining land parcels are taken from Tax Map Records.
3. Elevations shown hereon are referenced to Mean Sea Level.

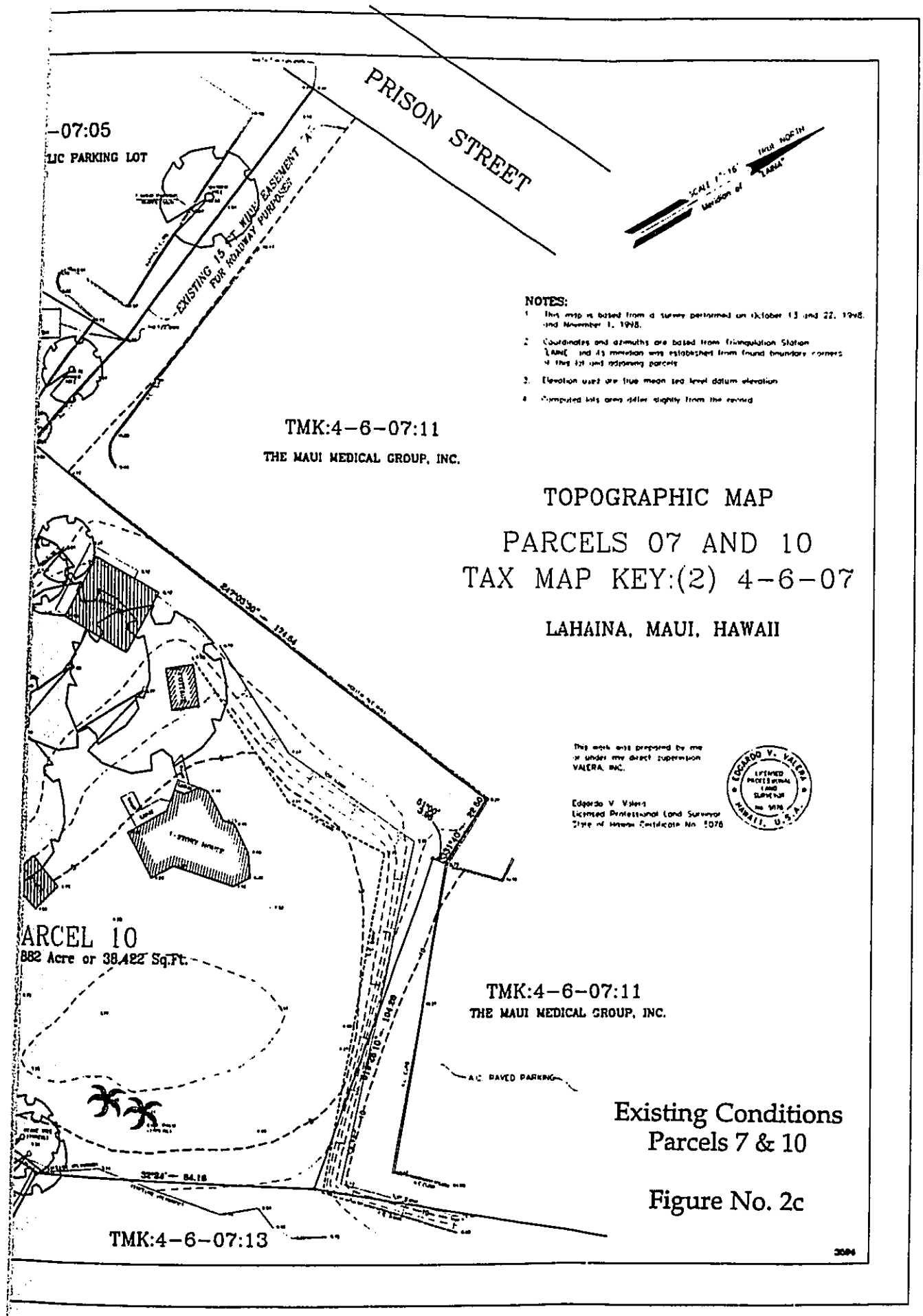
0 10 20 40 60 80 100

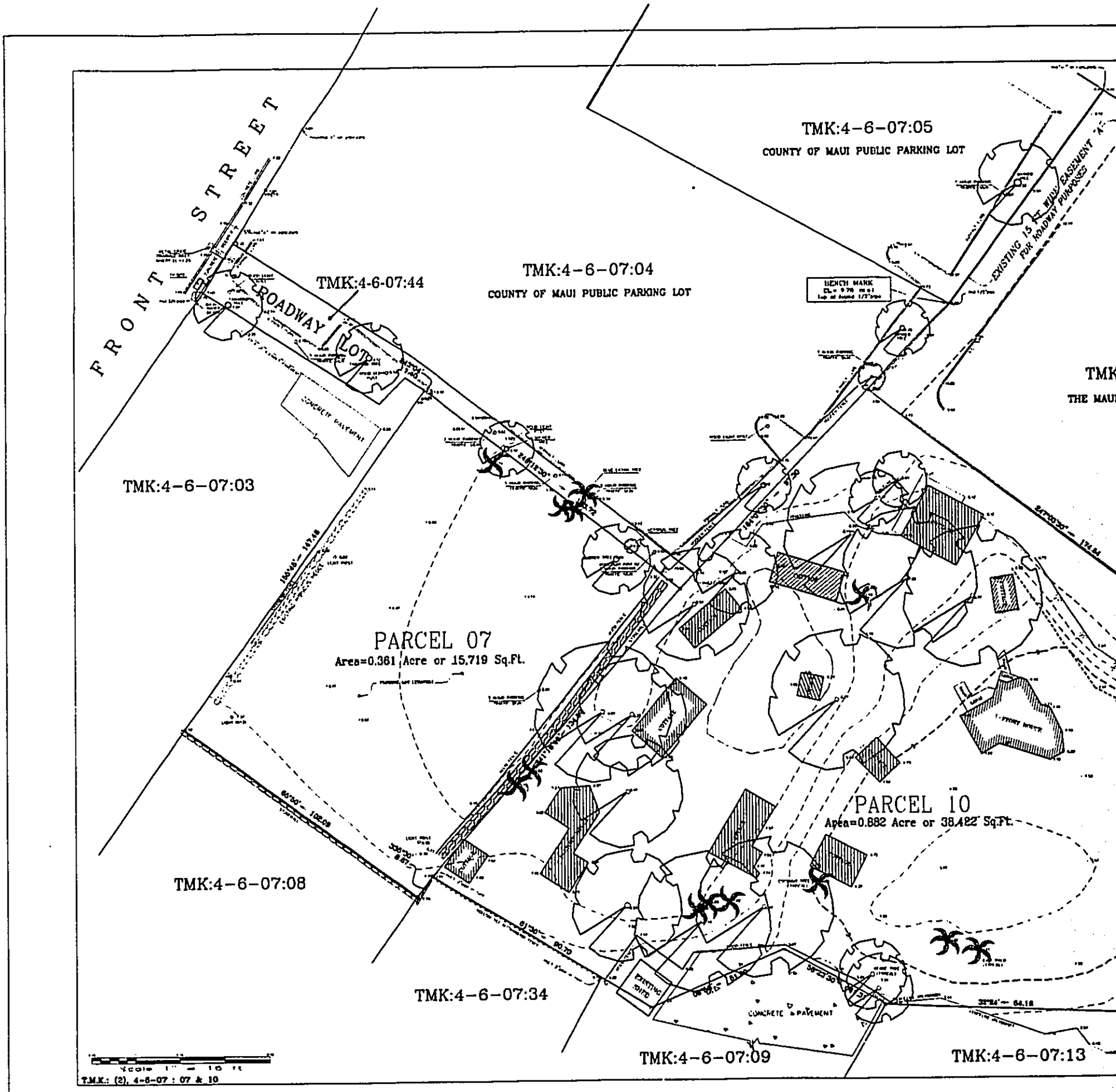
SCALE IN FEET

TMK: (2) 4-6-007: 003

21" X 36" = 4.7 SQ. FT.

NEWCOMER-LEE LAND SURVEYORS, INC.
1486 LOWER MAIN STREET, SUITE D, WAILUKU, MAUI, HAWAII 96793

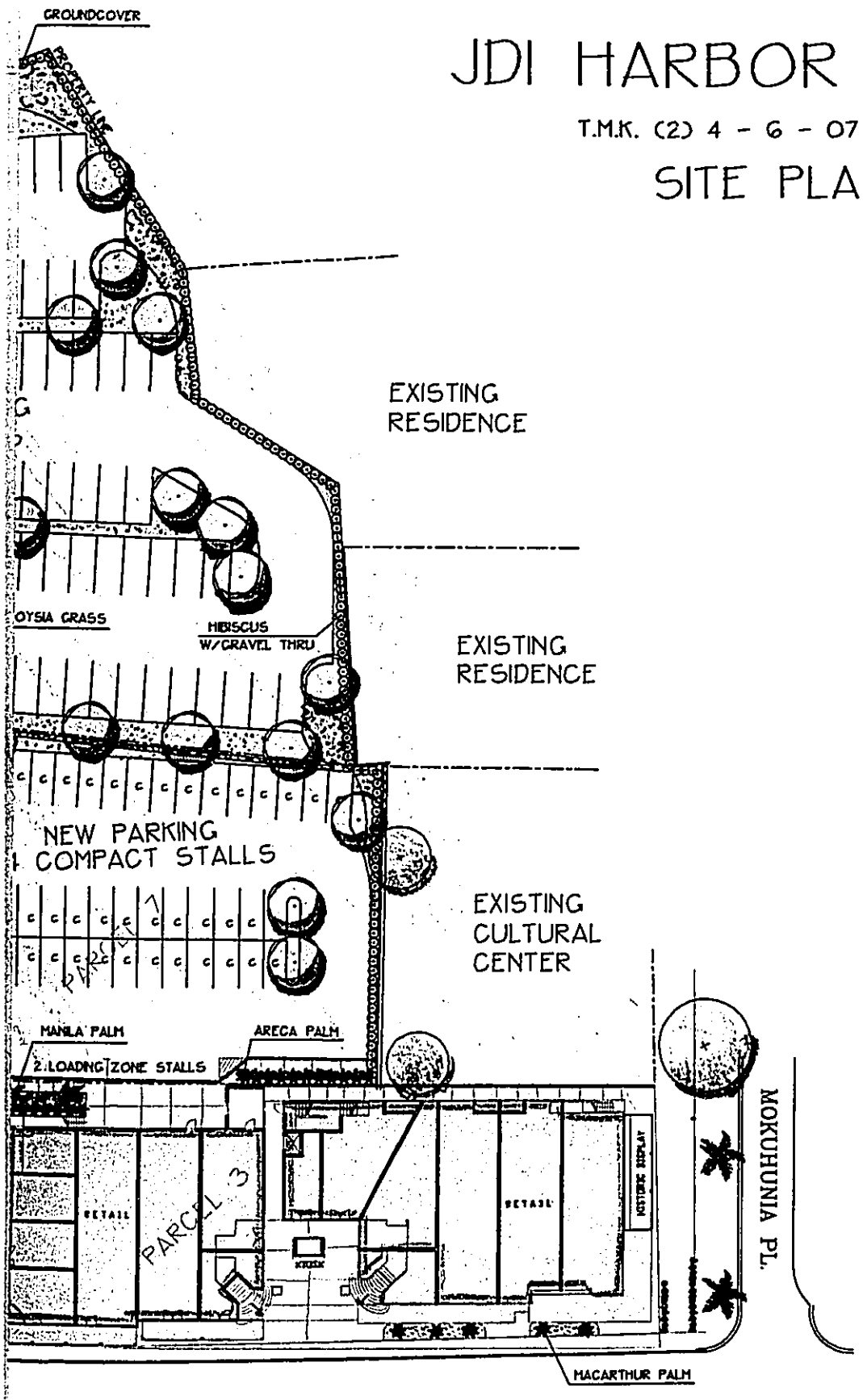

PRISON STREET
-07:05
LIC PARKING LOT
EXISTING 15 FT. WIDE EASEMENT "A" FOR ROADWAY PURPOSES
TRUE NORTH
LAHAINA
NOTES:
1. This map is based from a survey performed on October 13 and 22, 1998, and November 1, 1998.
2. Coordinates and azimuths are based from triangulation Station LAINE and its inversion was established from found boundary corners of this lot and adjoining parcels
3. Elevation used are true mean sea level datum elevation
4. Computed lots area differ slightly from the record
TMK:4-6-07:11
THE MAUI MEDICAL GROUP, INC.
TOPOGRAPHIC MAP
PARCELS 07 AND 10
TAX MAP KEY:(2) 4-6-07
LAHAINA, MAUI, HAWAII
This work was prepared by me or under my direct supervision VALERA, INC.
Edgardo V. Valera
Licensed Professional Land Surveyor
State of Hawaii Certificate No. 5078
EDGARDO V. VALERA
LICENSED PROFESSIONAL LAND SURVEYOR
No. 5078
HAWAII, U.S.A.
ARCEL 10
882 Acre or 38,422 Sq.Ft.
TMK:4-6-07:11
THE MAUI MEDICAL GROUP, INC.
A/C PAVED PARKING
Existing Conditions
Parcels 7 & 10
Figure No. 2c
TMK:4-6-07:13
3084


FRONT STREET
TMK:4-6-07:44
ROADWAY LOT
TMK:4-6-07:04
COUNTY OF MAUI PUBLIC PARKING LOT
TMK:4-6-07:05
COUNTY OF MAUI PUBLIC PARKING LOT
EXISTING 15 FT WIDE EASEMENT FOR ROADWAY PURPOSES
BENCH MARK
CONCRETE EASEMENT
TMK:4-6-07:03
PARCEL 07
Area=0.361 Acre or 15,719 Sq.Ft.
PARCEL 10
Area=0.882 Acre or 38,422 Sq.Ft.
TMK:4-6-07:08
TMK:4-6-07:34
TMK:4-6-07:09
TMK:4-6-07:13
EXISTING SHED
CONCRETE PAVEMENT
Scale 1" = 10 ft
T.M.K.: (2), 4-6-07 : 07 & 10

JDI HARBOR VILLAGE

T.M.K. (2) 4 - 6 - 07 : 3, 7, + 10

SITE PLAN



SCALE: 1"=50'
TRUE NORTH

SCALE: 1" = 50'

CHRIS HART & PARTNERS

LANDSCAPE ARCHITECTURE AND PLANNING

1088 BAM STREET, SUITE 200
WAILUKU, MAUI, HI 96793-1709
TELEPHONE: 808-243-1888
FACSIMILE: 808-242-1994
E-MAIL: chris@chrishart.com

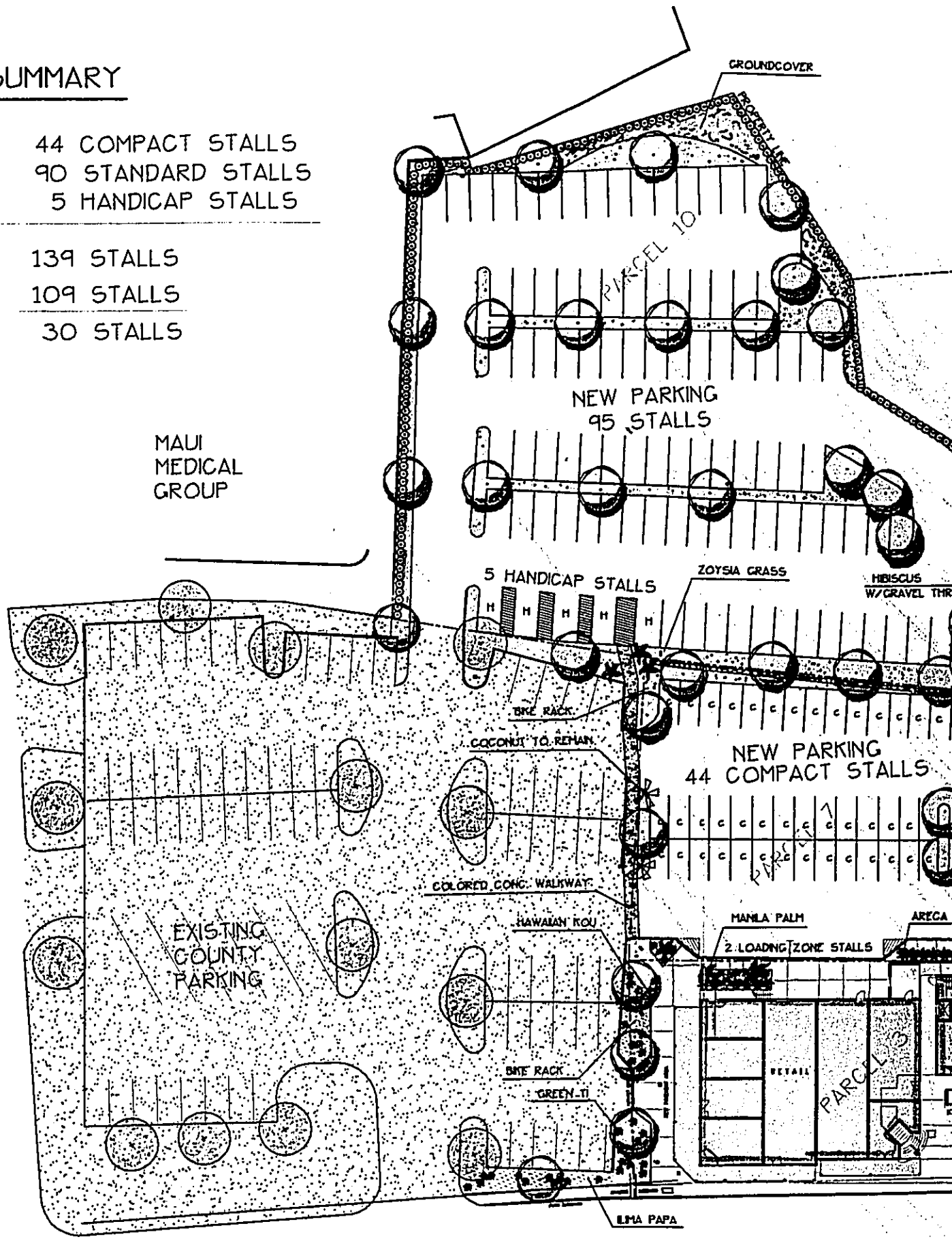
Figure No. 3

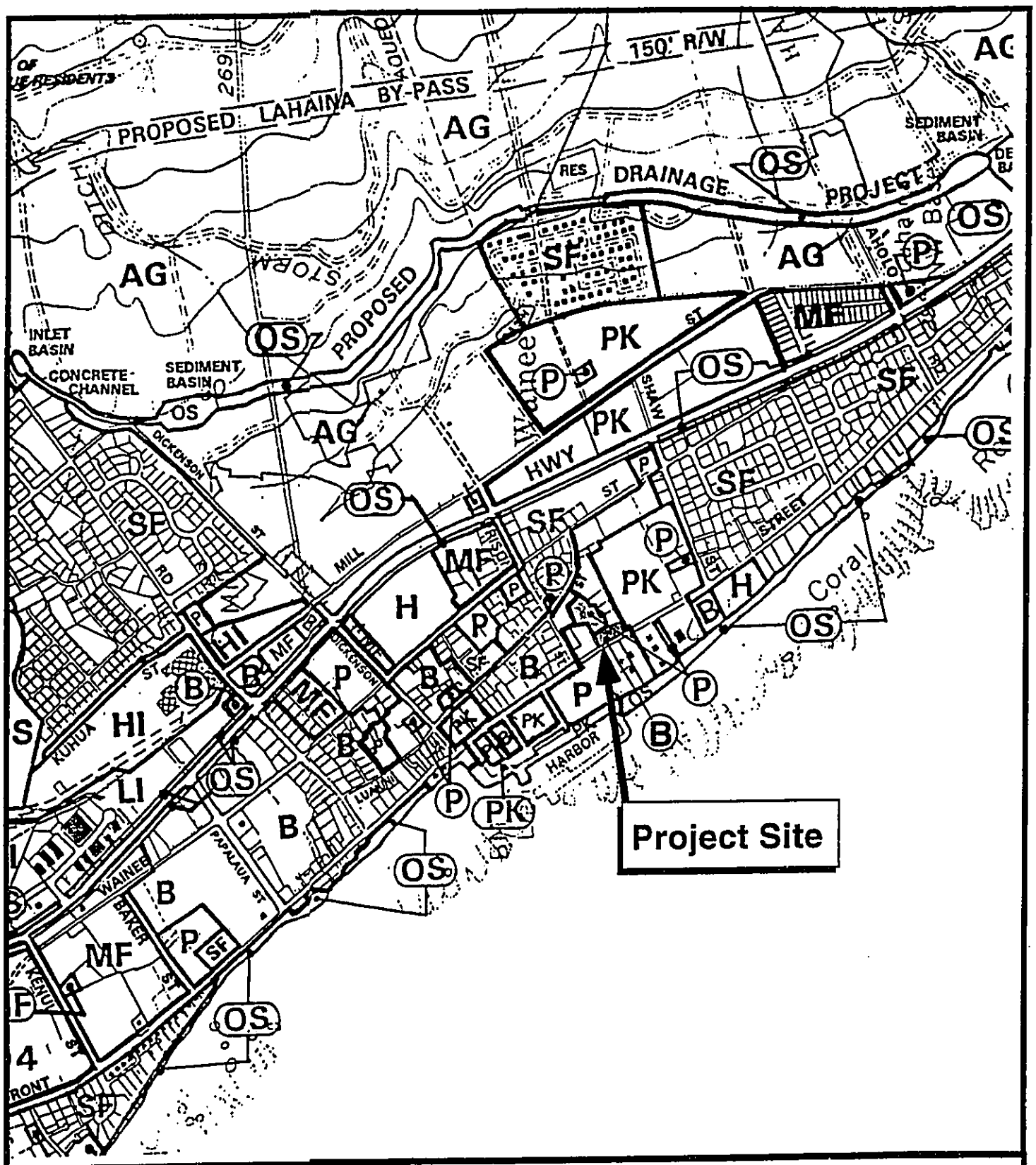
2-2-99

PARKING SUMMARY

PARCEL NO. 7:	44 COMPACT STALLS
PARCEL NO. 10:	90 STANDARD STALLS
	5 HANDICAP STALLS
TOTAL PROPOSED:	139 STALLS
REQUIRED:	109 STALLS
EXCESS:	30 STALLS

MAUI
MEDICAL
GROUP

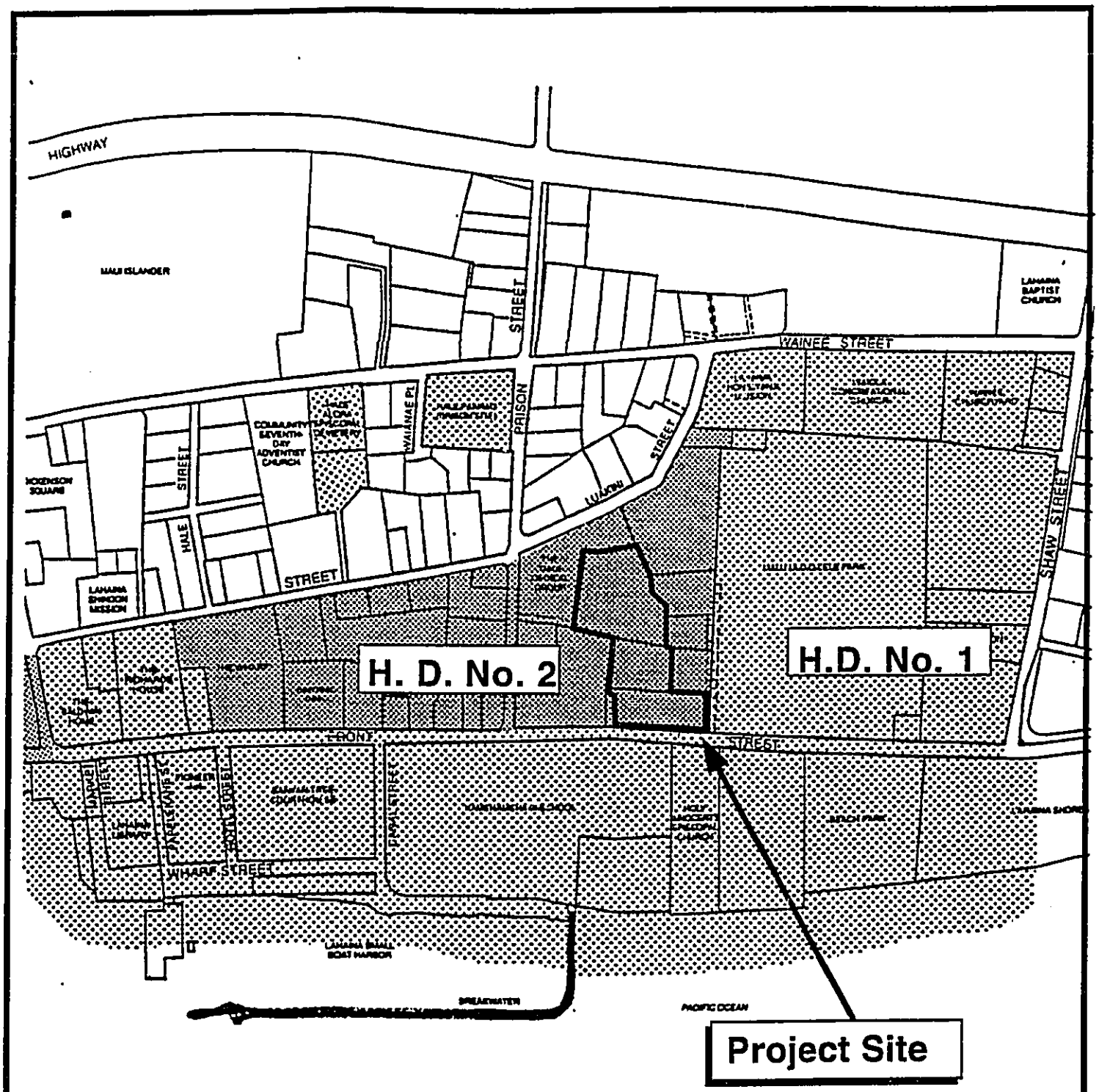




West Maui Community Plan
Harbor Village
576 Front Street
Lahaina, Maui, Hawai`i
TMK 4-6-07: 03

Figure No. 4

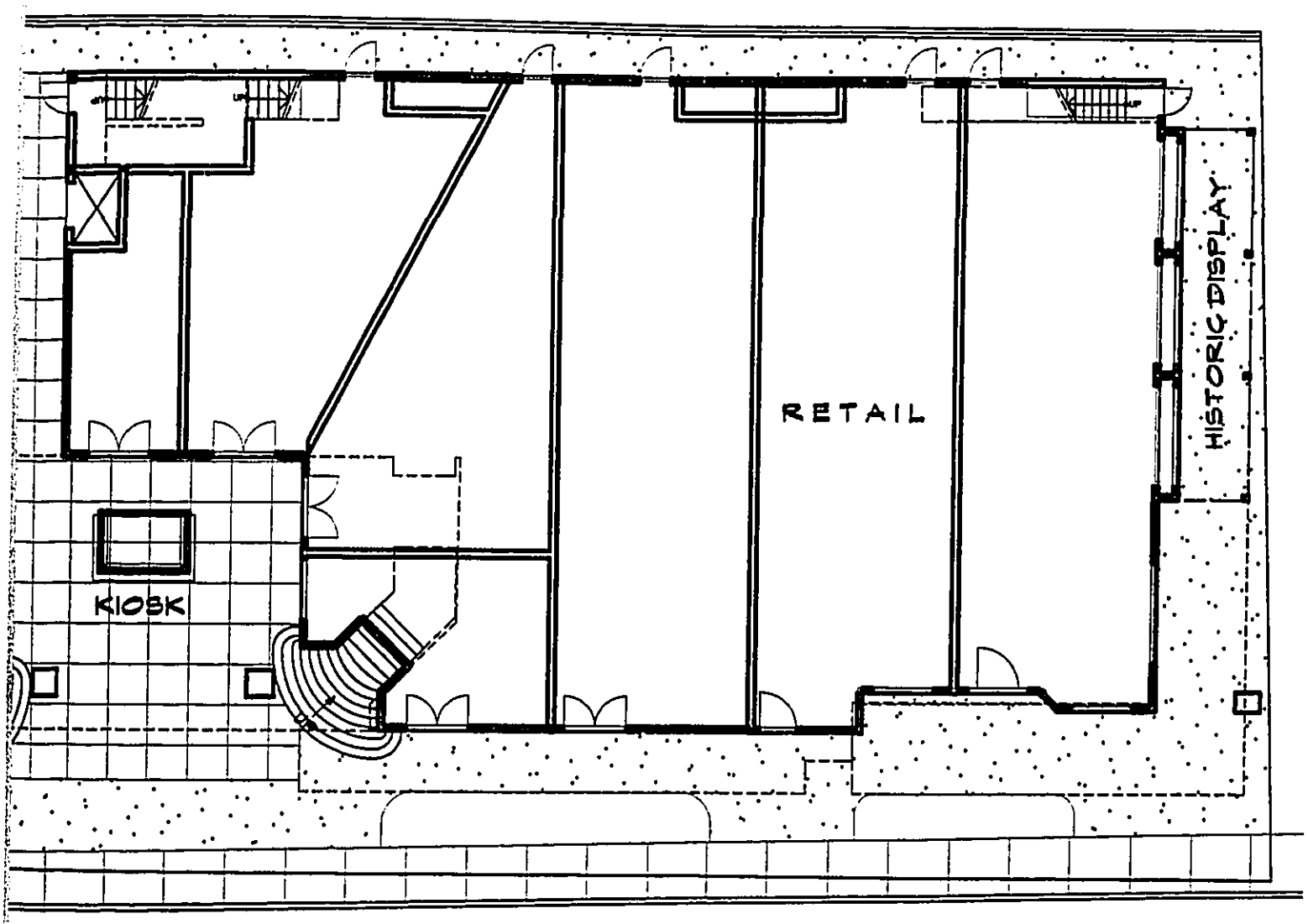
CHRIS HART &PARTNERS



County Zoning Map
Harbor Village
576 Front Street
Lahaina, Maui, Hawai`i
TMK 4-6-07: 03, 07 & 10

CHRIS HART &PARTNERS

Figure No. 5



RST FLOOR PLAN

Building Floor Plan

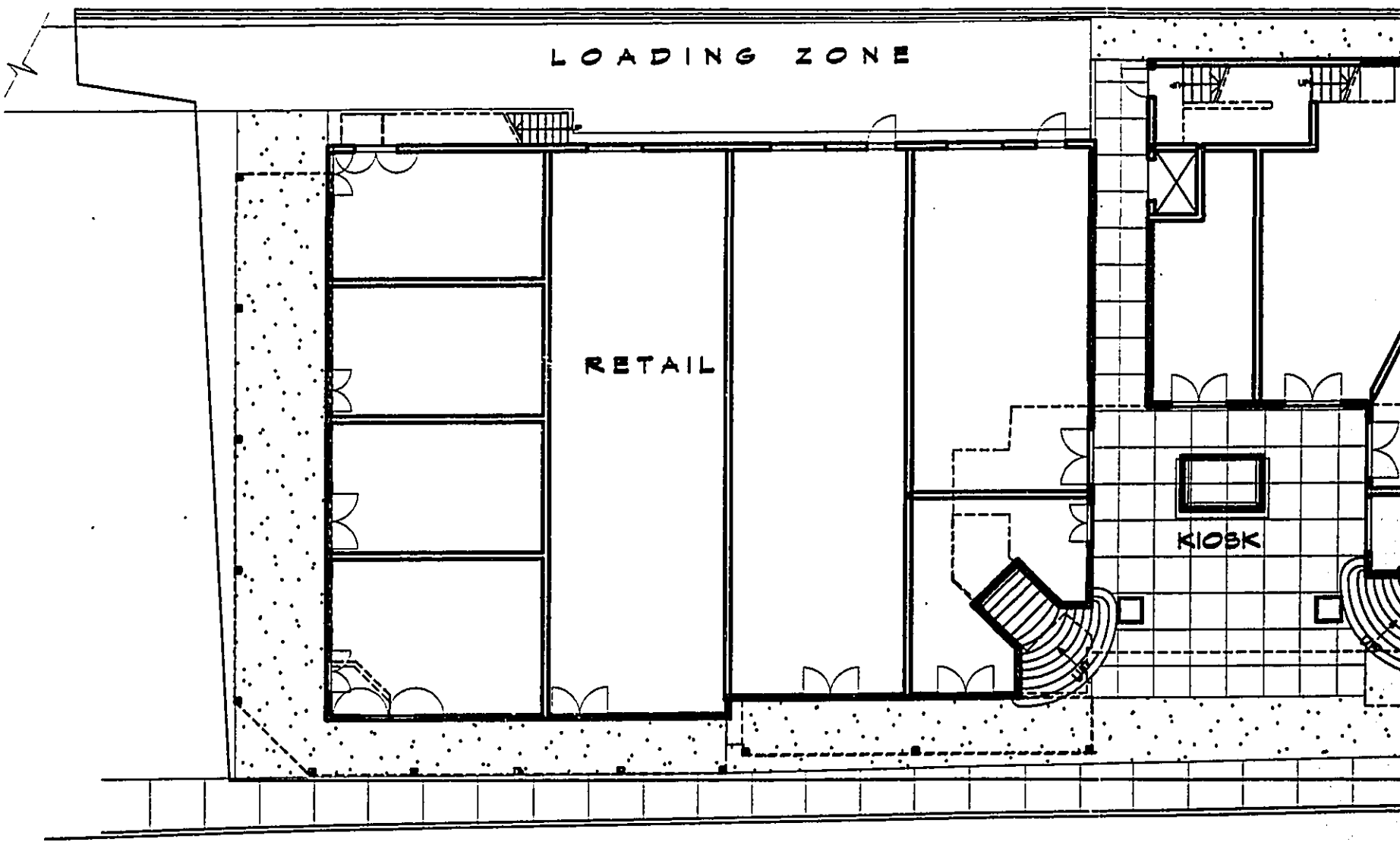
Figure No. 6

JAN. 1999

SCALE" 1/16" = 1'-0"

BOR VILLAGE
576 FRONT STREET
T.M.K. 4-6-07 : 03
Lahaina, Maui, Hawaii

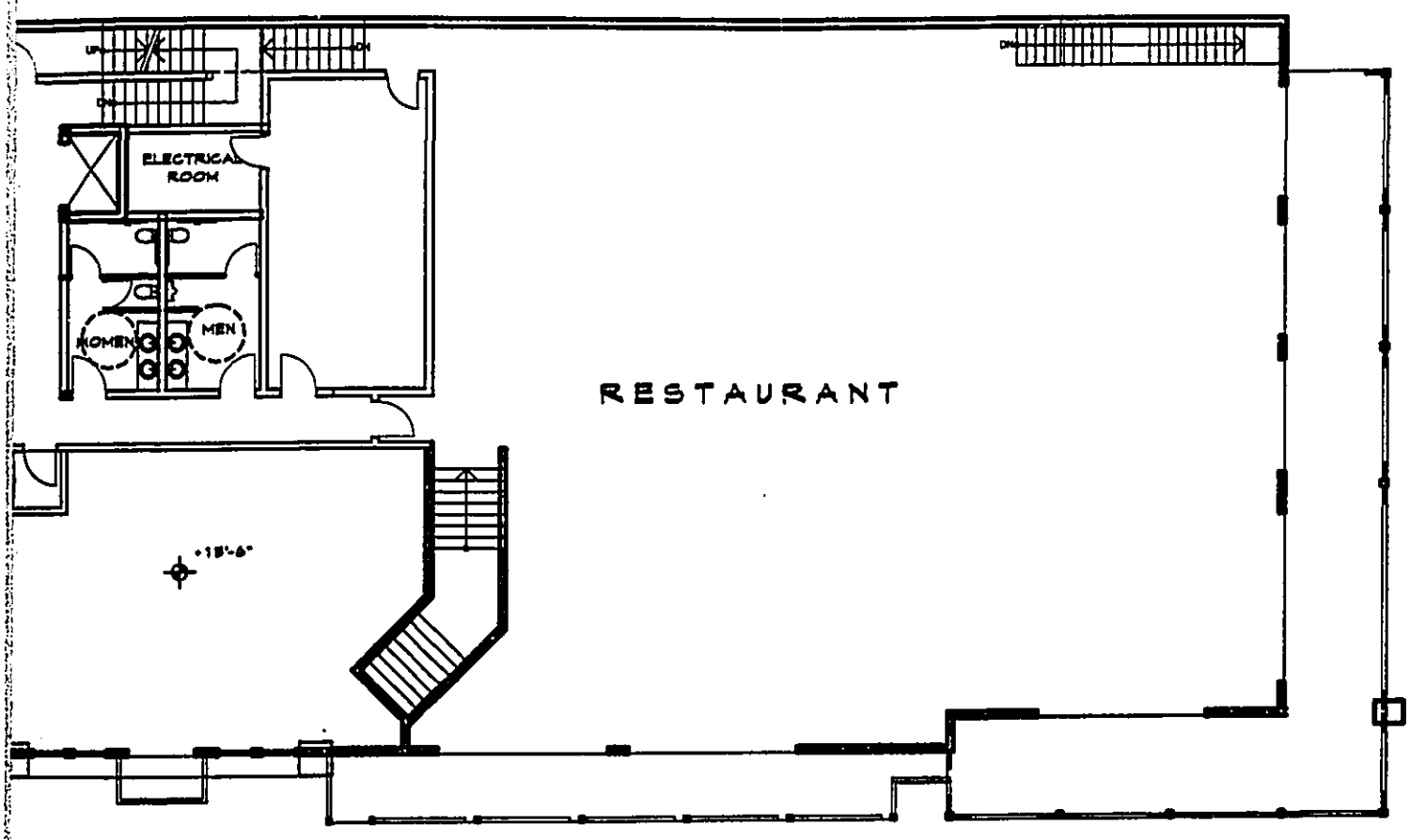
MAUI ARCHITECTURAL GROUP INC.
2331 WEST MAIN STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE (808) 244-0011
FAX (808) 242-1778



FIRST FLOOR PLA

HARBOR VILLA

576 FRONT STREET
T.M.K. 4-6-07 : 03
Lahaina, Maui, Hawaii



OND FLOOR PLAN

BOR VILLAGE
576 FRONT STREET
T.M.K. 4-6-07 : 03
Lahaina, Maui, Hawaii

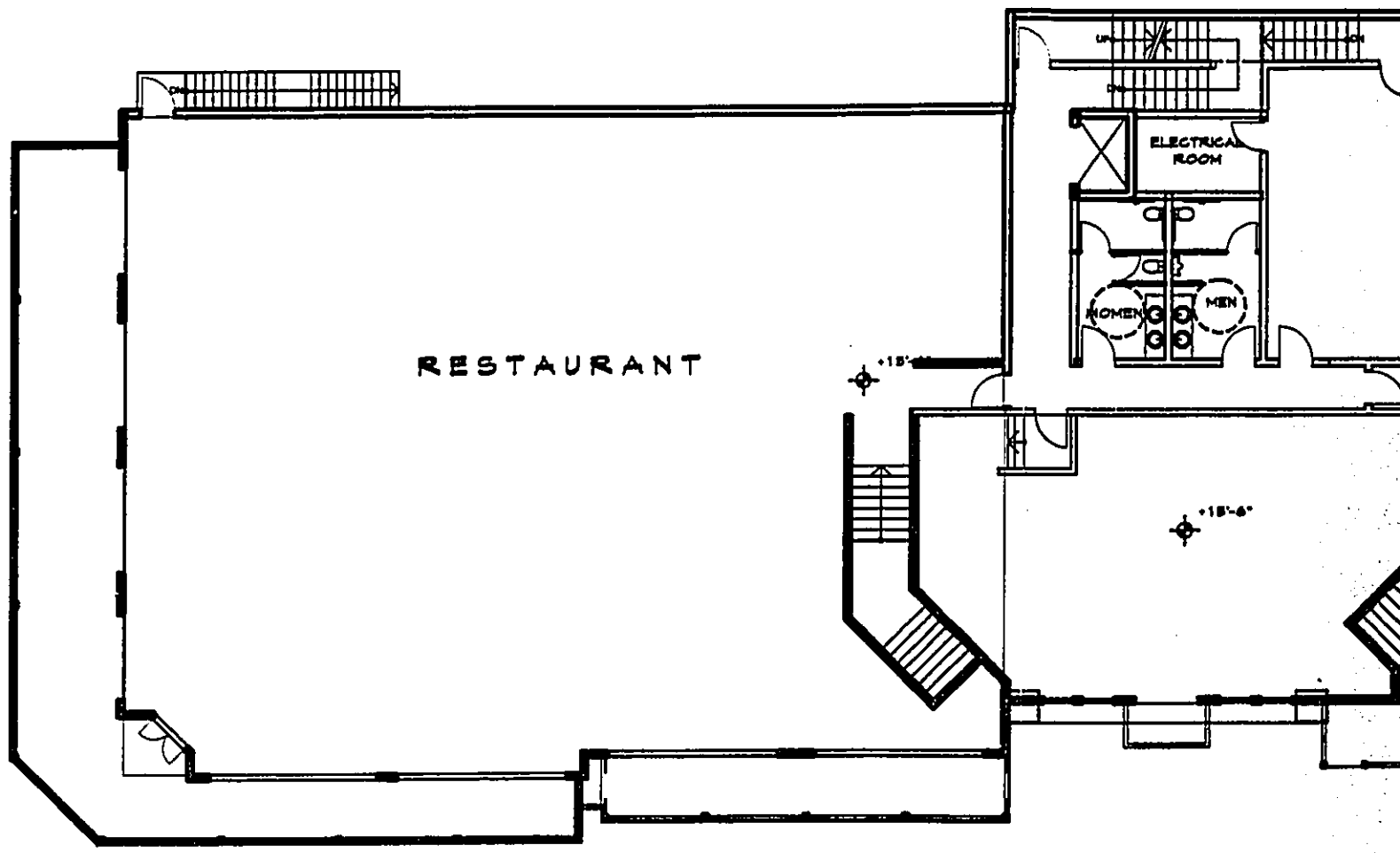
Building Floor Plan

Figure No. 6

JAN. 1999

SCALE" 1/16" = 1'-0"

MAUI ARCHITECTURAL GROUP INC.
2331 WEST MAIN STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE (808) 244-9011
FAX (808) 242-1776

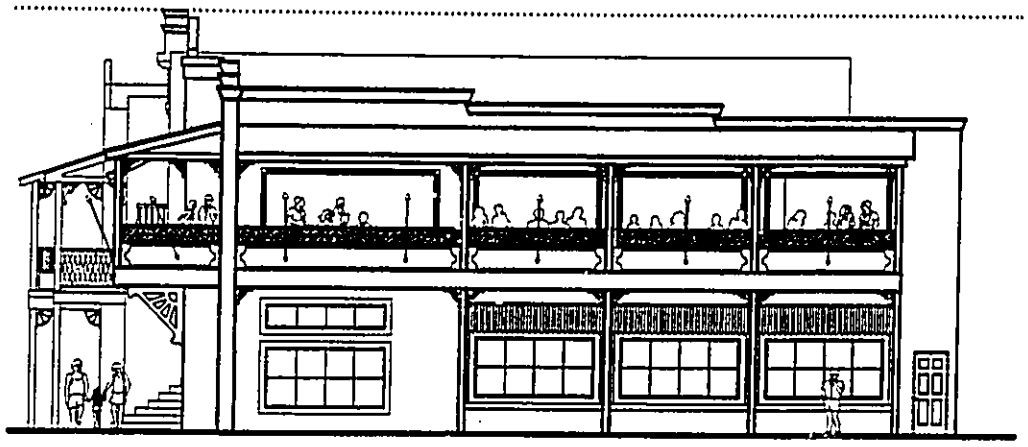


SECOND FLOOR PLA

HARBOR VILLAG

576 FRONT STREET
T.M.K. 4-6-07 : 03
Lahaina, Maui, Hawaii

ONT STREET



RIGHT ELEVATION

Building Elevations

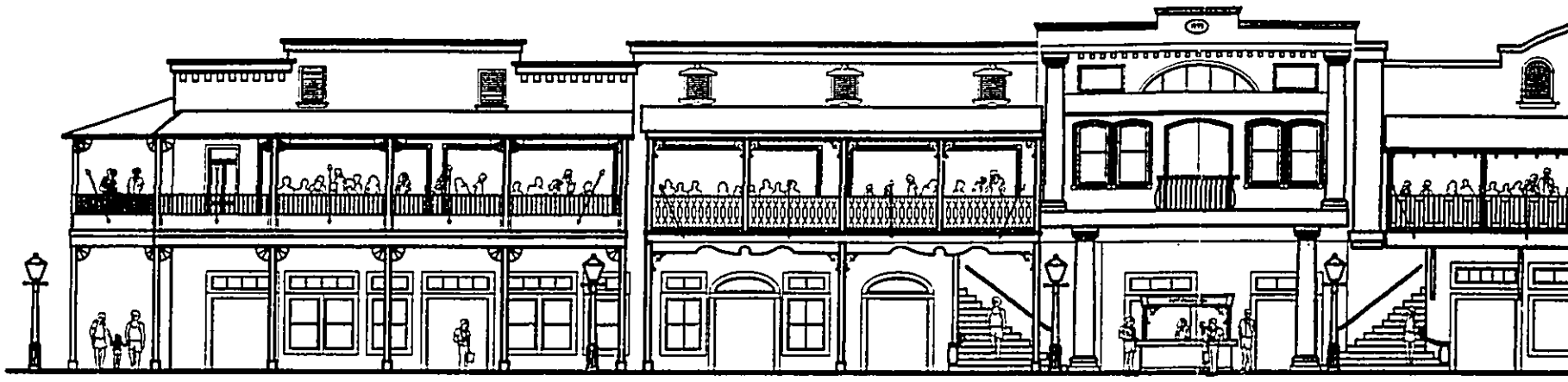
Figure No. 7

JAN. 1999

SCALE" 1/16" = 1'-0"

LAGE
REET
: 03
lawaii

MAUI ARCHITECTURAL GROUP INC.
2331 WEST MAIN STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE (808) 244-9011
FAX (808) 242-1778



VIEW FROM FRONT STREET

LEFT ELEVATION

HARBOR VILLAGE

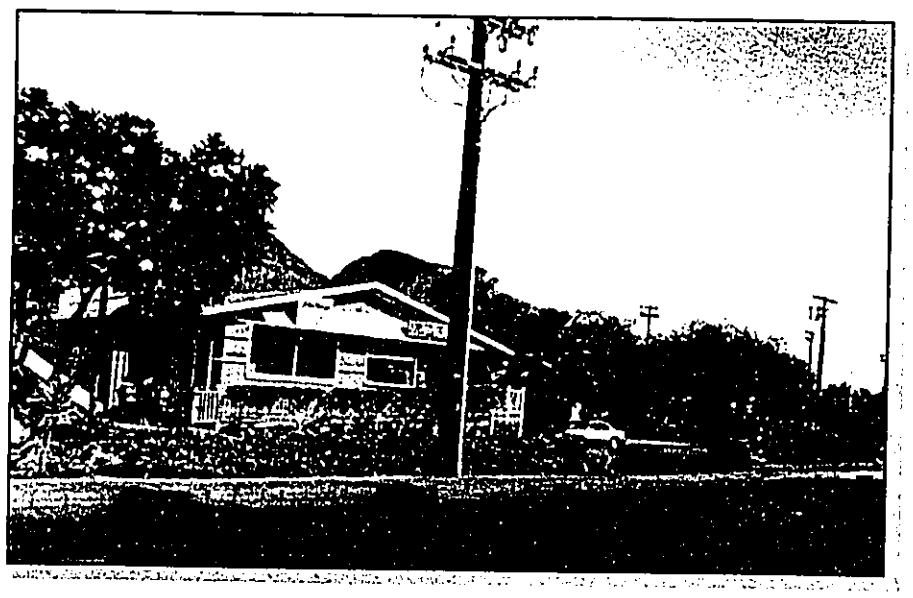
576 FRONT STREET
T.M.K. 4-6-07 : 03
Lahaina, Maui, Hawaii

JDI

Harbor Village

CHRIS HART & PARTNERS

East view of existing commercial structures on Parcel 3.



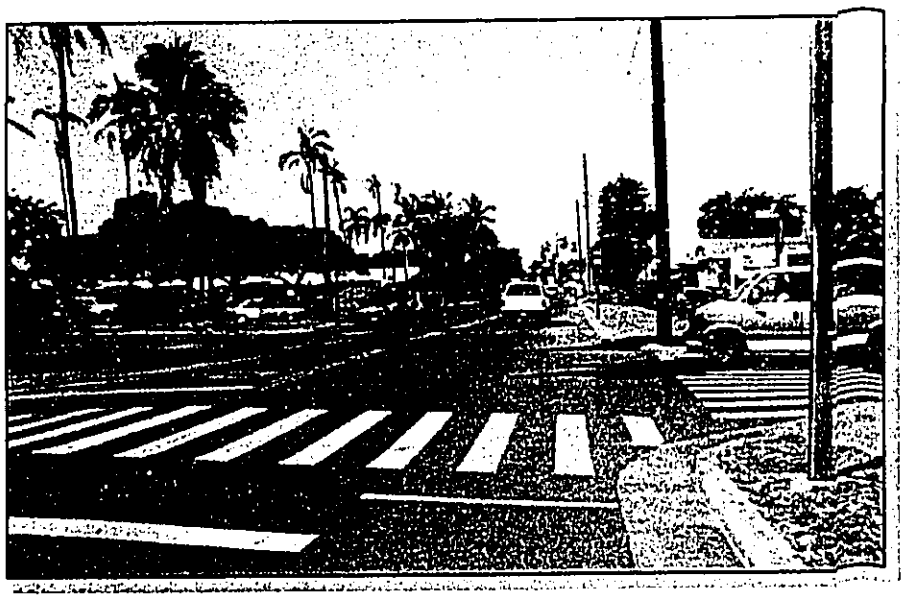
East view of State owned Parcel 44 between County parking lot and Parcel 3.

Figure 8A

JDI

Harbor Village

CHRIS HART & PARTNERS



Front Street at intersection with Mokuhinia Place.

North view (Parcel 3 on right).

Front Street at County parking lot access.

South view (Parcel 3 on left).

Figure 8B

JDI

Harbor Village

CHRIS HART & PARTNERS

North view of Parcel 3.

South view of Parcel 3.

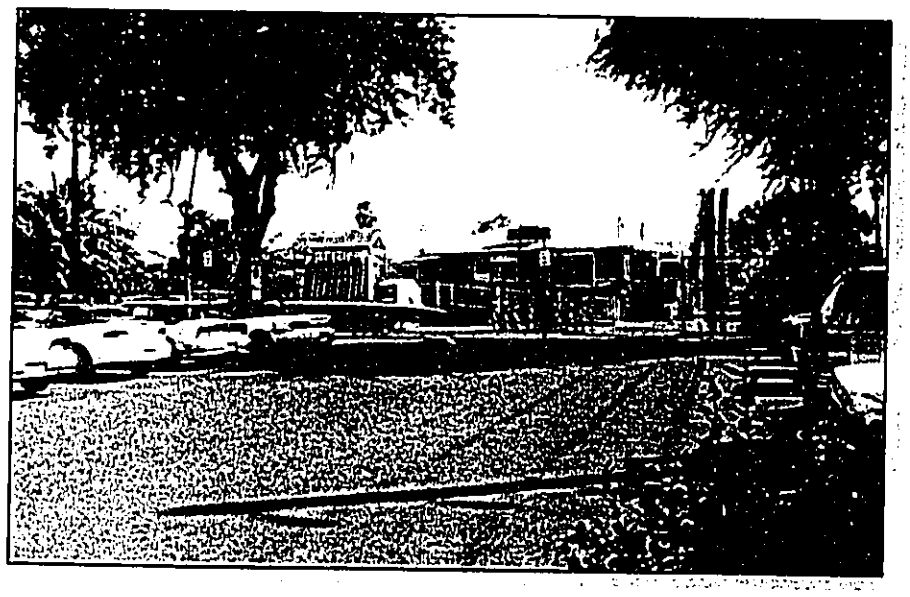


Figure 8C

JDI

Harbor Village

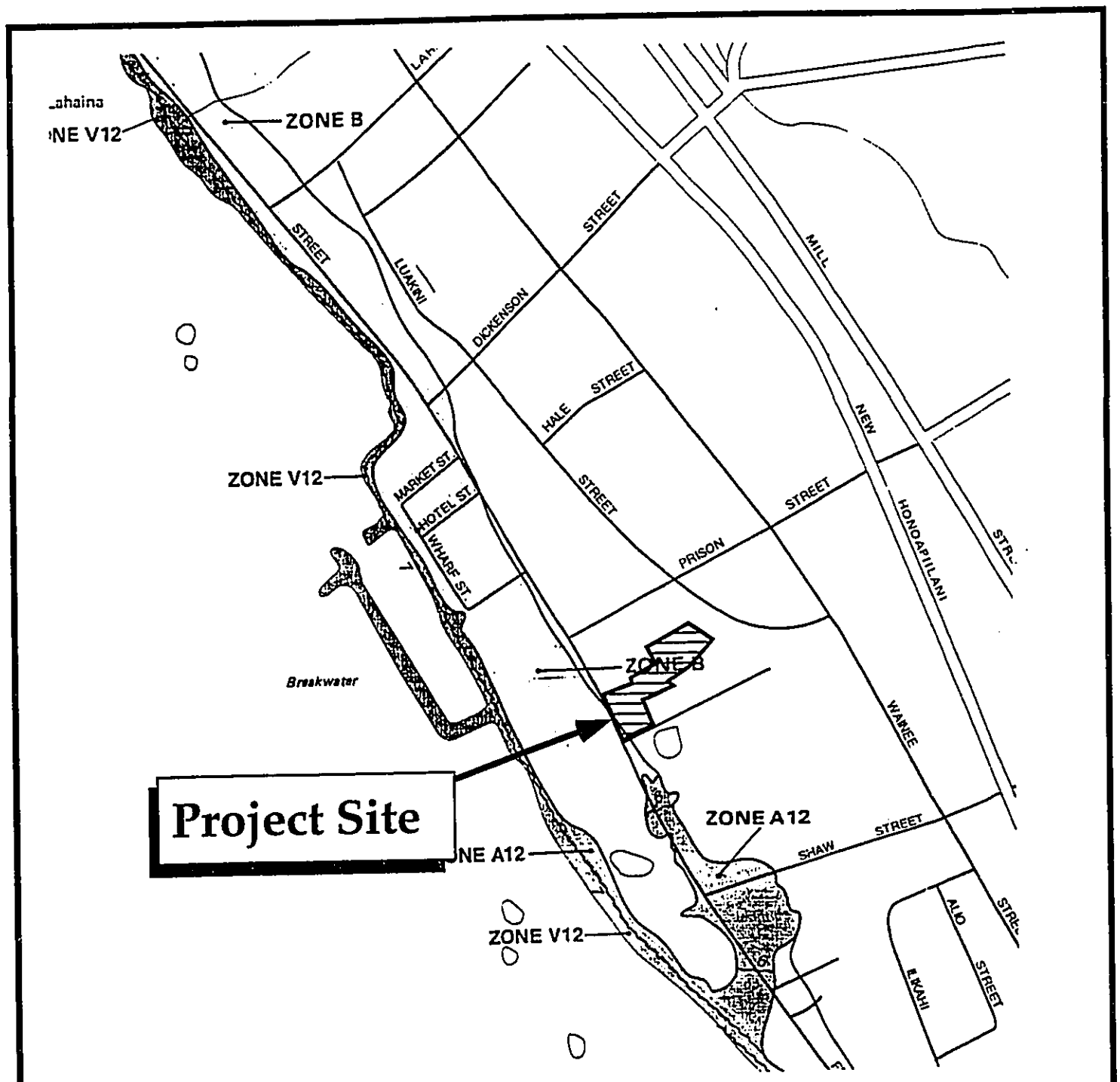
CHRIS HART & PARTNERS

South views.

Existing overflow parking lot on Parcel 7.

Parcel 10 in background.

Figure 8D



N

Not to Scale

Flood Insurance Rate Map
No. 150003-0163 C
Harbor Village
Lahaina, Maui, Hawai`i
TMK 4-6-07:03

CHRIS HART & PARTNERS

Figure No. 9

APPENDIX A

Archaeological Inventory Survey

Archaeological Inventory Survey in the *`ili* of Pakala, Puako *Ahuapa`a* Lahaina District, Maui Island (TMK: 4-6-07: 7 and 10)

Prepared for:

Mr. Steve Gatchell
Mr. Terrance Lee
JDI Ltd. Partners,
Lahaina, Maui

Prepared by:

Xamanek Researches
Pukalani, Hawaii

Demaris L. Fredericksen
Erik M. Fredericksen

January 1999

ABSTRACT

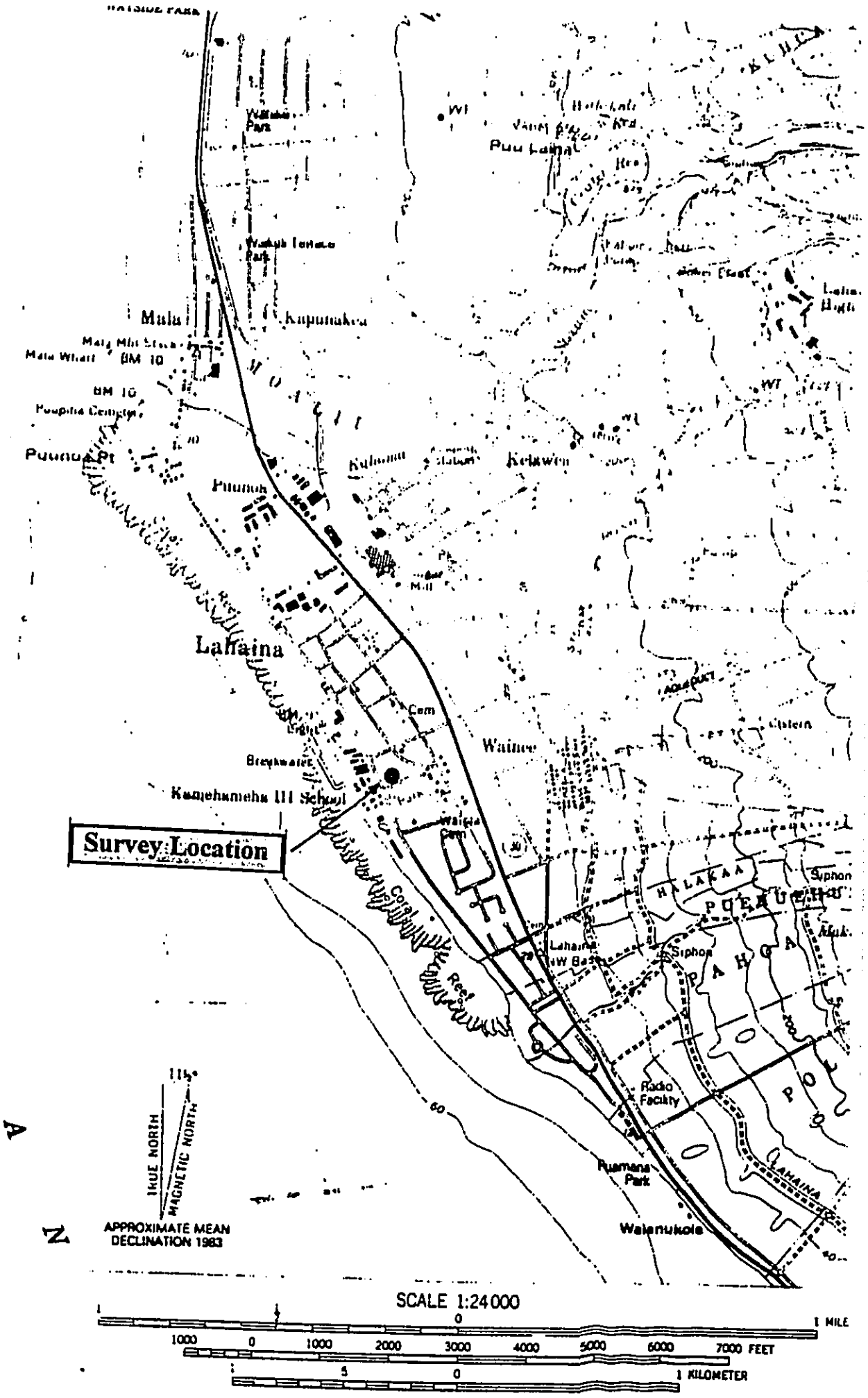
Xamanek Researches conducted Phase I of an archaeological inventory survey on 2 adjacent parcels of land in the *'ili* of Pakala, Puako *Ahupua'a,* Lahaina District, Maui (TMK: 4-6-07: 7 and 10). This survey was carried out in mid-October 1998 on behalf of Mr. Steve Gatchell and Mr. Terrance Lee, J.D.I Ltd. Partners, Lahaina, Maui. Parking lots are proposed for both parcels of land.

Two previously unrecorded sites were found during our inventory level survey. The first site, a probable LCA boundary wall (Site 50-50-03-4682) appears to have been partially rebuilt in relatively recent times. This wall will be more fully evaluated when tenants living in close proximity to it vacate the property in the summer of 1999. Site 4682 qualifies for significance under Criterion "D" of Federal and State historic preservation guidelines.

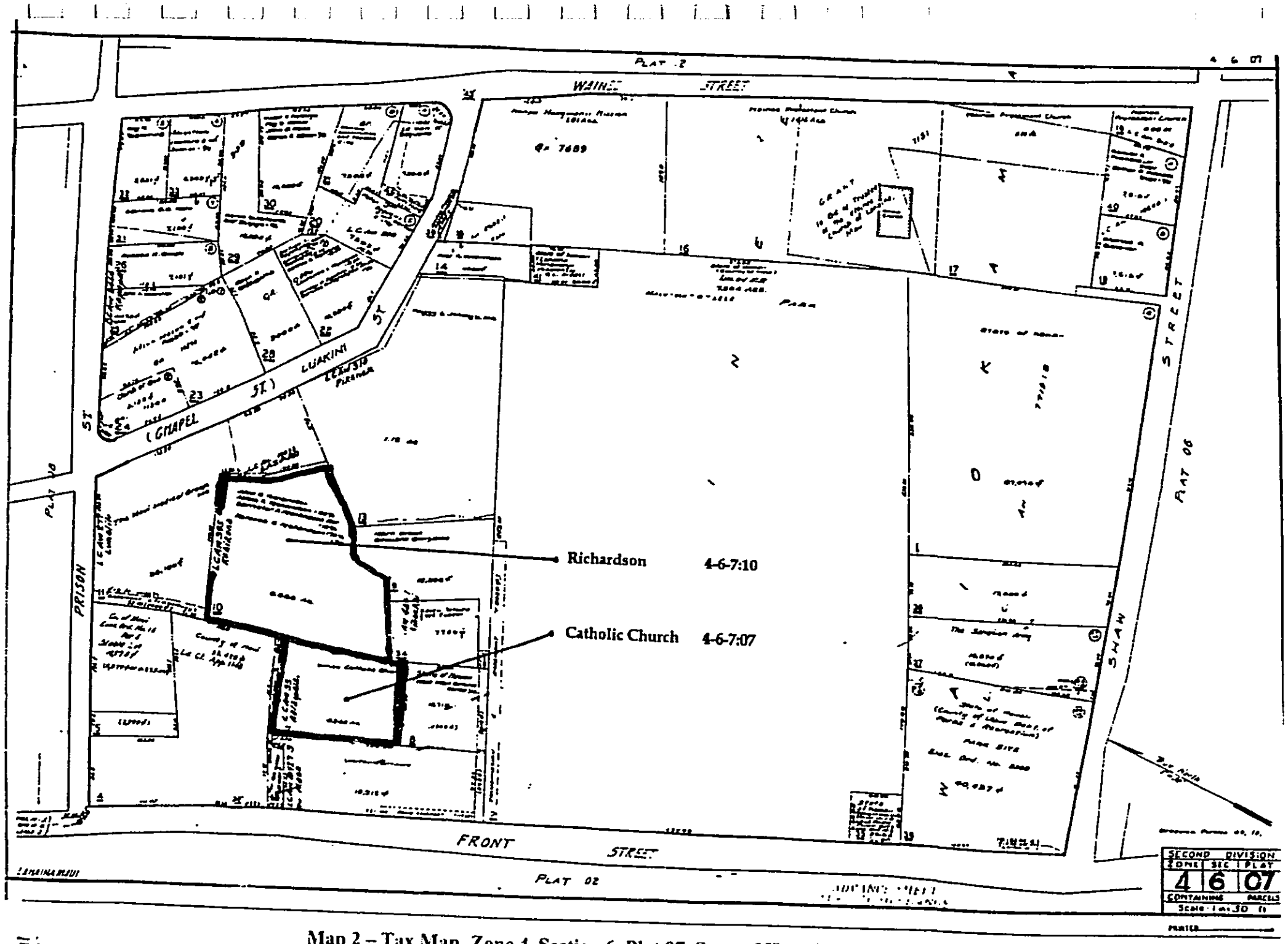
The second site (Site 4690) consists of a subsurface cultural deposit remnant that is interpreted as a late precontact permanent habitation site. A radiometric date indicates the occupation occurred between AD 1475 to 1665. The site is deemed significant under Criterion "D" as well. Either passive preservation or limited data recovery is recommended, depending upon the level, if any, of subsurface disturbance on Parcel 7.

In addition to the 2 previously identified sites discussed above, we located deposits that appear to be pond sediments on a portion of Parcel 10. According to historic maps, it appears that Loko Puako extended into the east portion of this property in the past. We will conduct Phase II of our inventory survey in the summer of 1999 when all of Parcel 10 becomes available for testing.

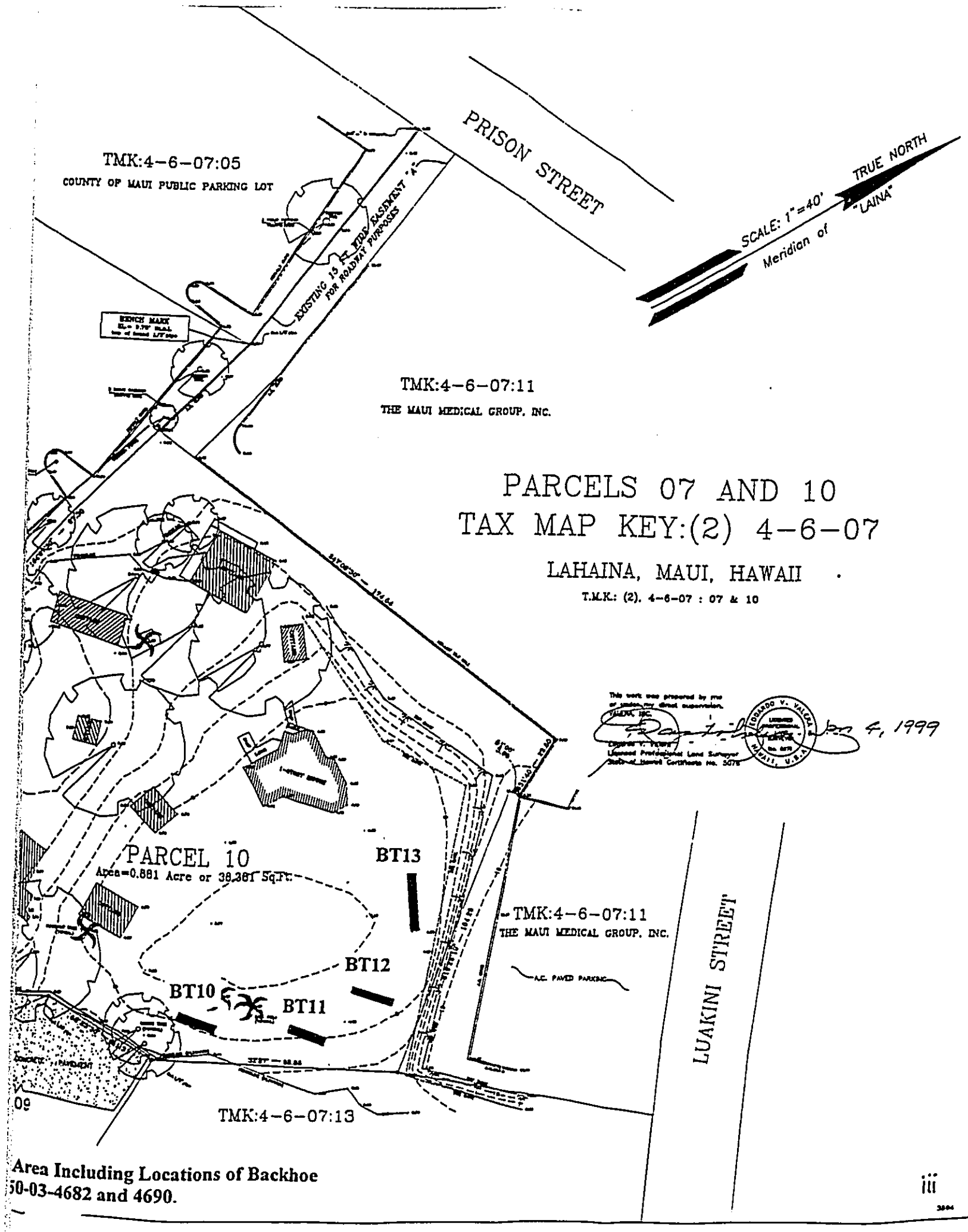
Table of Contents



Map 1 – U.S.G.S. Topographic Map, Lahaina Quadrangle, 1983.



Map 2 – Tax Map, Zone 4, Section 6, Plat 07, State of Hawaii.

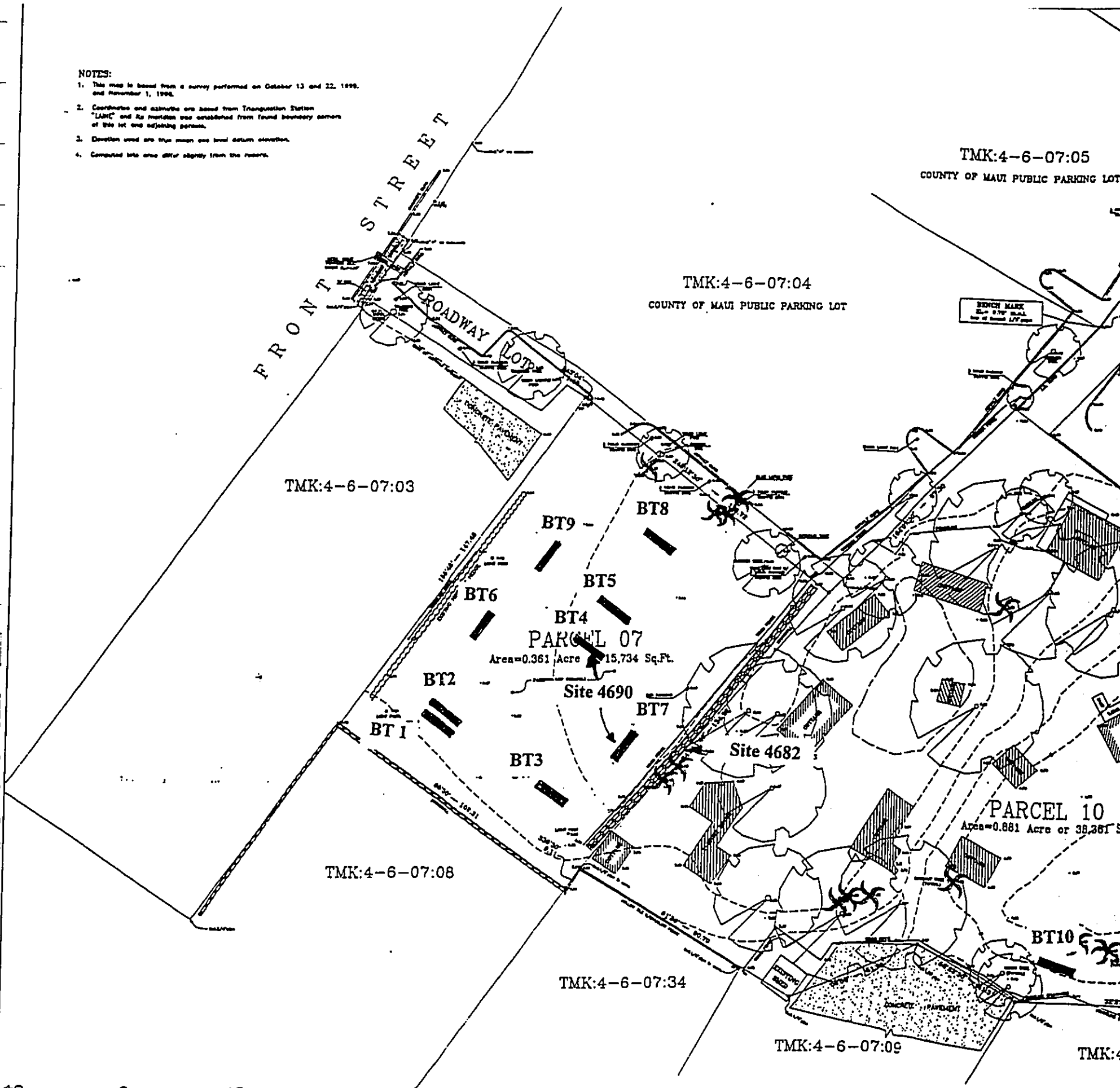


Area Including Locations of Backhoe 50-03-4682 and 4690.

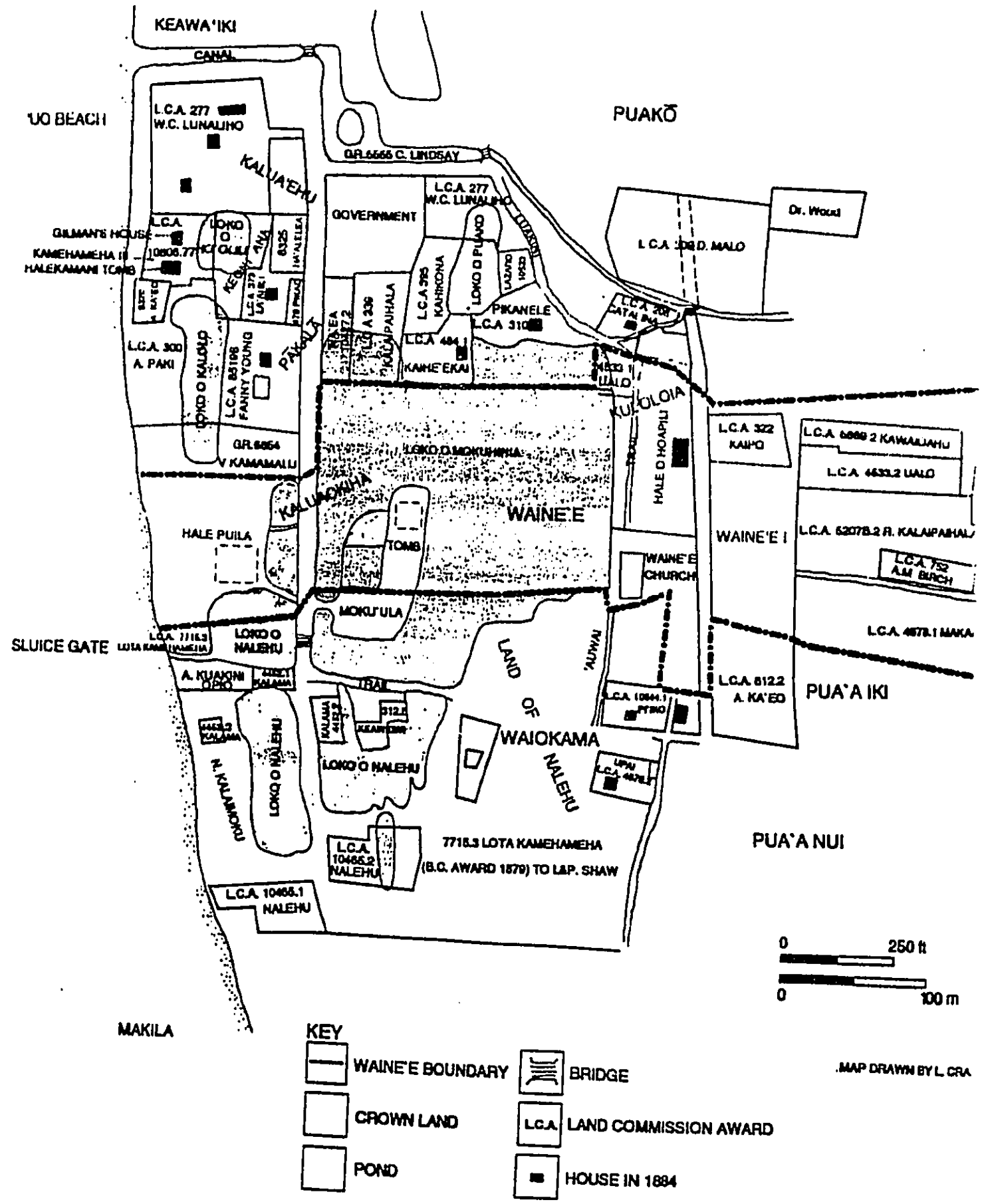
iii

NOTES:

1. This map is based from a survey performed on October 13 and 22, 1998, and November 1, 1998.
2. Coordinates and azimuths are based from Triangulation Station "LAHC" and Ka monument was established from found boundary corners of this lot and adjoining parcels.
3. Elevation used are true mean sea level datum elevation.
4. Computed bits area differ slightly from the records.



Map 3 – Topographic Site Map – Project Area Including Locations of Ba Trenches (BT), Sites 50-50-03-4682 and 4690.



Map 4 – Reconstructed map of Lower Waine`e *Ahupua`a* in 1848 (Klieger, et al., 1995).

INTRODUCTION

In October of 1998, Xamanek Researches carried out an archaeological inventory survey on 2 adjacent parcels (TMK: 4-6-07: por. 7 and 10) in Lahaina Historic District No. 2[1]. at the request of J.D.I. Ltd. Partners. Parcel 7 consists of 0.345 acre (15,028 square feet), and is presently used as an overflow parking lot by the County of Maui. while Parcel 10 (0.845 acres—38,594 square feet) contains several cottages located amongst dense vegetation (see Photo 1). This archaeological inventory survey is being prepared as part of the SMA application for the proposed Harbor Village project. The planned use of the subject parcels is designed for parking of approximately 105 vehicles.

Because the project is in a significant and sensitive historic area, the State Historic Preservation Division requested that a full archaeological inventory survey be completed prior to any alterations in land use. The fieldwork was accomplished over several days in mid-October, 1998. Erik Fredericksen developed the overall field strategy for the inventory survey, and supervised the excavations. In all there were 12 backhoe trenches placed in strategic locations on the study properties. Nine trenches were excavated on Parcel 7, which is known as the "Catholic parcel". On Parcel 10, known as the "Richardson parcel", only limited portions were available for testing, since the property contains several structures that are currently occupied. Additional subsurface testing will be undertaken when the tenents vacate the porperty in the summer of 1999.

Study Area

The study area is located in Puako *ahupua`a*. Pakala *`ili*. Lahaina District. Parcel 10 is LCA 395, a house lot to Kahikona, and Parcel 7 is LCA 339, a house lot to Kalaipaihala. The former was awarded in 1847 and the latter in 1823 (Klieger et al., 1995, p. 83).

The soils of the study area are classified as Ewa series. The particular soil type (EaA) is a fine-textured, silty loam associated with a 0 to 3% slope. Runoff is very slow and erosion is slight. Plants have trouble establishing themselves in these soils unless they are irrigated (Foote et al., 1972, p. 169).

The shore of this part of the island typically has barrier beach sand berms, which prevent water from entering the ocean, except in a limited number of places. This causes

[1] The area is also part of the Lahaina National Historic Landmark district, which is administered by the National Park Service.

ponding behind or inland of the sand formations, resulting in marshy conditions in low elevations. The elevation of the project area ranges from a high of c. 7 feet AMSL, to a low of about 3 feet AMSL.

The annual rainfall for this portion of leeward West Maui averages less than 20 inches. Observed vegetation on Parcel 7 includes alien grasses and weeds, landscaping shower trees, and relatively young coconut trees (Cocos nucifera). This parcel is currently being used as an unpaved overflow parking area to the county municipal parking lot. Parcel 10 is fairly densely vegetated, and has several cottages present that are currently occupied. Vegetation includes various landscaping plants, coconut (*nui*) trees, *kiawe* (Prosopis pallida), alien grasses, and pickle weed, or *`akulikuli kai* (Batis maritima). This latter species grows in areas where the ground water table is close to the surface. No indigenous plants were observed on the overall project area.

BACKGROUND RESEARCH

The name—Lahaina—is said to refer to the "cruel sun"—which is probably a reference to the droughts that effected the surrounding area from time to time (Pukai et al., 1974, p. 127). In precontact times, Lahaina itself was apparently a garden-like area, with taro *lo`i*, ditches (*`auwai)* and separating embankments creating a verdant landscape. Brackish-water and fresh water ponds (*loko*), were also present. The largest and most significant of these is Loko o Mokuhinia, a portion of which may have underlain part of Parcel 10.

Given the limited rainfall in the leeward side of the island, the garden-like quality of Lahaina was a testament to the skill and ingenuity of Native Hawaiians farmers.

Traditional history

The study area lies within the *ahupua`a* of Puako, and the smaller division or *`ili* of Pakala. This was a highly coveted residential area in old Lahiana, being the home of many high ranked chiefs and later on, members of the Royal family. It is sometimes referred to as Kalua`ehu (pit of the red one), which is in reference to the lizard goddess or *mo`o*, associated with the adjacent Loko o Mokuhinia. This lake was traditionally connected with the Pi`ilani family of Maui through the *mo`o*, or lizard—a deity or *`aumakua* that traditionally took female form.

The *mo`o* of Loko o Mokuhinia were known by several names. One name is Kihawahine. This is also the name of the Maui chiefess who was a daughter of Pi`ilani. Here could be part of the connection that establishes the link to the Pi`ilani family. Kihawahine was the older sister of Kiha-a-Pi`ilani, a future king of Maui. Their sister Pi`ikea married Umi-a-Liloa, the descendents of whom formed the royal line on the island of Hawaii (Klieger et al., 1995, pp. 20-21). Kihawahine lived most likely in the later part of the 16th century.[2]

Upon her death, it is said that she was transformed into the *mo`o* named Mokuhinia. Kamakau (1991, p. 85) records that Chiefess Kihawahine was transformed into a *mo`o* named Kalanainu`u. Mary K. Pukui maintains that Kihawahine was deified and made a *mo`o* goddess after her death. This *mo`o* goddess became one of Kamehameha I's favorite goddesses, and served as a "land holder" deity (Klieger et al., 1995, p. 22). According to Kamakau (1991, P. 85) Kihawahine, as a *mo`o*, had the *kapu moe*, and was the *akua* of the high chiefesses of Maui during Kamehameha I's time.

A possible representation of Kihawahine was recovered from the Island of Hawaii in 1885[3]. It is reported that Kamehameha I carried this image around the islands on the Makahiki circuit. The female image had bleached hair and was once decorated with feathers. Its eyes were inlaid with pearl shell, and human teeth lined the mouth. It is also stated that the image was wrapped in a tumeric-dyed tapa cloth (Klieger et al., 1995, p. 26).

The Kamehamehas in Lahaina

In the latter part of the 18th century a series of battles intended to unify all of the islands ensued, seriously disrupting the landscape and lifestyle of many areas of the archipelago. Lahaina did not escape this destructive struggle. Klieger comments on the warfare (1995, et al., p. 14):

"In the mid-eighteenth century, Alapa`i-nui of Hawaii went to war against the O`ahu Mo`i Peleioholani on Maui, and focused his energies on Lahaina. The tactics were somewhat unusual—Alapa`i dried up the streams of Kaua`ula, Kahana, and Kahoma (probably the sources of water for Mokuhinia), toppled the terraces and `auwai, and destroyed the productive capabilities of the lo`i system below (Kamakau 1992:74). It is not certain if Lahaina agriculture and aquaculture rebounded between the numerous battles for interisland supremacy. But years after Alapa`i's destructive path, Lahaina productivity still seemed marginal: Portlock confirmed in 1786 that western Maui had been devastated by the wars of unification (cited in Speakman 1978: 72-73). Lahaina then appears to have had little in the way of provisions to offer the passing explorers, perhaps much less to feed itself."

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[2] Another factor linking the Pi`ilani family with Loko O Mokuhinia, is the location of Pi`ilani's residence, which lies directly *makai*.

[3] The image of Kihawahine was drawn by Robert C. Barnfield, and is shown in Klieger et al., 1995, p. 25.

In 1795, Kamehameha returned to Lahaina to provision his war fleet before continuing on to conquer the islands of Moloka'i and Oahu. Following the unification of those islands, between the years of 1798 and 1802, Kamehameha commissioned the construction of a "Brick Palace" which was built at Keawa'iki point in Lahaina. The building was reported to have been built by two foreigners—Mr. Miller and a man named "Black Jack" Keaka. They had been living on Oahu prior to Kamehameha's invasion of that island in 1796, and following the battle of Nuuanu, they joined his side. The structure was two stories in height, and measured 41 by 15 feet[4] on the outside.

Kamehameha used the "Brick Palace" as his encampment headquarters during his residence on Maui in the year of 1802, while waiting for the assemblage of his fleet of war canoes to carry out the invasion of Kaua'i. Several historians suggest that the building was built as a residence for Queen Kaahumanu, but she apparently refused to live in it. She instead preferred to live in a traditional *hale pili* located a few feet to the south. A retinue of about 1,000 people accompanied the King and Queen during their stay. Their encampment probably extended southward to Loko o Mokuhinia.

By this time Lahaina had rebuilt most of its war-ravaged infrastructure, and was once again productive. A large taro pondfield *mauka* (inland) of the "Brick Palace" produced this sacred food for the royalty, and is referred to as the Royal Taro Patch in several sources.[5]

After leaving Lahaina to wage an unsuccessful battle to gain control of Kaua'i, Kamehameha established his court in Honolulu. On several occasions he revisited. In 1812, he stopped to collect tribute at the time of the Makahiki, and appoint his brother-in-law Kahekili Ke'eaumoku[6] as governor of Maui (Klieger et al., p. 17).

Captain Louis Claude Desaules de Freycinet visited the encampment at Keawa'iki in 1819, shortly after the death of Kamehameha. He observed the following (Klieger et al., p. 17):

"We landed at Rahaina and immediately visited the water supply [probably Pahumanamana Stream] and chose a suitable place to set up our observatory. The governor, Keeaumoku, came with us, and allowed us to use the platform of a neighboring morai [heiau], and of a red brick house to set up our instruments. The red brick house was built by Tamehameha, who had originally wanted it to be a store, but the construction was so defective that, hardly finished, it began to sag in plain view. To the south was the habitation of the priests, and right next to it, a morai, constructed on a platform of stones, forming a sort of platform on the beach. The governor made our observatory taboo, so that we would not be bothered by curious onlookers. [Freycinet 1827-1839]".

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[4] Several historians gave the measurements as 40 by 20 feet. The actual measurements were established during archaeological excavations undertaken in 1965 (Fredericksen and Fredericksen, 1965).

[5] Akoni Akana, President of the Friends of Moku'ula, and Hawaiian cultural specialist, says the reference is because the King actually worked taro there, demonstrating to his people the value and sacredness of physical labor (personal communication, 1998).

[6] He was the brother of wives Ka'ahumanu and Kaheiheimalie (Barrere, 1975, p. 23).

While Kamehameha I moved the center of government to Honolulu, other members of the royal family remained in Lahaina. Kamehameha I died in 1819, and his son, Liholiho was crowned Kamehameha II. Liholiho's mother, Keopuolani, the last of the female *ali`i* whose power was sacred, continued to reside in Lahaina. In 1823 she died at the age of 54. Prior to her death she had requested a Christian funeral—issuing the strongest prohibitions against all traditional funeral customs—save wailing (Klieger et al., p. 33). She was probably entombed at Halekamani, which was located near the beach in the royal compound of Pakala. The Reverend Hiram Bingham wrote that:

"...her remains were deposited in a very tight stone and mud house. Around the house was built a stone wall from 6 to 12 feet thick, and from 4 to 10 feet high. This was a great work. The stones were all carried by hand, a distance of about a mile, and then laid in clay. "[Ibid., p. 36]

Other observers noted that mourners formed an encampment around the tomb, in an effort to remain close to the beloved queen. Kaumuali`i, the ruler of Kaua`i and husband of Kaahumanu, died in 1823, and had requested prior to his death that he be laid to rest beside his friend, Keopuolani. In 1825, when the bodies of Kamehameha II and his queen, Kamamalu, were returned to the islands following their deaths from measles in England, their coffins were taken ashore at Lahaina. Here they lay in state for a short time—next to the coffin containing the remains of the king's mother. The entourage was joined by Princess Nahi`ena`ena and Kauikeaouli, now King Kamehameha III, for the final funerary trip to Honolulu.

Princess Nahi`ena`ena lived near her mother's tomb, in Pa Halekamani, preferring Lahaina to the capitol in Honolulu. She was married at Waine`e Church in 1835 to the son of her father's daughter Kiliwehi—a young Big Island chief named Leleiohoku. Following her marriage she then moved to Honolulu, and soon became pregnant. Some said that the child was fathered by Kauikeaouli, as their marriage would have been customary had the missionary influence not been so pervasive. Nahi`ena`ena gave birth to a child who died shortly afterward. She never recovered from the pregnancy, birth and death of her child, and died herself on December 30, 1836.

Her body was returned to Lahaina, and a stately funeral procession wound through the town ending at Halekamani. There her remains were deposited next to those of her mother (Klieger et al., p. 52).

Kamehameha III (Kauikeaouli) immediately began to construct a mausoleum for his beloved sister at Moku`ula, the royal island in Loko o Mokuhinia. When completed her remains and possibly those of her deceased child, along with the remains of Keopuolani and other *ali`i*, were relocated there. Kamehameha III lived on the island for the next eight years—distancing himself from the pressures of government that existed in Honolulu, and allowing others to attend to the affairs of state.

In 1837, a missionary wife named Andelsia Lee Conde wrote about the tomb at Moku`ula:

"*...The room was a large chamber elegantly furnished with chairs, tables and large mirrors set under them, beautiful china matting and a small organ upon which he played for our entertainment. Nearly in the center of the room was placed a bedstead nearly the magnitude of 3 common bedsteads. Upon which was a bed neatly spread, and upon this were placed the three coffins, side by side, most splendidly ornamented. Each of these corpses were enclosed in 3 coffins—the first zinc—the second lead and the third or outside one of wood. These were covered with scarlet silk velvet, put on with a multitude of brass nails—gilded plates, with their names & c. upon them, and various gilded ornaments, that gave us almost the impression but that of a tomb. ...*" [cited in Ibid., p. 55]

The king married Kalama, who bore him two sons, both of whom died somewhere between 1839 and 1842.[7] The sister of his new *aikane*, Keoni Ana (John Young II) bore Kamehameha III twin boys, although the two were not married in the Christian sense. One of the twins was Albert Kunuiakea Kuka`ilimoku (1851-1903), the only royal child that survived infancy. Although raised by Queen Kalama, the grandson of Kamehameha I was treated with scorn by the Calvinist Christians, even though he served as a House representative in 1880 (Ibid., p. 65).

In 1840, Kamehameha III began building a western-style coral-block "palace" called Hale Pi`ula (House with the Iron Roof). A reference to the structure is found in Thrum`s Almanac (1907, p. 173):

"*There was an attempt at a building of a so-called palace which answered for a time as the show place, a name which should properly attach itself to royalty. It was also occupied part of the time by the court of the kingdom. It was more of a curiosity than an adornment. It seemed out of place amid all the tropical profusion and exuberance of natural life to see this building intruding into the atmosphere. With some idea of making the building larger, they undertook to double its length and made a still further blotch on the landscape. Fortunately so far as beauty was concerned it was partly dismantled and never finished and remained quite a conspicuous figure on the beach. However, in later years, they had to transport its stones to the premises of the old for where they now appear in the government building which is much more in harmony with the surroundings.*"

The Polynesian, in a July 25, 1846 article, reports that:

"*Lahaina contains many excellent and unoccupied houses which would find ready tenants could they be transported to Honolulu. The palace, as a huge graceless, incomplete, two-story building, encircled by a wide verandah...is a monument of a waste of government means which do credit to some old and dissolute monarchy verging to its*

[7] Named Keaweawe`ulaokalani I and II, these were the last immediate family members of Kamehameha III to be placed in the tomb at Moku`ula (Klieger et al., p. 65)

downfall. Its site is the sandy beach, instead of, as it might have been had taste been consulted, a quarter of a mile back, amid one of the many beautiful groves that give Lahaina so picturesque an appearance. Mr. Baldwin's church and the adjoining house are most delightfully situated in this respect and are quite unique in their tout ensemble, for Hawaiian scenery. The white turrets of the church peer through the trees most prettily. But this palace, on which work seems to be still going on, is on a scale to accommodate a population in itself, nearly as large of that of Lahaina. The interior is not only wretchedly arranged as to rooms, but positively mangled: special pains being manifest to prevent ventilation, and make as many ill-shaped and comfortless apartments as possible."

Judging from these comments, few were impressed with the building. By 1848 it was being used as a courthouse—until it was severely damaged by *kauaula* winds in 1858. Some of the remaining stones and coral blocks were incorporated into the Lahaina Court House, which still stands in Lahaina overlooking the small boat harbor (Fredericksen et al., 1988). Other coral blocks found their way into structures elsewhere in Lahaina.

In 1845 the royal court moved back to Honolulu. Kamehameha III took his trusted friend Keoni Ana and his wife, Julia Alapa'i[8] along with him. In that same year, upon the death of dowager Queen Kekauluohi--*hanai* mother of Queen Kalama and the last female *kuhina nui*[9]--Kamehameha III appointed Keoni Ana *kuhina nui* (Klieger et al., p. 69).

Keoni Ana became the Minister of Interior, and carried out the land reform known as the Mahele in 1848. King Kamehameha III died on December 16, 1954—leaving behind a constitutional government and a totally new land system (Klieger et al., p. 71).

Land Commission Awards

The study parcels are *kuleana* lands held before the Mehele of 1848. One (Parcel 7) is LCA 339, made up of a 0.33-acre house lot, belonging to R. Kalaipaihala, which he received in 1823. According to Klieger et al., (1995, p. 80): "A small road formed the northern boundary of this property, and an arm of Loko O Mokuhinia existed to the south. Kalaipaihala was among the largest landowners in Waine'e, and was awarded several hundred acres of agricultural land during the Mahele, according to the survey accompanying the Land Commission Award."

The other parcel (Parcel 10) is LCA 395 (a 0.84 house lot) which belonged to Kahikona (*wahine*). She acquired it from Mikahela Kekau'onohi (a granddaughter of

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[8] Julia Alapa'i is the granddaughter of Alapa'i-nui, the king of Hawaii who ravaged Lahaina in the mid-1700s.

[9] Kaahumanu was the first, followed by Kina'u. Kekauluohi was appointed *kuhina nui* after the death of Kina'u in 1838. Kekauluohi was the daughter of Kaheiheimalie, who was a sister of Kaahumanu. Kaheiheimalie was married to Ulumaheihei Hoapili, the governor of Maui. Kekauluohi's father was a half-brother of Kamehameha I (Kame'eleihiwa, 1992, p. 125).

Kamehameha I) in 1847. The southwest corner of the lot was bordered by Loko o Mokuhinia (Ibid., p. 81).

The two study parcels (7 and 10) are encircled by other *kuleana.* To the west is LCA 10427.3, a 0.38-acre house lot belonging to George Na'ea, who received his lands from Pikau in 1846. George Na'ea was the husband of Fanny Young, the daughter of John Young Sr. Fanny Young's property[10] lay *makai* of the Na'ea's property. In 1835, she inherited it from her father. It had been given to him by Kamehameha I, as a gift for helping in the wars of unification.

To the north of the study parcels is LCA 277, a 0.81-acre house lot granted to William C. Lunalilo.[11] It apparently was acquired from the then Governor of Maui, Ulumaheihei Hoapili, upon his death in 1841.

On the east side of parcel 10 is the 1.168-acre house lot belonging to Pikanele. According to the claim, an adobe wall ran along Pikanele's property. The eastern half of the plot contained part of the small Loko O Pauako. It was apparently given to Pikanele in 1823 by Manea (Major, Klieger and Lebo, 1996). The *kuelana* was deeded to Moses Palau by Pikanele's heir in 1875. In 1878 Palau conveyed the land to David Kalakaua. It is not known whether King Kalakaua maintained a residence on the property, but his heirs owned the property until 1916, when it was sold to Kameto Ishii (Ibid., pp. 10-12).

Just to the west (*makai)* of the Pikanele property is LCA 484:1, a 0.2-acre house lot claimed by Kaihe'ekai. This property lay on the northern edge of Loko o Mokuhinia, and at one time a lobe of the pond may have extended into parts of the property. Kaihe'ekai was a *kaikua'ana* (cousin-brother of the senior line) to Pikanele (Ibid., p. 8).

Discussion

The significance and sacredness of this portion of Lahaina was established long before the unification of the islands by Kamehameha I. The Pi'ilani family lived in the Lahaina area, *makai* of Loko o Mokuhinia, probably near the location of Kamehameha III's Hale Pi'ula. Another connection to Mokuhinia comes with the legendary transformaion of Pi'ilani's daughter into the *mo'o*, Kihawahine. This deity became the *'aumakua* of Kamehameha the Great, who probably carried an image of her with him as he traveled around the island at Makahiki time. Prior to the arrival of Kamehameha, Kahekili had been ruler of all of the islands except for Hawaii. He maintained his home and royal court at Lahaina until his death in 1794.

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[10] Klieger et al. (1995, p. 80) state: "Much of the Young family holdings would eventually pass through Fanny's daughter, Dowager Queen Emma, becoming the Queen Emma Trust (Queen's Hospital). Through the patronage of Queen Emma, a portion of Fanny's lands at LCA 8519B:10 in Pakala were eventually granted to the Episcopal Church becoming the Church of the Holy Innocents."

[11] He was the son of Premier Kekauluohi. Kekauluohi was one of the wives of Kamehameha I, and when he died she became one of the wives of his son, Kamehameha II. Upon the death of Kamehameha V, Lunalilo became the 6th Hawaiian monarch. He reigned for only 13 months (January 8, 1973 to February 3, 1874), and died without naming a successor.

After Kamehameha made Lahaina the capitol in 1802, the area between the point (Keawa'iki) on which he built the "Brick Palace" and Loko o Mokuhinia became the residences of chiefly families associated with the Kamehamehas.

The royal court moved to Honolulu, but Lahaina still remained an inportant place, especially after the succession of King Kamehameha III to the throne. During the tumultuous times following the deaths of Kamehameha I and II, Kamehameha III often retreated to Lahaina and Lake Mokuhinia and the royal island within the lake—Moku'ula. On this island he built a mausoleum for his mother, sister, and other *ali'i* connected with the royal family.

After the death of his sister, he remained in Lahaina until 1845, when the court was permanently moved to Honolulu. Lahaina continued to be the residence of important people throughout the 19th century. King David Kalakaua held title to property north of Loko o Mokuhinia, and east of the study parcels, and his heirs kept title to the land for two decades into the 20th century. William Charles Lunalilo held title to the property to the north of the study area at one time.

By this time, forces of Christianity and commercialism had transformed the Hawaiian system of social stratification. Status was based on acquired wealth, rather than on birth and rank. Chinese and Japanese laborers were imported to work in the sugar industry, and these immigrant groups settled in ethnic clusters throughout Lahaina. The sacred Lake Mokuhinia dried up as water was diverted to irrigate sugarcane production in the fields to the east. Those portions of the lake that remained were filled-in, as more land was needed for public space.

Oral history

An informant, who preferred to remain unidentified, indicated that he had dug up what appeared to be foundation stones for a structure, possibly a Hawaiian *hale* during construction of one of the cottages on Parcel 10. Another informant indicated that a wall found on Parcel 10 was recorded on a late 19th—early 20th century map of Lahaina. We were not able to verify this at the time of this writing.[12]

[12] A Hawaiian Government Survey in 1884 produced a map known as the "Bishop Map". Lahaina was surveyed and the map drawn by S. E. Bishop. It clearly shows LCA 395, but it is not clear whether a wall is represented on the property.

PREVIOUS ARCHAEOLOGICAL STUDIES IN LAHAINA

The first archaeological work in the Lahaina area was the inventory of religious structures compiled by Winslow Walker in 1929 and 1930 (Walker, 1931). He listed 3 *heiau* in the Lahaina environs—Wailehua *heiau*, located at Makila Beach in southern Lahaina (Site 50-50-03-6), Halekumukalani *heiau*, located in the Puehuehunui cane fields above Lahaina (Site 50-50-03-7), and Apahua *heiau* (Site 50-50-03-08) located in the cane fields above Waine'e.

Wailehua *heiau* is the structure that was dismantled at the death of Queen Keopuolani (Majors et al., 1996, p. 13). The stones were carried from its location at the shoreline to the tomb, Halekamani, which held the remains of the queen until they were redposited in the mausoleum on Moku'ula. Wailehua *heiau* is described as measuring 130 by 80 feet in Thrum (1909), and was said to have been built by Kauhi-ai-moku-kama, the son of Kekaulike, in or around 1738 (Walker, p. 109).

Halekumukalani *heiau* was a small sacrificial structure (*luakina*) in the cane fields above (*mauka)* of the Pioneer Mill Company railroad. It was totally destroyed at the time of Walker's survey (Ibid.). Apahua *heiau* is another structure that has been totally destroyed by cane cultivation. According to Thrum, it was built by "... Hua-nui, about 50 years later than Hua-a-Pohaku-kaina (Ibid.).

Brick Palace of Kamehameha I

In 1965, Xamanek Researches (Fredericksen and Fredericksen, 1965) undertook a project to determine the nature and location of the "Brick Palace" of King Kamehameha I. With the aid of several historical documents, the location was narrowed to an area immediately *makai* of the Lahaina Library. A *heiau* was said to have existed near the mouth of Pahumanamana Stream, and probably served as the location for the structure. Finds from subsurface testing included the foundation of the brick building. It measured 41 feet by 15 feet.

The remaining brick walls were 1 to 4 courses in height, and the bricks had been arranged in what was called "British bond". The bricks were not imported, but rather manufactured of local clays, probably from the nearby taro pondfield, sometimes identified as the "Royal Taro Patch". They were primitively fired, resulting in rather poor quality bricks—some under-fired and some over-fired. Shapes were not always consistent.

The structure was built on a stone platform, probably the unnamed *heiau*, which had been paved with small, waterworn pebbles. The bricks were bonded with a pinkish-colored, poor quality mortar, which was produced by burning coral tc lime, and mixing

that lime with beach sand and soil. Because of the lack of a solid foundation, the brick structure began to crack and sag, almost immediately after its completion. Consequently, to cover the cracks, the outside of the building was covered with a lime and sand plaster sometime in the 1820s or 30s.

The archaeological findings corroborated historical observations in terms of the general location, and the nature of the construction. However, the true size of the building was somewhat different from historical records, as most described the structure as measuring 20 by 40 feet.

In 1969 Xamanek Researches re-excavated the "Brick Palace" walls to determine what portions, if any, were still in a state of preservation that was good enough for public display. Additional excavation was also undertaken in the interior of the structure, in order to obtain additional archaeological details and information. Portions of the walls that were still reasonably intact were prepared for display. In the northwest corner of the structure there were 3 to 4 courses of brick that were still *in situ*, and in a good state of preservation. These were exhibited in an enclosure, which was covered with plexiglass. Unfortunately, the prevailing public attitude at that time was not focused on history or preservation, and within a few months of completion of the exhibit, vandals had broken the plexiglass dome covers, exposing the contents. Subsequently, deterioration of the architectural remains of the palace within the display areas occurred (Fredericksen and Fredericksen, February 1970).

Hale Pi'ula

In 1988, Xamanek Researches had the opportunity to conduct subsurface testing at Armory Park—the general location of Hale Pi'ula, the large stone and coral-block "palace". King Kamehameha III began construction of this structure in 1840. Portions of the park that were covered with paved parking and buildings could not be tested at the time. The foundation of the structure was not located, but a large cairn containing masses of burned coral was located on the *makai* portion of the study parcel. This probably represented a" lime kiln" which produced the lime that was used in the construction of the building. It was predicted that the foundation of the building lays somewhere under either the concrete slab on which the modern buildings are situated, or under the parking lot near Front Street (Fredericksen et al., November 1988).

Other archaeological studies in Lahaina

In the 1970s and 1980s a number of archaeological studies associated with the construction of Kahoma Stream channelization project near Mala Wharf were done. These include Hommon (1973), Connolly (1974), Joerger and Kaschko (1979), and Ahlo and Morgenstein (1980). Inland portions of Kahoma Stream were studied by Barrera (1989), who found petroglyphs, terraces, and *'auwai* (ditch), and a rockshelter. Numerous burials were found in the sand dunes around Mala Wharf [Davis, 1974; Sinoto, 1975; and Hammatt, 1978].

Xamanek Researches has conducted two additional archaeological projects in central Lahaina—one on Lahainaluna Road (Plantation Inn Site. Fredericksen. et al.. August 1989; March 1990) and another on the *makai* side of Waine'e Street near the intersection of Dickenson Street (Aus Site. Fredericksen et al.. June 1989).

The Plantation Inn Site was found to be on former cane producing land. and had nearly a meter of topsoil that had been disturbed by this historic activity. A few precontact artifacts were recovered during monitoring for the excavation of the swimming pool, but it could not be determined whether they had been *in situ* at the time of their discovery (Fredericksen et al., March 1990).

The Aus project (Site #50-50-03-1797) was primarily data recovery and the monitoring of a large excavation for the basement parking area of a business office building on TMK 4-6-09: 21. The finds were almost exclusively historic. and were analyzed and placed into 4 periods: Late 18th—Early 19th Century; Mid-to-Late 19th Century; Early 20th Century; and Recent. The earliest artifacts consisted of a mix of historic and indigenous artifacts that would be expected at that transitional time period. The indigenous artifacts include. *leho he'e* (octopus lures). a stone bowl probably used for preparing bait, and adze fragments. Mixed with these were fish debris. and 4 flared-lip case gin bottle portions. Also a hobnail embossed ink well. typical of those used in the late-18th century. was recovered. It was in 2 pieces. each found in a different part of the study area. The other time periods were represented by bottles. porcelain and crockery, which were dated by style. trademarks and manufacture technique (Fredericksen et. al., June 1989).

Another Xamanek Researches project focused on a parcel (TMK 4-6-07: 1) located on the southern edge of Loko o Mokuhinia. adjacent to the Waiola cemetery. Subsurface excavation did not reveal any architectural features. It was determined that the area had been a rubbish dump for many years (Fredericksen et al.. October 1989).

By far the most extensive work was conducted in 1993. by Bishop Museum archaeologists Steve Clark and Paul Klieger. They initiated an archaeological inventory survey and test excavations at the site of King Kamehameha III's residence and family tomb on the island of Moku'ula (Klieger et al. 1995). The abstract (Ibid.. p. xviii) states:

"The site appears to have been very important to Kamehameha III. descended from both Maui and Hawai'i Island families. As few meters west of Moku'ula is the site of the Lahaina palace of the great Maui mo'i Pi'ilani of the sixteenth century. as well as the official palace of Kamehameha III. Hale Piula. Recent historical and archaeological inventory and survey research (Phase I) has rediscovered the location of Moku'ula under Malul 'ulu o Lele Park. Archaeological excavations have shown that many architectural and other cultural features from the period of royal residence on Moku'ula are very well preserved. Data further indicate that although the fishpond of Mokuhinia is most likely natural, having been in existence for thousands of years. the island appears to have been largely man-made, probably in the early nineteenth century".

Human remains were located in three test units. The remains of an articulated human right foot were identified in a location about 50 meters south of the Royal Tomb on Moku'ula. The presence of metal nails suggests that it was contained in a coffin. Another possible casket burial was located directly within the tomb location. It was not tested to determine whether human remains were still present (Klieger and Clark. 1995).

In 1995, the Bishop Museum conducted an inventory survey on the parcel adjoining the study area to the east (TMK: 4-6-07: 13). Surface and subsurface investigations located two sites—the buried remains of a habitation area and possible pondfield (Site 4118), and a plantation-style house possibly dating to 1908 (Site 4119), which was still occupied at the time of the inventory survey (Major et al., 1996).

The subsurface habitation area produced domestic artifacts such as bottles, ceramic sherds and metal consistent with a late 19th or early 20 century house site (Ibid., p. 57).

Settlement Patterns

This part of west Maui was much different in appearance in precontact times than it is today. There are numerous modified drainage systems in West Maui. that represent a likely pattern for in the Lahaina region. In the higher elevations within the valleys are *lo'i* and *`auwai* systems. built and maintained for the production of taro. In the areas at lower elevations. where much of the moisture dissipated into large alluvial fans. dry land cultivation took place. Along the coast where settlements occurred. there appears that people concentrated on exploitation of marine resources. In Lahaina. several fishponds existed as well. These inland ponds were formed because the sand beach deposits formed parallel to the shore and kept the run-off water from reaching the sea. Hawaiians took advantage of this natural feature. and utilized the ponds for the production of fish. Two of these fishponds were Loko o Mokuhinia. and the smaller Loko Puako. around which intensive taro and breadfruit cultivation occurred. Dotted among the fishponds and taro pondfields. on higher ground. were the homes of the people who worked the land.

In discussing the settlement patterns of Lahaina. Klieger et al. (1995) state:

"We theorize that for most of Lahaina's past. the majority of habitation was along the beach. with secondary habitation/garden sites located inland along the shorelines of the fishponds. Intensive wetland taro production continued mauka of the coastline for about a kilometer or so (Klieger et al. 1995). Terraced fields continued up a few of the more prominent West Maui streams. and these lands probably included at least temporary habitation sites. Kula or open areas along the lower slopes of the mountains were probably ideal for raising dryland taro and sweet potato." (Major et al., 1996, p. 17)

In post-contact times. Lahaina became the center of the Hawaiian Monarchy. Kamehameha I spent time there. between battles of conquest. His son. Kamehameha III resided in Lahaina in preference to Honolulu. Kamehameha I's wife. the sacred

Keopuolani and his daughter. Nahi'ena'ena were buried there. Many high status individuals connected with the monarchy in one way or another lived in Lahaina, even after the official capitol of the kingdom was moved to Honolulu in 1845. King David Kalakaua and his heirs held title to an adjoining parcel, two decades into the 20th century.

With the introduction of sugar cane cultivation in the 1870s, and the importation of foreign labor to work in the plantation, the character of Lahaina changed. Loko o Mokuhinia began to dry up as water was diverted for irrigation. *Kuleana* land grants changed hands as plantation workers became affluent enough to purchase land from Hawaiians willing to sell. Commercial development became a driving force that would continue and intensify through the 20th century.

The cluster of properties around the present study parcel was owned predominantly by Japanese immigrant workers, and is identified as "Japanese camp" in some early 20th century references.

Expectation of Findings

The two subject properties are located on the northern side of Loko o Mokuhinia. On some maps, it appears that a portion of that lake may have reached into the properties. Also Loko Puako may have intruded on the eastern part of Parcel 10. Therefore it would be expected that groundwater and gley soils would be present in the southern parts of the project area.

Subsurface habitation sites associated with precontact and post-contact periods could be present in portions of the study area that were situated on the bank of the lake. Midden deposits, charcoal, cooking pits, waterworn pebbles, stone features and the like would characterize such sites. Walls marking the boundaries of *kuleana* properties, historic house foundations and landscaping features could represent surface features to be expected in the study area.

ARCHAEOLOGICAL FIELD METHODS

Fieldwork was conducted by Xamanek Researches during mid-October 1998. Field team members included Hugh Coflin, Erik Fredericksen, and backhoe operator, Alfred Prados. Erik Fredericksen was the field director, and the overall project coordinators were Walter Fredericksen and Demaris Fredericksen.

Our archaeological inventory survey was carried out in 2 phases. Both Parcel 7 and Parcel 10 were first inspected by a pedestrian walk-over. Surface sweeps were

oriented N-S using a 5 m. spacing between field members. It was not possible to fully inspect Parcel 10 because much of it is currently occupied by cottages (see Map 3). The tenants are scheduled to remain through the summer of 1999. One surface site was located during the walk-over. Descriptive notes and color photographs were taken in the field.

Subsurface testing with a backhoe formed the second portion of our inventory survey. A total of 13 trenches were mechanically excavated on the 2 parcels. The majority of these were placed on Parcel 7. Mapping was carried out with metric measuring tapes and a compass. Representative material culture remains were collected from trenches, and profiles. Backfill dirt was spot checked, and sifted through 1/8 inch mesh screen. Trench profiles were recorded when possible. Laboratory work was conducted on Maui, and no material culture remains except 1 charcoal sample were transported off-island. This sample was sent to Beta Analytic, Inc. in Miami, Florida for analysis. The term "modern" in this report is used to refer to anything that is less than 50 years of age.

Two previously unrecorded archaeological sites were located during our inventory level survey of the project area. These sites were subsequently assigned State Inventory of Historic Places (SIHP) numbers 50-50-03-4682 and 4690. Additional inventory level investigation will take place on Parcel 10 after it is vacated in the summer of 1999.

ARCHAEOLOGICAL FIELD RESULTS

Two previously unidentified archaeological sites were located during our inventory survey. Site 50-50-03-4682 is interpreted as a post-contact boundary wall that was partially reconstructed in more recent times (Photos 2 & 3). Site 50-50-03-4690 consists of a partially intact subsurface cultural deposit. In addition, probable pond sediments were found on the *mauka* (western) portion of Parcel 10. Further work will occur here after the property is vacated in the summer of 1999. A discussion of our field research findings follows below. Refer to Table 1 for a summary of backhoe trench results.

Backhoe Trench 1

Parking lot fill and gravel were encountered in this c. 5 m. long trench. However, excavation of Backhoe Trench 1 (BT 1) was terminated at a depth of about 40 cmbs. when an electrical conduit was encountered.

Backhoe Trench 2

This second trench was located near BT 1 and contained 5 soil layers (Figure 1). Layer I was composed of loose, dry parking-lot fill. This dark yellowish brown (10 YR 4/4 to 4/6) silty clay and angular gravel was c. 50 cm. thick. Modern material noted in Layer I included paper, plastic and aluminum foil.

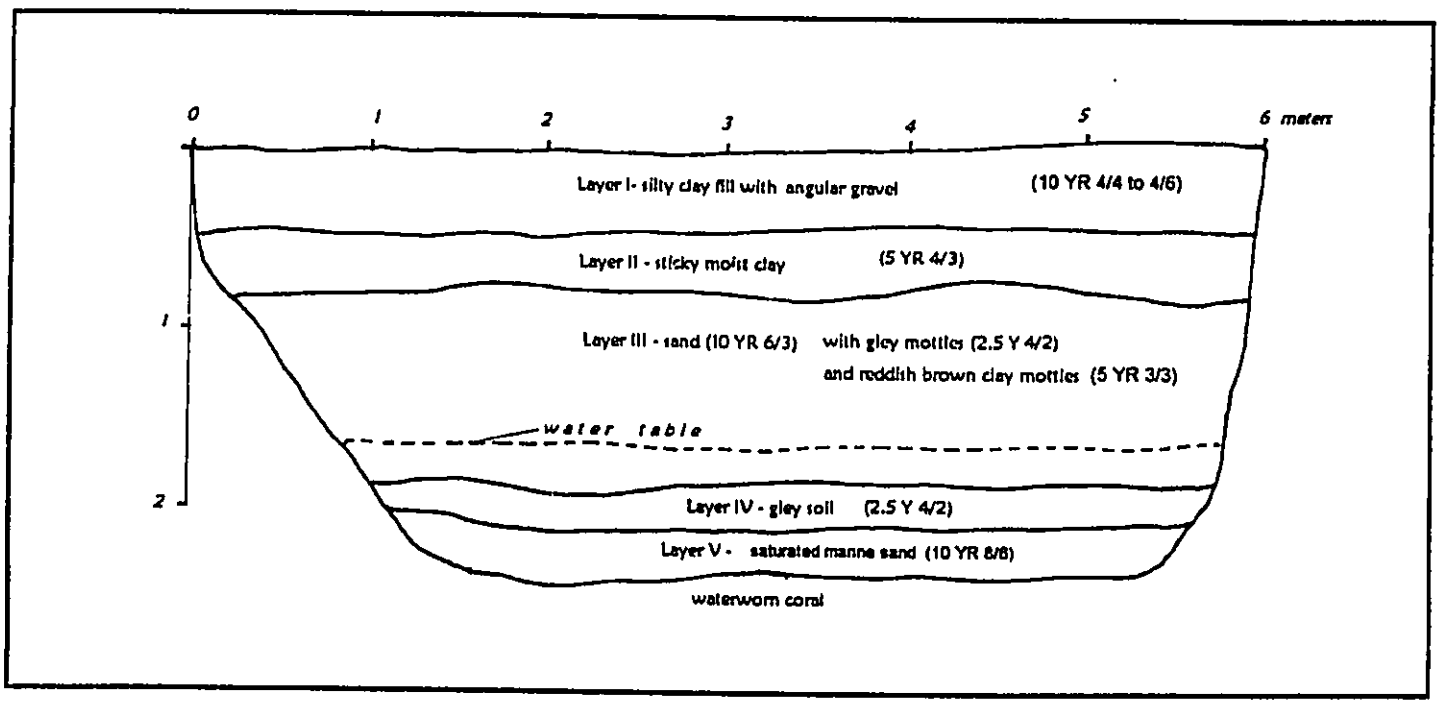

Figure 1 – East face profile of Backhoe Trench 2.

Layer II was up to 30 cm. thick and consisted of reddish brown (5 YR 4/3) clay. This stratum was somewhat sticky and moist and appeared to have been previously disturbed. Scattered charcoal, 3 aluminum beverage cans, and plastic were observed.

Layer III was encountered c. 80 to 90 cm. below the existing parking lot surface. This pale brown (10 YR 6/3) sand contained reddish brown (5 YR 3/3) clay and weak red (2.5 YR 4/2) gley soil mottles. This stratum did not appear to have been previously disturbed. Ground water was encountered at c. 1.7 mbs. The sand stratum extended to a maximum depth of 1.95 mbs. No material culture remains were noted in this layer.

Layer IV was c. 25 cm. thick and was composed of weak red (2.5 YR 4/2) gley soil. This saturated soil was sticky in texture and appeared to be sterile.

Excavation was halted in what is interpreted as a yellow (10 YR 8/6) marine sand deposit. Layer V contained water worn coral and marine shells. No cultural materials

were noted in the backfill pile for this stratum. Backhoe Trench 2 reached a maximum depth of 2.4 meters below surface.

Backhoe Trench 3

This trench was excavated near the northeastern corner of the parking lot. Orientation was 55 degrees (magnetic) and c. 6 m. long by 1.5 m. wide by 2.8 m. deep. Four soil layers were encountered before the trench was halted in unstable, saturated sand (Figure 2).

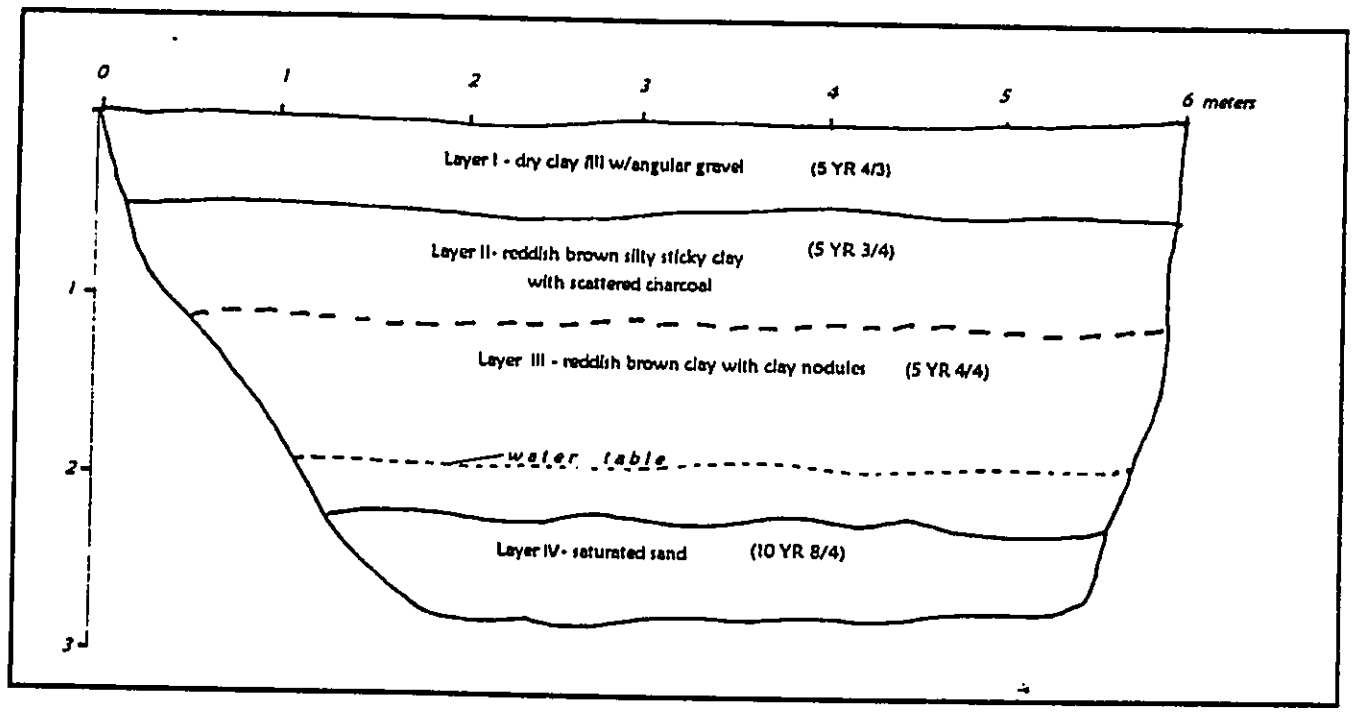

Figure 2 – West face profile of Backhoe Trench 3.

Layer I was up to 60 cm. thick and consisted of parking lot fill and gravel. The reddish brown (5 YR 4/3) silty clay contained modern refuse such as broken glass, metal and plastic.

Layer II was also up to 60 cm. thick. This dark reddish brown (5 YR 3/4) silty clay was moist and sticky. It appeared to be sterile and had a relatively indistinct boundary with the underlying stratum.

Layer III consisted of reddish brown (5 YR 4/4) clay with scattered charcoal flecking. No other cultural material was observed in this moist, sticky stratum. The ground water table was located at c. 1.9 mbs. and Layer III extended to c. 2.2 meters below surface.

The deepest deposit in BT 3 consisted of saturated marine sand. This very pale brown (10 YR 8/4) deposit contained water worn coral and marine shell pieces. In addition, a possible low-use coral abrader was found in the backdirt pile, along with a coconut shell. This somewhat amorphous artifact had one flattened side that appeared to be unnatural. It weighed 144.4 g. and was 84.0 mm. in length by 64.0 mm. in width by 42.5 mm. in thickness, but was without provenience. It was not possible to carefully inspect Layer IV because it was below ground water level. Excavation was halted when a portion of BT 3 partially collapsed.

Backhoe Trench 4 (Site 50-50-03-4690)

This subsurface test was placed near the center of the parking lot (Photo 4). It was c. 6.5 m. long by 1.5 m. wide by 2.0 m. deep. Four soil layers were encountered before excavation was halted at the ground water table (Figure 3).

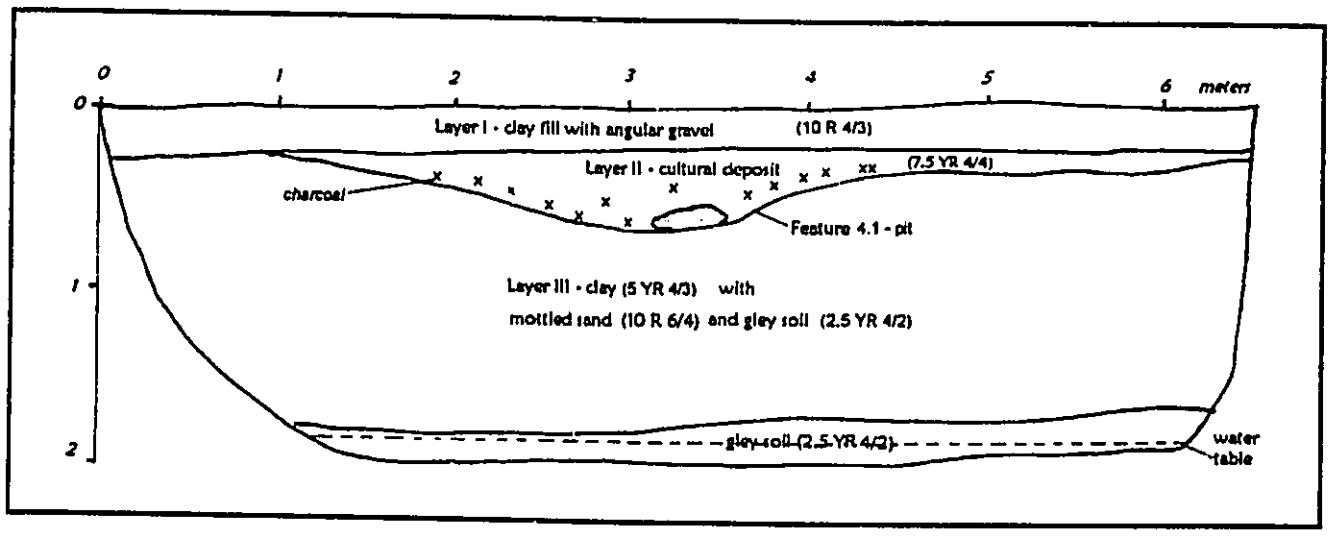

Figure 3 – West face profile of Backhoe Trench 4.

Layer I was made up of reddish brown (5 YR 4/3) clay fill and angular gravel. This fill layer was up to 30 cm. thick and contained only modern debris. The placement of this parking lot fill material impacted the underlying stratum.

Layer II consisted of brown (7.5 YR 4/4) silty clay. This stratum is interpreted as a partially intact cultural deposit. Scattered marine shellfish remains, a few *'ili'ili* pebbles, and a pencil urchin file or abrader,[13] were noted in this stratum which was c. 10-15 c. thick. This echinoid file weighed 3.1 g. was well worn down on one side (Photo 9). In addition, a subsurface feature was present in the west face profile of BT 4.

[13] This was the only *in situ* indigenous artifact recovered during the subsurface inventory survey.

Feature 4.1, a shallow basin-shaped pit, was up to 1.4 m. in width and c. 30 cm. deep. This brown (7.5 YR 4/3) feature contained scattered charcoal flecking, marine shellfish remains including cowrie (*Cypraea sp.*) and cone (*Conus sp.*), and a few sea urchin spines.

A charcoal sample was obtained from Layer II, in matrix associated with the urchin spine file or abrader. The relatively small sample (6.2 g.) was submitted to Beta Analytic, Inc. for radiometric analysis. After pretreatment cleaning the sample proved to be too small to run with conventional radiometric analysis. It was therefore analyzed by Accelerator Mass Spectrometry (AMS). This sample returned a conventional date of 310 +/- 40 RCYBP. The calibrated results (2 sigma, 95% probability) fell into a range of AD 1475 to 1665, with the intercept of the radiocarbon age with calibration curve at AD 1640. This date range indicates that this impacted cultural deposit remnant represents a precontact occupation, which was subsequently assigned SIHP number 50-50-03-4690.

Layer III was made up of reddish brown (5 YR 4/3) clay with light yellowish brown (10YR 6/4) sand and weak red (2.5 YR 4/2) clay mottles. This stratum appeared to be sterile and extended from c. 0.3 to 1.7 meters below surface.

Layer IV consisted of saturated gley soil. This very dusty red (2.5 YR 4/2) clay appeared to be sterile. The ground water table was located at c. 1.9 mbs., and BT 4 was halted at a maximum depth of 2 meters below surface.

Backhoe Trench 5

This trench was located c. 5 m. north of BT 4 near the center of the parking lot. Orientation was N-S and BT 5 was c. 6 m. long by 1.5 m. wide by 2.1 m. deep. Three soil layers were present in this mechanical subsurface test (Figure 4).

Layer I was composed of reddish brown (5 YR 5/4) clay and angular gravel. This parking lot fill material was up to 40 cm. thick and contained modern materials. The layer overlaid a zone of disturbance that was c. 10-15 cm. thick. Nylon string was noted in much of this zone.

Layer II extended from c. 0.5 to 1.8 mbs. This stratum appeared to have been previously disturbed. It was composed primarily of reddish brown (5 YR 5/3) clay. This soil contained generally thin bands of yellow (10 YR 8/6) sand, and mottles of reddish brown (5 YR 4/4) clay. No material cultural remains were noted in the layer.

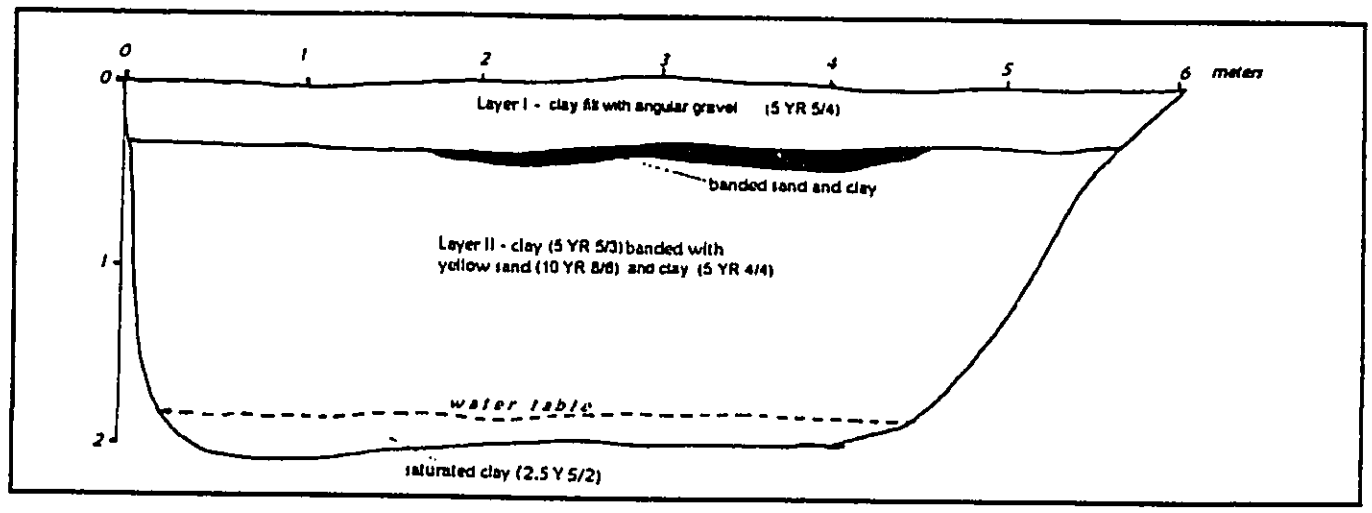

Figure 4 – East face profile of Backhoe Trench 5.

Layer III was encountered at c. 1.8 mbs. and extended to the bottom of the trench. Ground water was located at c. 1.9 meters below surface. Layer III clay was weak red (2.5 YR 5/2) in color. This saturated stratum appeared to be sterile.

Backhoe Trench 6

This trench was located near the center of the western boundary of the parking lot. It was oriented approximately N-S, and was c. 6 m. long by 1.5 m. wide by 1.7 m. deep. A total of 4 layers were present in this trench (Figure 5).

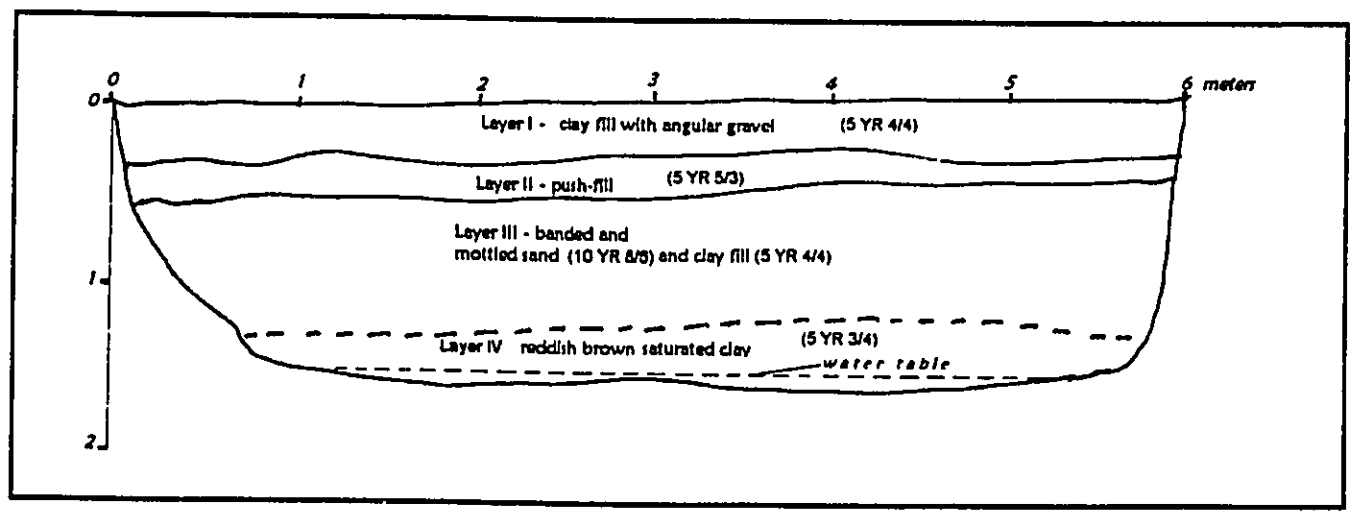

Figure 5 – North face profile of Backhoe Trench 6.

Layer I was composed of the common parking lot fill. This c. 40 cm. thick layer of reddish brown (5 YR 4/4) clay contained angular gravel and modern refuse.

Layer II ranged from 20 to 30 cm. thickness. This re-deposited material was reddish brown (5 YR 5/3) in color and consisted of sandy clay. A few pieces of modern glass and metal were noted in the profile.

Layer III appeared to be fill. The reddish brown (5 YR 4/4) clay of this stratum also contained some yellow (10 YR 8/6) sand banding, along with mottles of fine, reddish brown (5 YR 5/3) clay. Layer III extended to c. 1.4 mbs. and appeared to be sterile.

Layer IV was composed of saturated, dark reddish brown (5 YR 3/4) clay. This dense, sticky stratum appeared to be sterile. The ground water table was located at c. 1.6 mbs. in this trench.

Backhoe Trench 7

This trench was located near the eastern boundary of Parcel 7. It was oriented approximately E-W and was c. 6 m. long. Stratigraphy in BT 7 was more complex than in other trenches. A total of 6 layers were present in this c. 2 m. deep subsurface test (Figure 6).

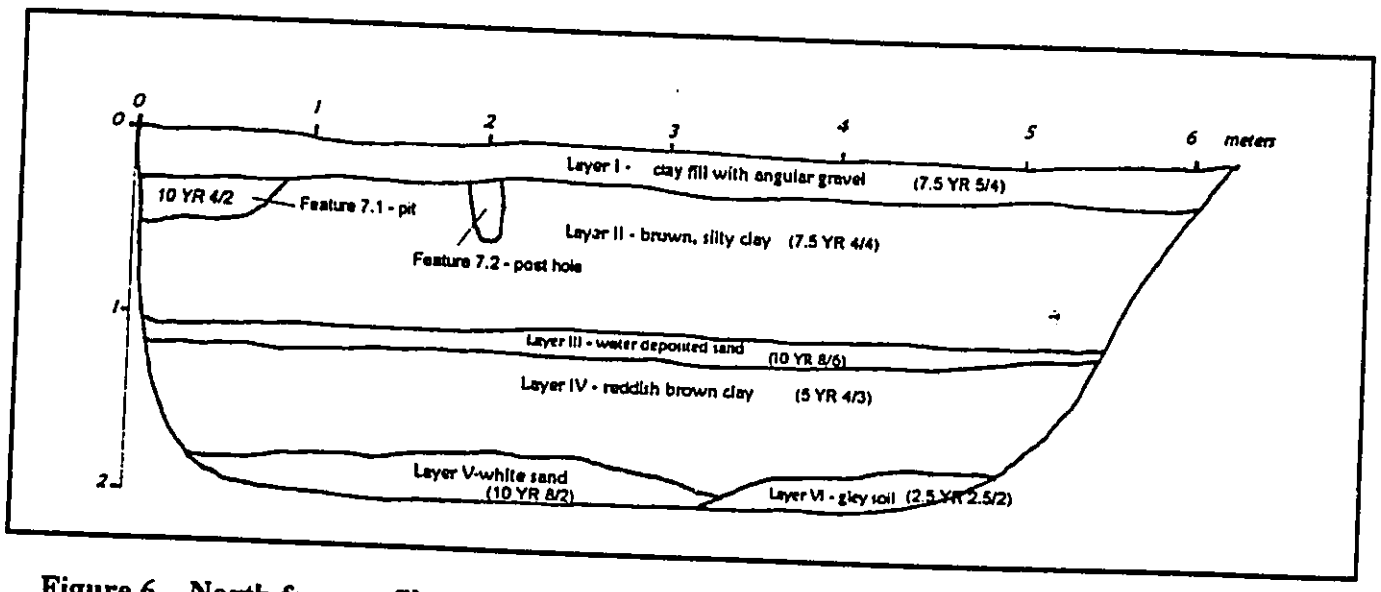

Figure 6 – North face profile of Backhoe Trench 7.

Layer I was made up of the common parking lot fill material. This brown (7.5 YR 5/4) clay contained gravel and modern materials such as glass, plastic, and paper. It was up to 30 cm. thick.

Layer II was composed of brown (7.5 YR 4/4) silty clay. This stratum contained few rocks and extended to c. 1.1 meter below surface. No intact cultural deposit was noted in Layer II. However, 2 subsurface features were noted in the upper portion of this relatively compact stratum. Both features appeared to have been truncated by the

Potential Impacts and Mitigation Measures. The proposed improvements will include inlets to collect the onsite runoff. The inlets will be connected to the existing drainage system located on Front Street. With the proposed changes, there will be an increase of runoff that sheet flows into Front Street's drainage system, due to the larger footprint of the proposed structure and the increase in paved surfaces. The increased runoff due to the proposed improvements on Parcel 3 is calculated to be 1.9 cfs, or an increase of 0.6 cfs. On Parcel 7, the proposed improvements are calculated to result in a runoff of 1.5 cfs, an increase of 0.8 cfs. On Parcel 10, the improvements are calculated to result in a runoff of 3.9 cfs, in increase of 1.4 cfs. According to the *Rules for the Design of Storm Drainage Facilities*, additional runoff from the development must be retained only when there is no connection available to an existing system. This does not apply to the Harbor Village project (see Appendix D).

The drainage from Parcels 7 and 10 is proposed to be conveyed from the parking lots to the culvert on Front Street through the State-owned Parcel 44.

The drainage system on Front Street was upgraded as part of the Front Street improvement project in 1996. The new drainage facilities were designed to accommodate the full build out of Lahaina's urban core. Therefore, the proposed project will not have a significant impact upon Lahaina Town's existing drainage system or adjacent or downstream properties.

5. Electrical and Telephone Systems

Existing Conditions. Maui Electric Company, Ltd. (MECO) presently provides electrical service to the project site. Any additional electrical power needs for the subject properties will be supplied by MECO.

GTE Hawaiian Telephone Company maintains overhead telephone lines that serve the subject properties.

Potential Impacts and Mitigation Measures. Both MECO and GTE have confirmed that their existing systems have the capacity to service the project. The proposed action will not negatively impact service in the Lahaina area.

placement of the overlying parking lot fill material. These 2 features likely represent remnants of the Site 4690 cultural deposit located in BT 4.

Feature 7.1 consisted of a basin-shaped pit. This feature extended into the non-excavated western wall of BT 7. It was c. 80 cm. wide by up to 25 cm. deep. A few pieces of marine shellfish remains including cowrie (*Cypraea sp.*), *opihi* (*Cellana sp.*), and cone (*Conus sp.*) were noted, along with some scattered flecks of charcoal. Feature 7.1 was grayish brown (10 YR 4/2) in color.

Feature 7.2 appeared to represent a post hole. This feature was up to 25 cm. deep and c. 10 cm. wide. No material cultural remains were observed in the profile of this small feature which was brown (10 YR 5/3) in color.

Layer III was composed of c. 8 to 14 cm. thick band of sand. This yellow (10 YR 8/6) stratum appeared to have been water deposited. It is interesting to note, however, that this sand was fine to medium grained (1/8-1/2 mm. in diameter) and not course in texture like the other marine sand deposits found in some of the backhoe trenches. No material culture remains were found in the thin Layer III deposit.

The boundary between Layers III and IV was abrupt. Layer IV was composed of reddish brown (5 YR 4/3) clay. This moist soil appeared to be sterile and extended to c. 1.8 to 1.9 meters below surface.

Layers V and VI were located at essentially the same depth in BT 7. The Layer V very pale brown (10 YR 8/2) sand capped a small portion of Layer VI. The sand stratum appeared to represent a marine beach sand deposit. Layer VI was composed of very dusky red (2.5 YR 2.5/2) gley soil. This saturated soil did not appear to contain any cultural materials. Excavation was halted at a maximum depth of 2 mbs., before ground water was reached, in order to carefully evaluate the profile of BT 7.

Backhoe Trench 8

This c. 6 m. long backhoe trench was excavated near the northern boundary of the parking lot. It was oriented approximately N-S and was c. 1.5 wide by 1.9 m. deep. It was placed within 10 m. of a former cistern. A small portion of the iron ductile pipe to this feature was visible near the *mauka* (western) entrance to the parking lot. A total of 3 soil layers were present in BT 8 (Figure 7).

Layer I consisted of the common parking lot fill material. The reddish brown (5 YR 5/4) clay contained modern debris and a large amount of angular gravel.

A zone of disturbance similar to that found in BT 5 underlies Layer I. Several pieces of nylon string were visible in the profile of BT 8. Layer II consisted of dark yellowish brown (10 YR 6/4-6/6) sandy clay. This stratum contained banding in it and is

interpreted as fill. A few pieces of modern glass were noted in this fill layer which was up to 80 cm. thick.

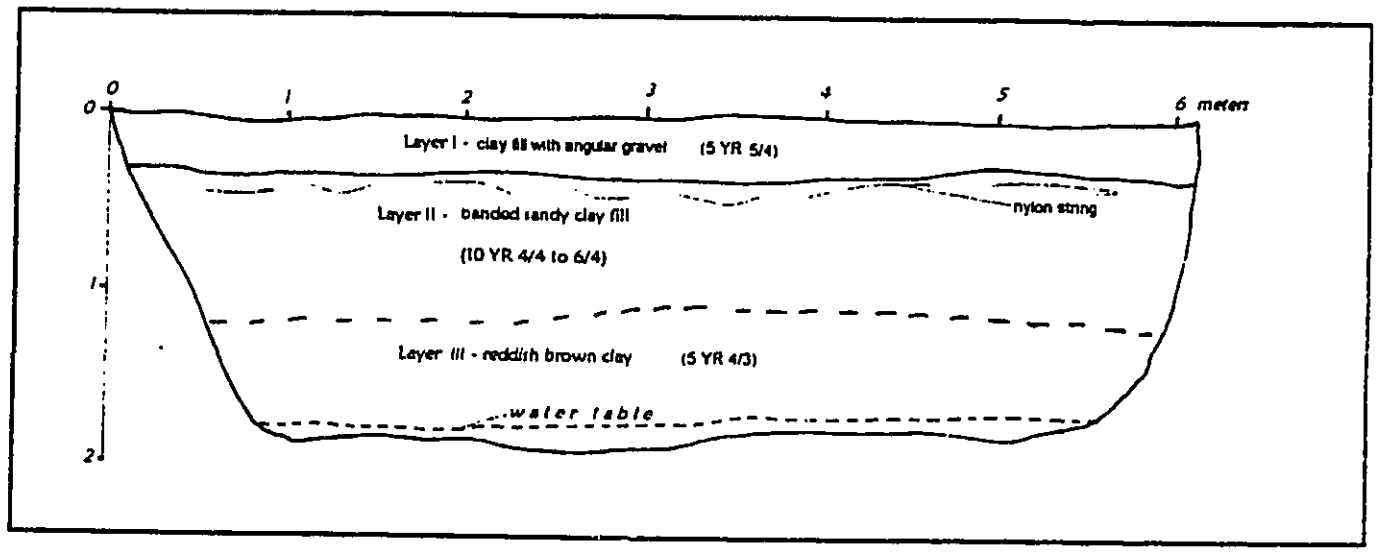

Figure 7 – West face profile of Backhoe Trench 8.

Layer III was composed of reddish brown (5 YR 4/3) clay. This sterile stratum extended from 1.2 mbs. to the bottom of BT 8. The ground water table was located at c. 1.8 mbs.. and BT 8 was terminated at 1.9 meters below surface.

Backhoe Trench 9

This last backhoe trench was excavated near the central portion of the western boundary of the parking lot. Orientation was c. 50 degrees (magnetic) and BT 9 was c. 7 m. long by 1.5 m. wide by 2.4 m. deep. Four layers were present in this subsurface test (Figure 8).

Layer I consisted of the common brown (10 YR 4/4) clay and angular parking lot fill. Modern materials were scattered in this 30 to 40 cm. thick stratum, including some nylon carpet.

Layer II was up to 1 m. thick and appeared to be fill. The majority of this layer consisted of yellow (10 YR 7/6) sand which contained pockets of reddish gray (5 YR 5/2) to dark reddish brown (2.5 YR 2/2) gley and clay soil. A few pieces of metal and a brown bottle glass fragment (modern) were noted in this fill material.

Layer III appeared to have been pushed into place, possibly to stabilize the underlying marine sand deposit contact zone. Layer III consisted of reddish brown (5 YR 4/4) clay that was 20 to 30 cm. thick. No significant material culture remains were found in this layer.

The soil boundary between Layers III and IV was wavy, but distinct. Mixing was visible in the profile and it appeared that Layer III had been previously mechanically spread over the softer underlying stratum. Layer IV was composed of yellow (10 YR 8/6) marine sand. This deposit consisted of water rounded marine shells, coral and generally coarse sand. The ground water table was encountered at c. 1.9 mbs., and BT 9 was subsequently terminated because of unstable subsurface conditions.

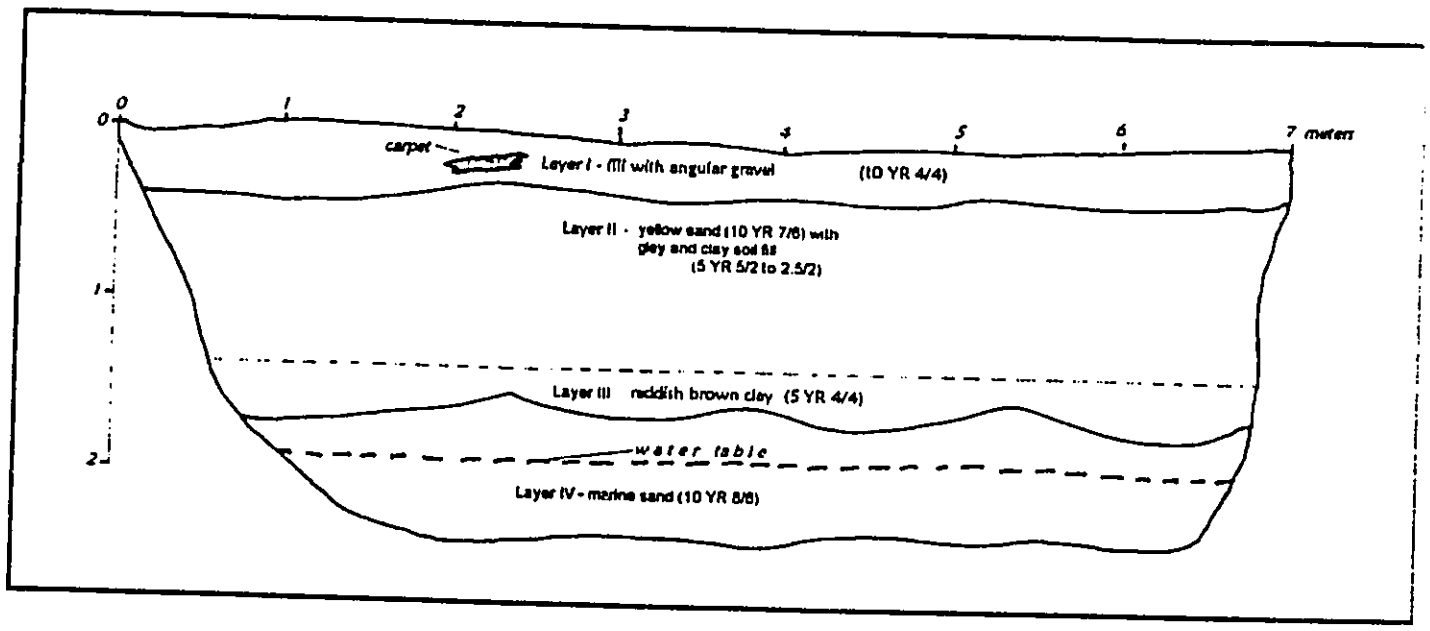

Figure 8 – North face profile of Backhoe Trench 9.

Subsurface Testing on Parcel 10

As noted previously in this report, much of Parcel 10 was unavailable for subsurface testing. We sampled portions of the property that were accessible from the Maui Medical Group parking lot (Photo 5). Further testing will occur after Parcel 10 has been vacated by the current tenants in the summer of 1999.

Backhoe Trench 10

This trench was excavated in a low area near the northwestern corner of the property (Photo 6). Vegetation noted on this low portion of the parcel included pickle weed (*Batis maritima*).[14] Orientation for BT 10 was 40 degrees (magnetic) and it was c. 5 m. long by 0.9 m. wide by 1 m. deep. Three soil layers were present in this trench (Figure 9).

[14] It is important to note that this plant species often occurs in areas where ground water is at or near the surface.

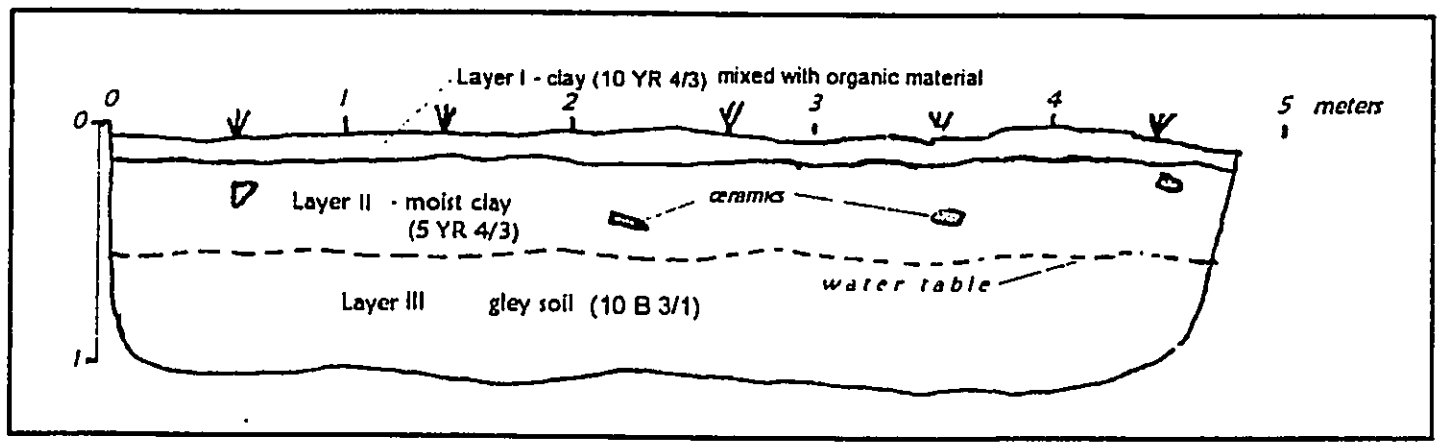

Figure 9 – North face profile of Backhoe Trench 10.

Layer I consisted of loose, brown (10 YR 4/3) clay with organic matter. A few fragments of modern glass and a white ceramic sherd were noted in this c. 10 cm. thick deposit.

Layer II was made up of brown (10 YR 4/3) clay. This moist, compact stratum yielded pieces of broken modern glass and food and beverage containers. This layer had a moist, sticky consistency and extended to the ground water table at c. 55 cmbs.

Layer III essentially began at the ground water table (Photograph 7). This saturated stratum was composed of dark bluish gray (10 B 3/1) gley soil with a moderate organic content. Material cultural remains observed included late 19th century bottle glass fragments, ceramic shards, and a piece of what appeared to be heavily corroded iron. The trench was halted at c. 1 mbs. in the gley soil stratum. This layer appeared to contain pond sediment.

Backhoe Trench 11

This c. 5 m. long trench was excavated near the base of the Maui Medical Group parking lot and c. 6 m. northeast of BT 10. Trench orientation was 42 degrees (magnetic), and its stratigraphic profile was similar to that found in BT 10 (Figure 10).

Layer 1 was composed of brown (10 YR 4/3) clay with organic material. Scattered modern debris was noted in this loose, dry surface layer which was up to 15 cm. thick.

Layer II was made up of moist, reddish brown (5 YR 4/3) clay. Portable remains observed in this fill layer included bottle glass pieces, fragments of metal, and other items from the early to mid 20th century.

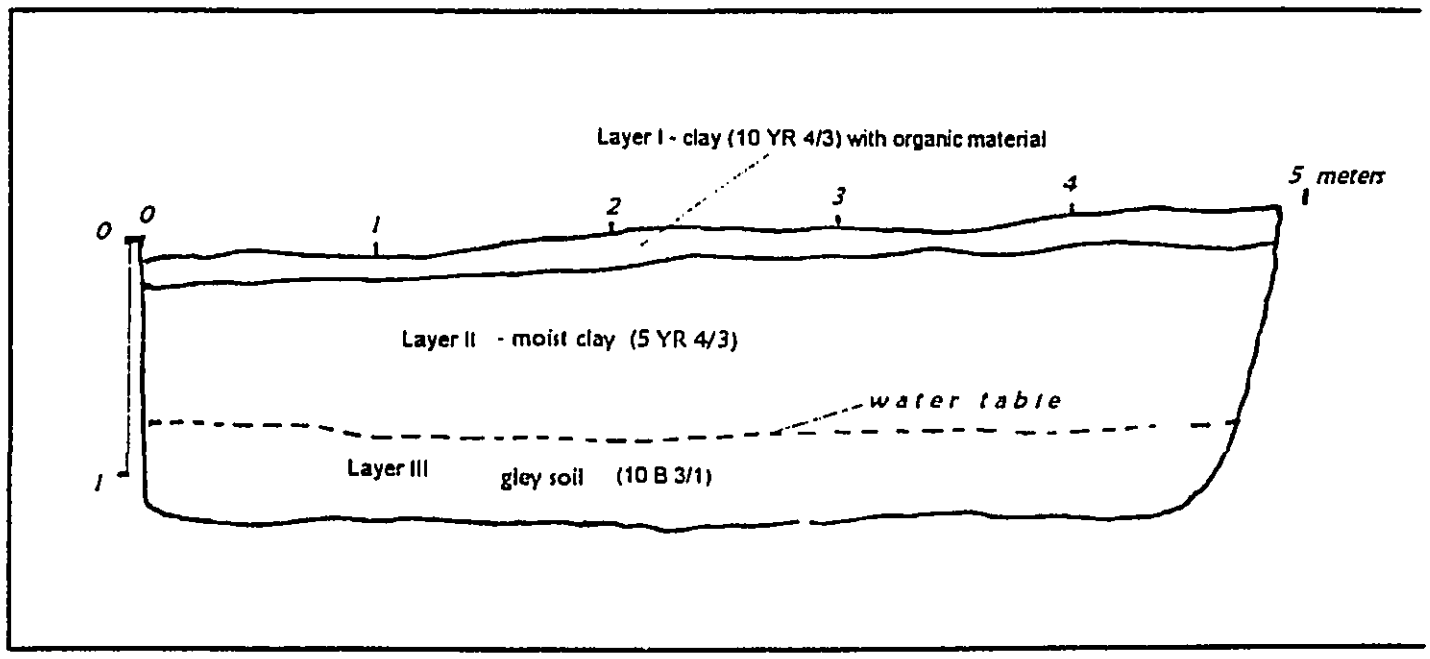

Figure 10 – North face profile of Backhoe Trench 11.

Layer III was essentially at ground water level at c. 80 cmbs. The gley soil at this location was also dark bluish gray (10 B 3/1) in color. Portable remains found in this saturated soil included early 20th century bottle glass fragments, a portion of a copper lamp holder, and several unrecognizable pieces of rusted metal. Layer III contained relatively high amounts of organic materials. This stratum also appeared to be composed of pond sediment. Excavation was halted at a maximum depth of 1.3 meters below surface.

Backhoe Trench 12

Backhoe Trench 12 was located c. 20 m. west of BT 11 near the base of the adjacent Maui Medical Group parking lot in an area covered with pickle weed. This trench as oriented approximately E-W and was c. 7 m. long by 1.5 m. wide by 2 m. deep. It was not possible to profile this trench because of piezometric pressure that caused the trench to quickly fill up with water. A total of 4 layers were encountered before the unit had to be abandoned.

Layer I was c. 10 cm. thick and as composed of brown (10 YR 4/3) clay with moderate organic material content. This compact layer contained modern debris such as plastic, paper, and broken glass.

Layer II consisted of reddish brown (5 YR 4/3) clay that was up to 60 cm. thick. This layer appeared to be fill and contained mid 20th century material culture remains,

including automobile parts, rusted metal, bottle glass fragments, ceramic pieces, and a piece of tire rubber.

Layer III was encountered between 60 and 70 cmbs. and was dark bluish gray (10 B 3/1) gley soil (Photograph 8). Portable remains noted in this stratum included late 19th and early 20th century bottle glass pieces, rusted iron, ceramic sherds, earthen ware, some *kukui* nut shells, 3 pieces of coconut shell, a few scattered *'ili'ili* pebbles, and a few pieces of water worn coral. This gley soil was very dense and effectively kept ground water from seeping into BT 12 until the underlying marine sand stratum was encountered.

Layer IV was located at c. 2 meters below surface. This very pale brown (10 YR 8/2) marine sand deposit contained waterworn coral, shell and fine to course sand grains. As noted above, the trench had to be abandoned once the sand deposit was located because it rapidly filled with ground water.

Backhoe Trench 13

This last trench was located c. 8 m. west of BT 12 near the base of the Maui Medical parking lot. Backhoe Trench 13 was c. 5.5 m. long by 1.5 m. wide by 2.1 m. deep. Four layers were encountered in this subsurface test before it was back-filled. No profile was drawn due to a rapid influx of ground water.

Layer I consisted of brown (10 YR 4/3) clay with organic material. Modern debris was present in this moist surface layer which was c. 10 cm. thick.

Layer II was composed of moist, reddish brown (5 YR 4/3) clay fill. This layer contained a mixture of late 19th century through modern materials. This fill was c. 60 to 70 cm. thick.

Layer III was encountered between 70 and 80 cmbs. This saturated stratum contained moderate amounts of organic materials. The gley soil was again the common dark bluish gray (10 B 3/1) color. Material culture remains observed included items from the late 1800's and early 1900's, such as bottle glass and ceramic sherds. A sampling of porcelain types are shown in Photo 11. Layer III extended to c. 1.9 mbs. and slight ground water seepage was encountered at c. 0.9 meters below surface. This stratum also appeared to represent former pond sediment.

Layer IV was located near the bottom of BT 13. This course marine sand deposit was very pale brown (10 YR 8/3) in color. Once this permeable stratum was encountered, the trench rapidly filled in with ground water. Excavation was halted at 2.1 mbs., and BT 13 was back-filled.

Radiocarbon Analysis

A single radiometric date was obtained from a small charcoal sample recovered from the Site 4690 deposit associated with an *in situ* urchin spine file or abrader. A conventional date of 310 +/- 40 BP yielded a calibrated date of AD 1475 to 1665 (2 sigma, 98% probability). The intercept of the radiocarbon age with the calibration curve falls at AD 1640.

This date correlates with the single date derived from organic sediment recovered from Site 4118, identified on the adjoining parcel to the east (Majors, et al., 1996, p. 72). Here the conventional date was 350 +/- 50 BP, with a calibrated calendar date of 1450-1650. Intercepts occurred at AD 1525, 1558, and 1631. They speculate that "the organic component of the gleyed pond deposit was probably associated with one or both of the traditional Hawaiian agricultural practices of wetland taro cultivation and fishpond maintenance." (Ibid.)

Another date was derived from organic sediment taken from a core (Core 7, ST1) sample in the central part of Loko o Mokuhinia by the Bishop Museum survey team in 1993 (Klieger, et al., 1995, p. 174). It possibly falls into this same time period, with radiocarbon age of 290 +/- 60, resulting in calibrated date ranges of AD 1459-1680, AD 1752-1804, and AD 1937-1954. No cultural material was associated that would help to pinpoint the appropriate date range.

The latter two dates were not associated with cultural materials, whereby the one from our survey was directly associated with an indigenous artifact—an urchin spine file—and the partially intact cultural deposit. There was also only one range of dates, and this range fell within the precontact period, thereby denoting an occupation period. The Bishop Museum dates only inferred occupation, based on sediment depositions that might be expected from human activity associated with wet taro production and fishpond management.

The radiocarbon sample from Site 4690 actually dates a period of precontact human activity that occurred in close proximity to Loko o Mokuhinia. This would tend to confirm that the organic sediment deposits dated by the Bishop Museum were indeed the result of human activity.

SUMMARY AND CONCLUSIONS

Two previously unrecorded archaeological sites were located during our archaeological survey of the available portions of the project area. In addition, a portion of Parcel 10 contains what appears to be former fresh water pond sediments. The 2 previously unidentified sites include a post-contact boundary wall (Site 50-50-03-4682) on Parcel 10, and a discontinuous subsurface cultural deposit (Site 50-50-03-4690) on Parcel 7. Both of these sites are consistent with the Lahaina area settlement patterns discussed earlier in this report. Site 4682 appears to have been largely reconstructed, while the integrity of Site 4690 has been impacted by past earth moving activities on Parcel 7.

Two backhoe trenches in Parcel 7 (BT 4 and BT 7) contained the remnants of a cultural deposit. A radiocarbon sample obtained from the cultural deposit in BT 4 returned a calibrated date range of AD 1475 to 1665 at 2 sigma (95% probability), with the intercept falling at AD 1640. The date clearly establishes the subsurface cultural deposit as precontact. It is discontinuous and has been impacted by past subsurface disturbance activities on the parcel. The site (Site 4690) may extend onto Parcel 10, as BT 7 lies within c. 6 meters of the boundary.

While Parcel 7 was fully available for testing, it was only possible to excavate 4 backhoe trenches on Parcel 10 (BT 's 10 through 13). These trenches yielded gley soil deposits with moderate amounts of organic material. Possible precontact material cultural remains were found in BT 12. Unfortunately, piezometric pressure caused the trench to rapidly fill with ground water once Layer IV marine sand was encountered. A second trench (BT 13) excavated nearby also rapidly filled in with water. As previously mentioned, it was not possible to extensively test Parcel 10 because it is currently occupied by tenants. Based on the relative proximity of the former Mokuhinia Pond to the southeast, it appears possible that the probable pond sediments located on a portion of Parcel 10 could represent an extension of this culturally significant site.

Further work will need to occur on the property after it is vacated in the summer of 1999. At that time, the horizontal extent of the subsurface precontact cultural remnant (Site 4690) can be further explored.

SITE SIGNIFICANCE EVALUATIONS

The 2 previously unidentified sites located during our inventory survey are deemed significant under Criterion "D" of the Federal and State historic preservation guidelines. These sites are considered important for information that they have yielded or are likely to yield.

Site 4682 is interpreted as a post-contact boundary wall that appears to have been modified in modern times. The shaped coral blocks (Photo 3) utilized in portions of the faced wall are likely from dismantled mid- to late 1800's structures in the Lahaina area. They could possibly originate from the ruins of Hale Pi`ula, the large coral block structure constructed by King Kamehameha III, which was destroyed by a severe wind storm in 1858.

Site 4690 represents a precontact habitation area. This subsurface deposit appears to have been extensively impacted during past earth moving activities on the parcel, and it is impossible to know how much of the deposit has been destroyed. Given the relatively high population density and population distribution in the Lahaina area, such a location on the edge of Loko o Mokuhinia would most likely represent permanent occupation. The radiocarbon date places the site occupation at AD 1475 to 1665.

The probable pond sediments located during our limited testing on Parcel 10 will need to be further evaluated. In the event that this portion of Parcel 10 proves to contain a remnant of the former Loko o Mokuhinia, this site would be significant under multiple Criteria including Criterion "D" and "E".

MITIGATION RECOMMENDATIONS

The Site 4682 boundary wall qualifies for significance under Criterion "D" of Federal and State guidelines. We will excavate 1 or more test units along the wall base when the property has been vacated, as Phase II of the inventory survey. If the wall is found to extend below the surface and/or is associated with a subsurface cultural deposit, it may be appropriate to carry out data recovery work on it. However, this determination cannot be made until Phase II of our inventory survey is completed. In the event that a portion or all of Site 4682 is to be removed, data recovery would be the required mitigation.

Site 4690, the subsurface precontact cultural deposit seems to be in generally poor condition. It appears that Parcel 7 may not need to be impacted by subsurface disturbance. If it is not possible to avoid subsurface disturbance of the parcel, a limited data recovery program is recommended. In the event that subsurface disturbance can be avoided, passive preservation is recommended for this site which lies on Parcel 7[15].

As previously noted, further work will need to be conducted on Parcel 10. The possibility exists that Site 4690 may extend onto this adjacent property. Phase II of our archaeological inventory survey will more fully test Parcel 10 after the tenants vacate the property in July of 1999. The results of this additional work will be presented in our addendum report, following the completion of our Phase II field work.

[15] A preservation plan would subsequently need to be prepared.

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TABLE 1
SUMMARY OF BACKHOE TRENCH RESULTS

BT #	Depth (mbs.)	Strata	Results
1	0.4	Layer (L) I: silty clay (10 YR 4/4) fill with gravel	Electric conduit in LI fill.
2	2.1	LI: silty clay (10 YR 4/4 to 4/6) fill with gravel to 0.4 mbs.; LII: moist clay (5 YR 4/3) to 0.9 mbs.; LIII: sand (10 YR 6/3) with gley (2.5 YR 4/2) soil and reddish brown (5 YR 3/3) clay mottles to c. 1.9 mbs.; ground water (GW) at c. 1.7 mbs.; L IV: gley (2.5 Y 4/2) soil to c. 2.1 mbs.; L V: marine sand (10 YR 8/6) to bottom.	Modern materials in LI and LII. No other material remains noted.
3	2.8	LI: clay (5 YR 4/3) to c. 0.6 mbs.; LII silty clay (5 YR 3/4) to c. 1.2 mbs.; L II: clay (5 YR 4/4) to c. 2.2 mbs.; GW at c. 1.9 mbs.; LIV: (10 YR 8/4) marine sand to bottom.	Modern materials in LI; LII and LIII sterile; LIV contained a coral abrader (Artifact #1), and a coconut shell.
4	2.0	LI: clay (5 YR 4/3) fill with gravel to c. 0.3 mbs.; LII: silty clay (7.5 YR 4/4) to c. 0.4 mbs.; LIII: clay (5 YR 4/3) with sand (10 YR 6/4) and clay (2.5 YR 4/2) mottles to c. 1.7 mbs.; LIV: gley (2.5 YR 4/2) soil to bottom, GW at c. 1.9 mbs.	Modern materials in LI; Site 50-50-03-4690 deposit remnant in LII impacted by past earthmoving activities on parcel; LIII and L. IV apparently sterile.
5	2.1	LI: clay (5 YR 5/4) fill with gravel to c. 0.4 mbs.; LII: previously disturbed clay (5 YR 5/3) with sand (10 YR 8/6) banding and mottles of clay (5 YR 4/4) to 1.8 mbs.; LIII: clay (2.5 YR 5/2) to bottom. GW at c. 1.9.	Modern material remains in LI, LII and LIII apparently sterile

BT #	Depth (mbs.)	Strata	Results
6	1.7	LI: clay (5 YR 4/4) fill with gravel to c. 0.4 mbs.: LII: sandy clay (5 YR 4/4) fill to c. 1.4 mbs.: LIV: clay (5 YR 3/4) GW at c. 1.6 mbs.	Modern refuse in LI, modern materials re-deposited in LII; LIII and LIV apparently sterile.
7	2.0	LI: clay (7.5) YR 5/4) fill with gravel to c. 0.3 mbs.; LII: silty clay (7.5 YR 4/4) to c. 1 mbs.: LIV: clay (5 YR 4/3) to c. 1.9 mbs.; LV: marine sand (10 YR 8/2) to bottom; LVI: gley (2.5 YR 2.5/2) soil to bottom.	Modern materials in LI; LII contains 2 subsurface features from Site 4690 cultural deposit, no other material remains noted in LII, all lower layers apparently sterile.
8	1.9	LI: clay (5 YR 5/4) fill with gravel to c. 0.3 mbs.: LII: sandy clay (10 YR 6/4-6/6) to c. 1.2 mbs.; LIII: clay (5 YR 4/3) to 1.9 mbs. GW at c. 1.8 mbs.	Modern materials in LI and LII; LIII apparently sterile.
9	2.4	LI: clay (10 YR 4/4) to c. 0.4 mbs.; LII: sand (10 YR 7/6) fill with gley and clay (2.5 YR 2/2 to 5 YR 5/2) mottles to c. 1 mbs.: LIII: clay (5 YR 4/4) fill to c. 1.3 mbs.; LIV: marine sand (10 YR 8/6).	Modern materials in LI and LII; LIII and LIV apparently sterile.
10	1.0	LI: clay (10 YR 4/3) with organics to c. 0.1 mbs.: LII: clay (10 YR 4/3) to c. 0.6 mbs.; GW at c. 0.6 mbs.; LIII gley (10 B 3/1) soil to bottom.	Modern materials in LI and LII: Late 19th century cultural materials in LIII. LIII contains organic material, probable pond remnant.
11	1.3	LI: clay (10 YR 4/3) with organic material c. 0.1 mbs.; LII: clay (5 YR 4/3) fill to 0.8 mbs.; GW at c. 0.8 mbs.; LIII gley (10 B 3/1) soil to c. 1.3 mbs.	Modern materials in LI; early to mid 20th century material remains in LII; early 20th century materials in LIII. LIII contains probable pond sediment.
12	2.0	LI: clay (10 YR 4/3) with organic materials to c. 0.1 mbs.; LII: clay (5 YR 4/3) fill to c. 0.7 mbs.; LIII: gley (10 B 3/1) soil to c. 1.9 mbs.; LIV: marine sand (10 YR 8/2) to bottom.	Modern materials in L I; mid-20th century material remains in L II: late 19th and early 20th century materials in L III; L IV apparently sterile. LIII contains probable pond sediment.
13	2.1	LI: clay (10 YR 4/3) with organic materials to c. 0.1 mbs.; LII: clay (5 YR 4/3) fill to c. 0.8 mbs.; LIII: gley (10 B 3/1) soil to c. 1.9 mbs.; GW seepage at c. 0.7 mbs.; LIV: marine sand (10 YR 8/3) to bottom.	Modern materials in LI; 19th and 20th century materials in LII; late 19th and early 20th century cultural materials in LIII; LIV apparently sterile. LIII contains probable pond sediment.

Appendix A

Results of AMS analysis
by Beta Analytic, Inc.

BETA ANALYTIC INC.

DR. M.A. TAMERS and MR. D.G. HOOD

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REPORT OF RADIOCARBON DATING ANALYSES

Dr. Walter Fredericksen

Xamanek Researches

Auth. Jan. 12, 1999

January 22, 1999

Sample Data	Measured C14 Age	C13/C12 Ratio	Conventional C14 Age (*)
Beta-126299	370 +/- 40 BP	-28.8 o/oo	310 +/- 40 BP

SAMPLE #: JDI SAMPLE 1
ANALYSIS: ADVANCE-AMS
MATERIAL/PRETREATMENT:(charred material): acid/alkali/acid

NOTE: It is important to read the calendar calibration information and to use the calendar calibrated results (reported separately) when interpreting these results in AD/BC terms.

Dates are reported as RCYBP (radiocarbon years before present, "present" = 1950A.D.). By international convention, the modern reference standard was 95% of the C14 content of the National Bureau of Standards' Oxalic Acid & calculated using the Libby C14 half life (5568 years). Quoted errors represent 1 standard deviation statistics (68% probability) & are based on combined measurements of the sample, background, and modern reference standards.

Measured C13/C12 ratios were calculated relative to the PDB-1 international standard and the RCYBP ages were normalized to -25 per mil. If the ratio and age are accompanied by an (*), then the C13/C12 value was estimated, based on values typical of the material type. The quoted results are NOT calibrated to calendar years. Calibration to calendar years should be calculated using the Conventional C14 age.

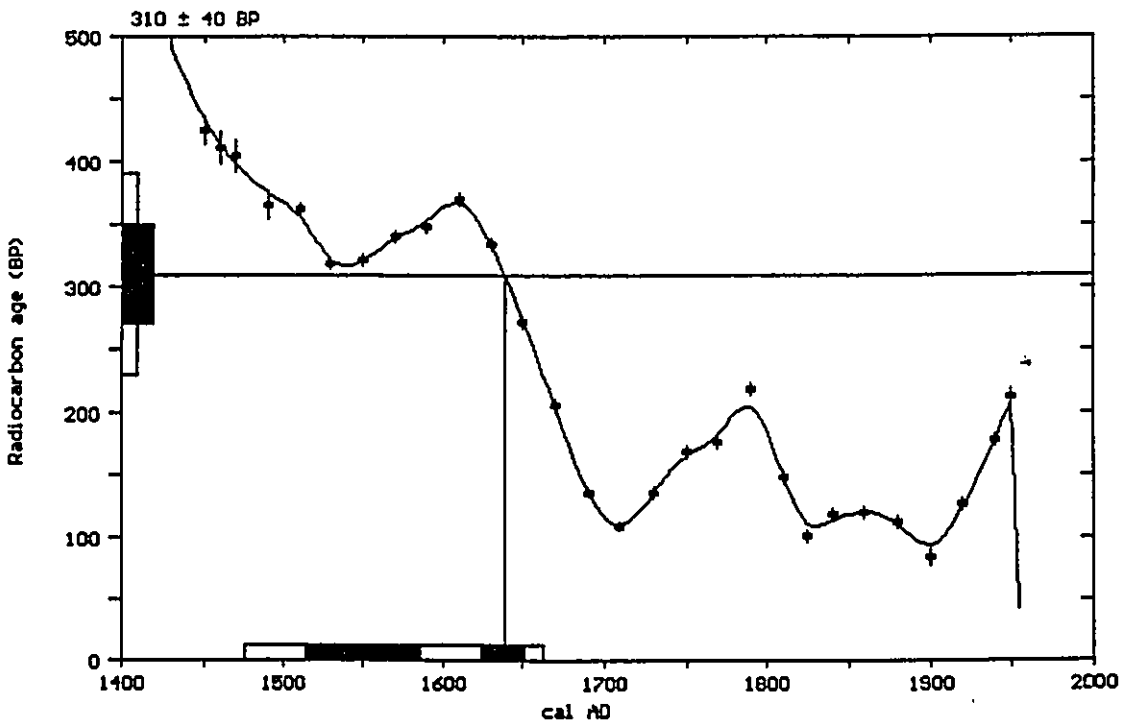
CALIBRATION OF RADIOCARBON AGE TO CALENDAR YEARS

(Variables:C13/C12=-28.8:lab mult.=1)

Laboratory Number:	Beta-126299
Conventional radiocarbon age:	**310 ± 40 BP**
Calibrated results: (2 sigma, 95% probability)	**cal AD 1475 to 1665**

Intercept data:

Intercept of radiocarbon age with calibration curve:	cal AD 1640
1 sigma calibrated results: (68% probability)	cal AD 1515 to 1585 and cal AD 1625 to 1650



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Beta Analytic Radiocarbon Dating Laboratory

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Photo 1 – View to the east, showing heavy vegetation covering Parcel 10.

Photo 2 – Site 4682, possible LCA boundary wall located on Parcel 10.

Photo 3 – Detail of Site 4682 wall, showing large coral block incorporated into feature.

Photo 4 – Location of BT 4 (center-right) in parking lot (Parcel 7).

Photo 5 – Testing of Parcel 10, shown in background (covered with dense vegetation.

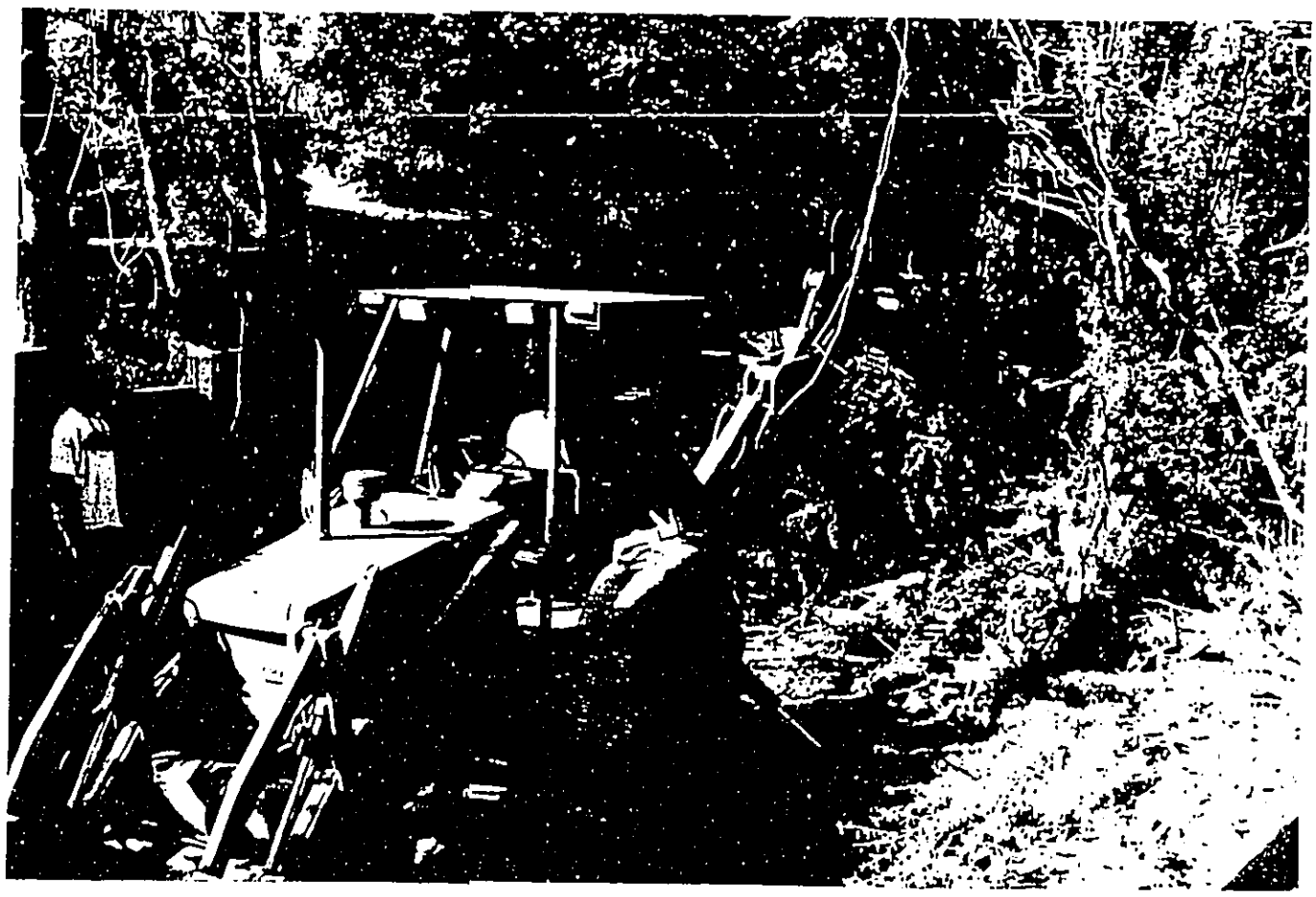

Photo 6 – Excavation of Backhoe Trench 10.

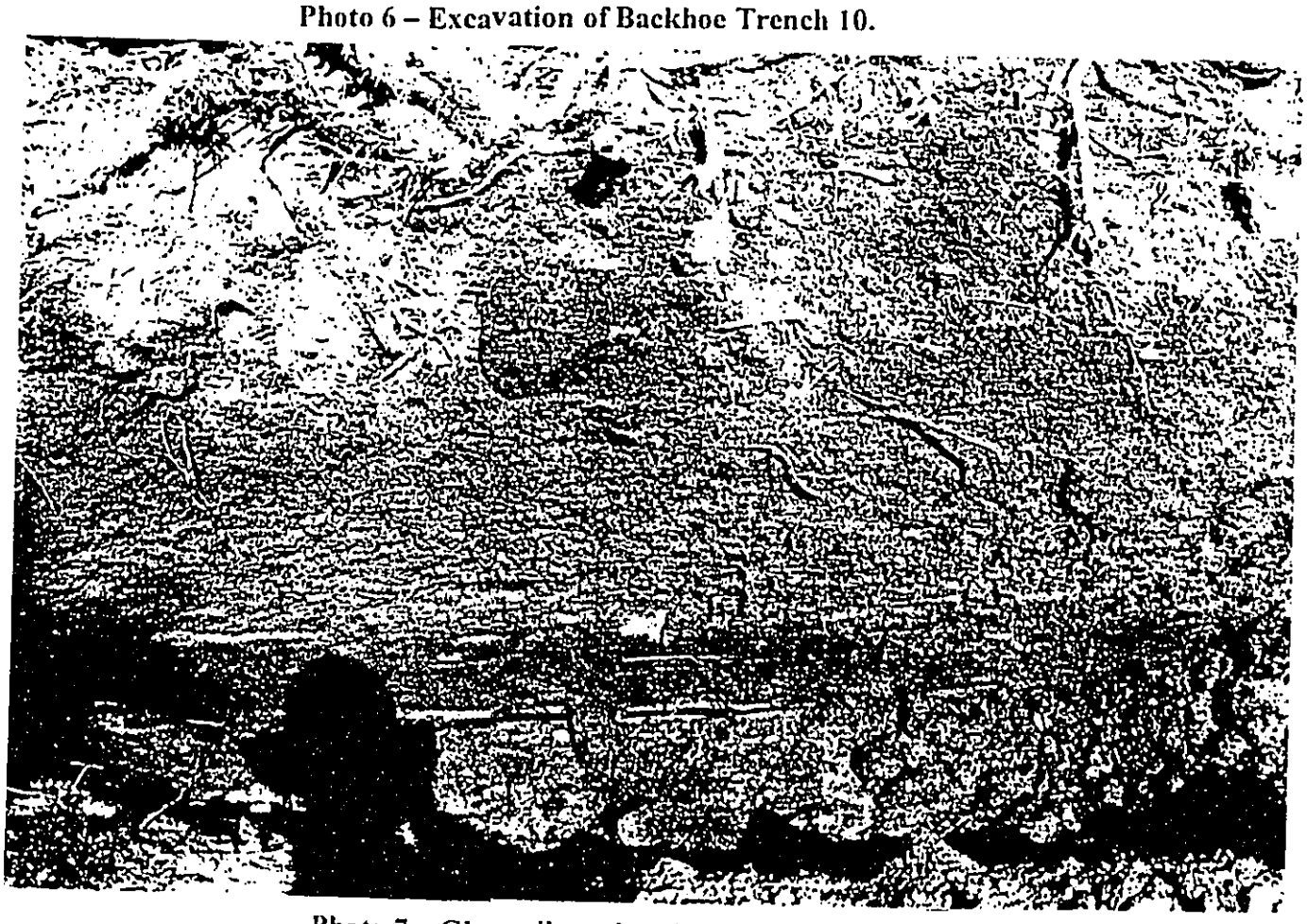

Photo 7 – Gley soils and sediment in BT 12.

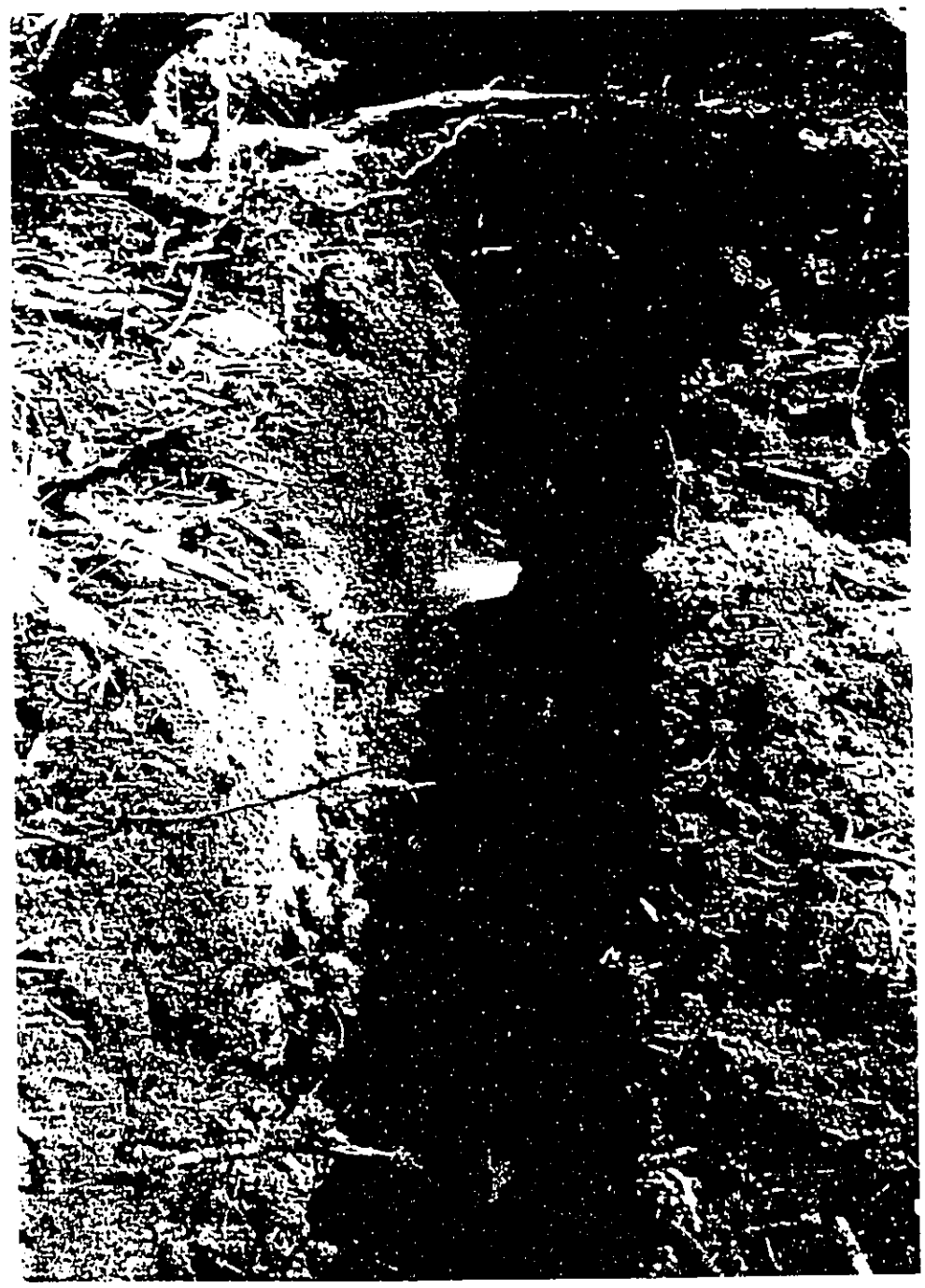

Photo 8 – View of excavated BT 10, looking to the southwest. Note groundwater table near the center of photograph.

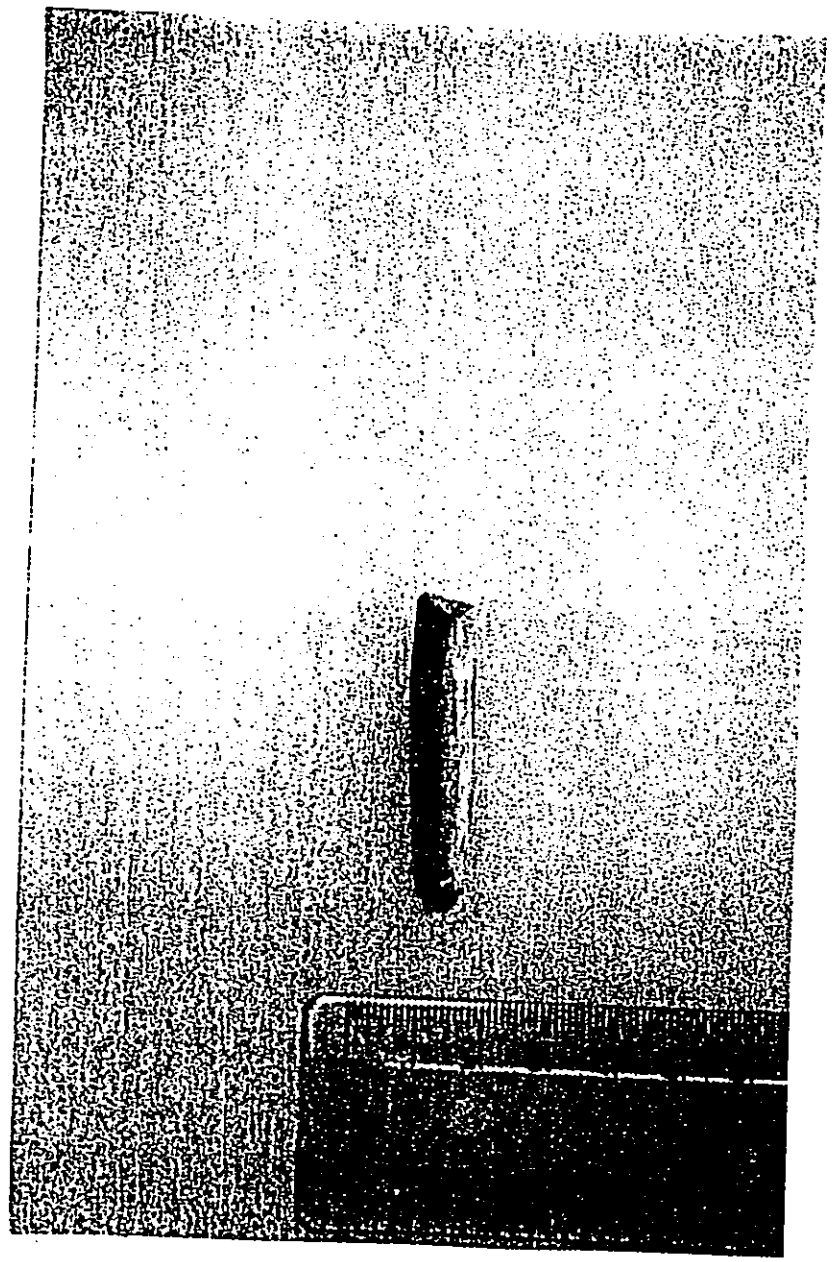

Photo 9 – Urchin spine file or abrader, associated with cultural deposit—Site 4690.

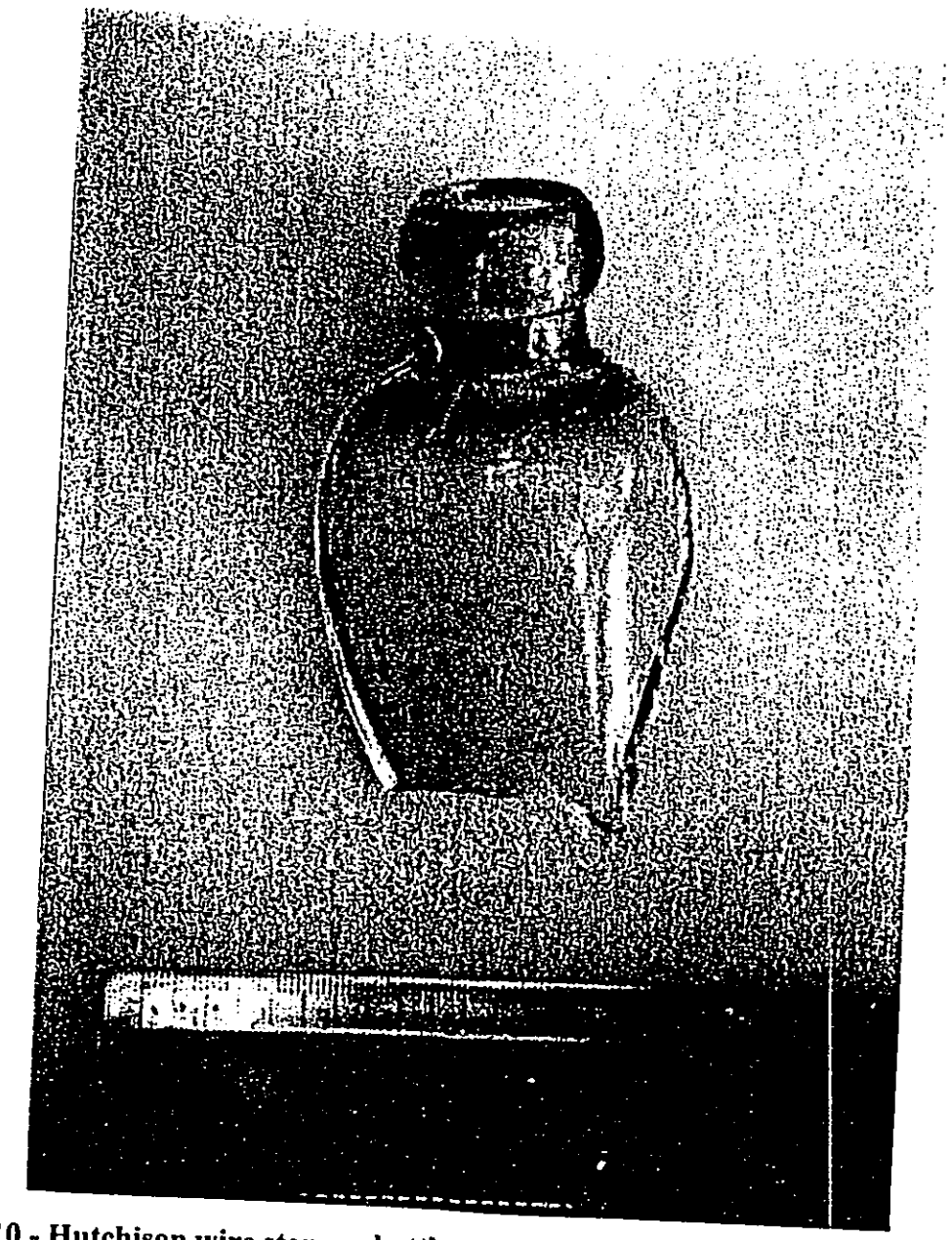

Photo 10 - Hutchison wire stopper bottle top from BT 13. Such soda bottles date from c. 1880.

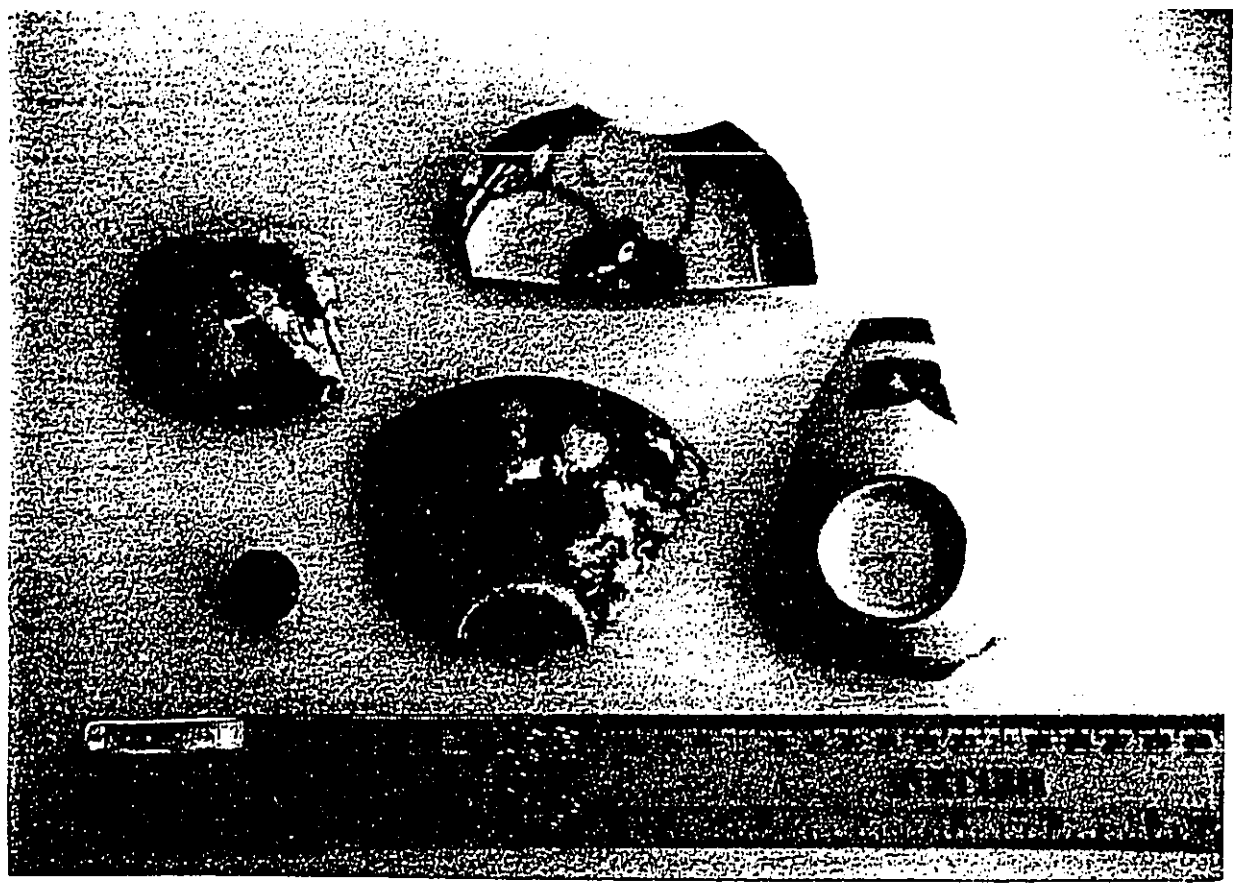

Photo 11 – Japanese blue on white porcelain sherds found in BT 13. An agate marble is shown on the left.

Photo 12 – Samples of blue on white tea cups recovered from BT 13.

APPENDIX B

Archaeological Monitoring Plan

Archaeological Monitoring Plan for a Parcel of Land in the *'ili* of Pakala, Puako *Ahupua'a*, Lahaina District, Island of Maui (TMK: (2) 4-6-007:003)

Prepared for State Historic Preservation Division (DLNR) on behalf of:

Mr. Steve Gatchell and Mr. Terrence Lee, J.D.I. Ltd. Partners, Lahaina, Maui

Prepared by:

Xamanek Researches
Pukalani, Maui

Erik M. Fredericksen
17 April 1998

INTRODUCTION

During early 1998, Mr. Steve Gatchell and Mr. Terrence Lee, J.D.I. Ltd Partners, Lahaina, Maui, contacted us regarding an archaeological monitoring project on a c. ½ acre parcel of land at TMK: (2) 4-1-007: 003, located in the *'ili* of Pakala, Puako *Ahupua'a*, Lahaina District, Maui (see Map 1). This property lies adjacent to and *mauka* (east) of Front Street. It is bordered by a County of Maui parking lot to the north, Roman Catholic land and State land to the east, and Malu'ulu o Lele Park to the south. An access road and drainage ditch sperate the project area from the historic park. However, a reconstructed map of Waine`e *ahupua`a* in 1848 indicates that *Loko O Mokuhinia* once extended onto the subject property (LCA 10427.2 to Na`ea) [see Map 2].

The subject parcel is located in the Lahaina Historic District (Historic 2) in an area that has generally proven to be rich in pre- and/or post-contact cultural resources. Following discussions between Erik Fredericksen, Xamanek Researches, Boyd Dixon, SHPD, and Steve Gatchell and Terrence Lee, J.D.I. Ltd. Partners, it was agreed that archaeological monitoring needed to occur during subsurface disturbances on the subject parcel. In the event that significant material culture remains are located during the monitoring process, it may become necessary to conduct an inventory survey on the project area. The following monitoring plan for TMK: (2) 4-66-007:003 addresses concerns expressed by SHPD.

BACKGROUND RESEARCH

The subject parcel lies in the *'ili* of Pakala in Puako *ahupua'a*, Lahaina District. Evidence from earlier historical and archaeological research indicates that this area was highly desirable and inhabited by the elite, including the king (*mo'i*), higher chiefs (*ali'i*),

lessser chiefs (*kaukau ali'i*), and landlords (*konohiki*) in the early 1800s (Major et al., 1996).

Information from various studies in this coastal portion of Lahaina further indicates the importance of the area. The Loko o Mokuhinia (present day Malu'ulu o Lele Park) lies just to the south of the project area and was the former royal rsidence on Maui in the 1800s. Hale Piula, the short-lived western–style palace of King Kamehameha III was located some 100 m. to the southwest on the beach which essentially fronts the present day Malu'ulu o Lele Park. The artificial island of Moku'ula, the private residence of Kamehameha III, and the royal tomb were located to the east of Hale Piula and south of the subject parcel.

Land use changed dramatically with the overthrow of the Hawaiian Kingdom in the late-1800s. Sugar plantation agriculture contributed to major changes in land use from the mid-19th century onward to the present. Following World War II, the major economic development affecting land use in this region of Maui has been the visitor industry. Major, land-tract development projects have produced world-class resorts and a large increase in the numbers of tourists to the island of Maui in general. In addition, there has been an increase in the development of smaller parcels of land such as the present project.

PREVIOUS ARCHAEOLOGICAL WORK

Since Winslow Walker conducted his island-wide archaeological survey in 1930, increasing numbers of archaeological research projects have been concerned with the Lahaina area of Maui. In discussing previous archaeological work in this area, Major et al. (1996) refer to a regional investigation of Kahoma Stream near Mala Wharf undertaken by various groups in the 1970s. This study represents the most extensive work in the general area.

Since the mid-1960s, a number of smaller archaeological research projects have been completed in the Lahaina area. These projects have tended to be relatively narow in focus and site specific. Xamanek Researches has conducted 2 archaeological surveys in the general area, including an investigation at Historic Site 15 (Fredericksen et al.,1988), and a study of a parcel of land adjacent to and south of Malu'ulu o Lele Park (Fredericksen et al., 1989). Early post-contact material remains associated with the

construction of Hale Piula were found in the former project, while modern materials were recovered from the latter study. Both of these projects lie within 100 m. of the project area. In more recent times, the Bishop Museum has conducted 2 inventory surveys which lie even closer to the project area. The most recent survey was carried out by Major et al. (1996) on a nearby parcel to the east of the study area. This survey yielded a habitation area which extends from the precontact to the post-contact period. Klieger et al. (1995) investigated the nearby Malu'ulu o Lele Park. This study confirmed that Moku'ula Island, which also held the tomb for the royal family of the island of Maui does exist under fill in the park. This latter study reinforces the importance of this area in early post-contact times.

ARCHAEOLOGICAL MONITORING PLAN

The scope of this monitoring plan includes having an archaeological monitor present during all subsurface disturbances on the subject parcel. Actual on-site time and specific actions to be followed in the event of inadvertent discoveries will be discussed and agreed upon by the contractor and archaeological monitor, during pre-construction meetings held for this purpose. Additional meetings may be called, if either the archaeologist or contractor believes additional relevant information should be disseminated.

There is a probability that significant cultural materials may be inadvertently discovered during on site monitoring of earth moving activities. Since human burials and skeletal materials have been found in this coastal area, inadvertent discovery of such materials remains a possibility during subsurface excavation activities on the project.

Close cooperation between the monitoring archaeologist and construction personnel is important to a successful monitoring program. Topics for discussion should include, but not necessarily be limited to, the following:

1) The contractor will be responsible for ensuring that the monitors are aware of scheduling plans and that they are present at all earth-moving activities designated for monitoring.

2) Both the monitoring organization and the contractor are responsible for ensuring that on-site work is halted in an area of significant findings and to protect the find from any further damage,. i.e., fencing, protective covering,

etc. (Until mitigation of the finds are recommended by the SHPD and the and the Maui/Lana'i Islands Burial Council).

3) In the event of the discovery of human remains, work will cease in the immediate discovery area. The monitoring archaeologist will be responsible for notifying the Historic Preservation Division Burials Program (UPDBP), which, in consultation with the Maui/Lanai Islands Burial Council, will determine the appropriate mitigation measures. The notification will include providing accurate information regarding the context and composition of the find.

4) Xamanek Researches will work in compliance with Hawaii Revised Statutes Chapter (Procedures Relating to Inadvertent Discoveries).

5) The archaeologist will have authority to close-down construction activities in areas where potentially significant discoveries have been made until they have been properly evaluated. Normally, construction activity may continue at unaffected project sites.

6) Field procedures to be followed for documentation of discovered cultural features or human skeletal remains: a) standard field methods including recording of profiles showing stratigraphy, cultural layers, etc.; b) mapping; photographing of finds other than human remains; d) and excavation of cultural materials and/or exposed features.

7) The SHPD Maui Archaeologist will be notified and consulted with regarding treatment of identified features such as cultural layers, artifact or midden concentrations, structural remains, etc., considered to be of significance under S13-279-2 (definitions)

8) The contractor should take into account the necessity for machine excavation at a speed slow enough to allow for reasonable visual inspection of the work. The monitoring archaeologist must make a "best effort" to search for potential archaeological materials (artifacts, features, midden, skeletal materials, etc.).

9) If archaeological monitoring is required during night work, lighting sufficient to allow food visual observation will be necessary, along with a slower excavation rhythm.

10) Significant archaeological discoveries, if they occur, should be protected and identified by construction "caution" tape, fencing, or other reasonable means, until mitigation is decided upon by SHPD.

11) Monitoring fieldwork will be done by one monitor in most instances. Tasks will include observation of surface earth-moving activities and trench excavation. In instances where more than one machine is in operation or in areas of high potential for significant findings, it will necessary to utilize 2 or more monitors.

Field methods utilized will include photo recording (where appropriate), artifact excavation (recovery and recording), profile documentation of cultural layers and stratigraphy, excavation and recording of exposed features, and mapping of all pertinent features on an appropriate site map. A daily log (field notes) of activities and findings will also be kept. Gathered information data will be utilized in the preparation of the monitoring report to be submitted to the SHPD.

In the event human skeletal materials are inadvertently discovered, notification of SHPD (HPDBP) and/or Maui/Lana'i Islands Burial Council will be made, and appropriate mitigation determined (Note: photographs of human skeletal materials will not be taken).

A supervisory archaeologist will regularly visit the monitoring site, or as often as is necessitated by the nature of the construction activities and archaeological findings. If significant discoveries are made, appropriate mitigation measures will be negotiated with SHPD.

Any cultural materials, other than human remains recovered from the monitoring project, will be curated by the monitoring organization until analysis is completed and they are turned-over to the appropriate parties. Long-term curation arrangements of such materials shall be approved by the SHPD.

When fieldwork for the required archaeological monitoring project has been completed, preparation and publication of a draft monitoring report will be undertaken. The draft report will be submitted to the State Historic Preservation Division within 180 days following the completion of fieldwork, for their comment and approval. Approved final changes and corrections will result in the final monitoring report for the project, and thereby its conclusion.

References

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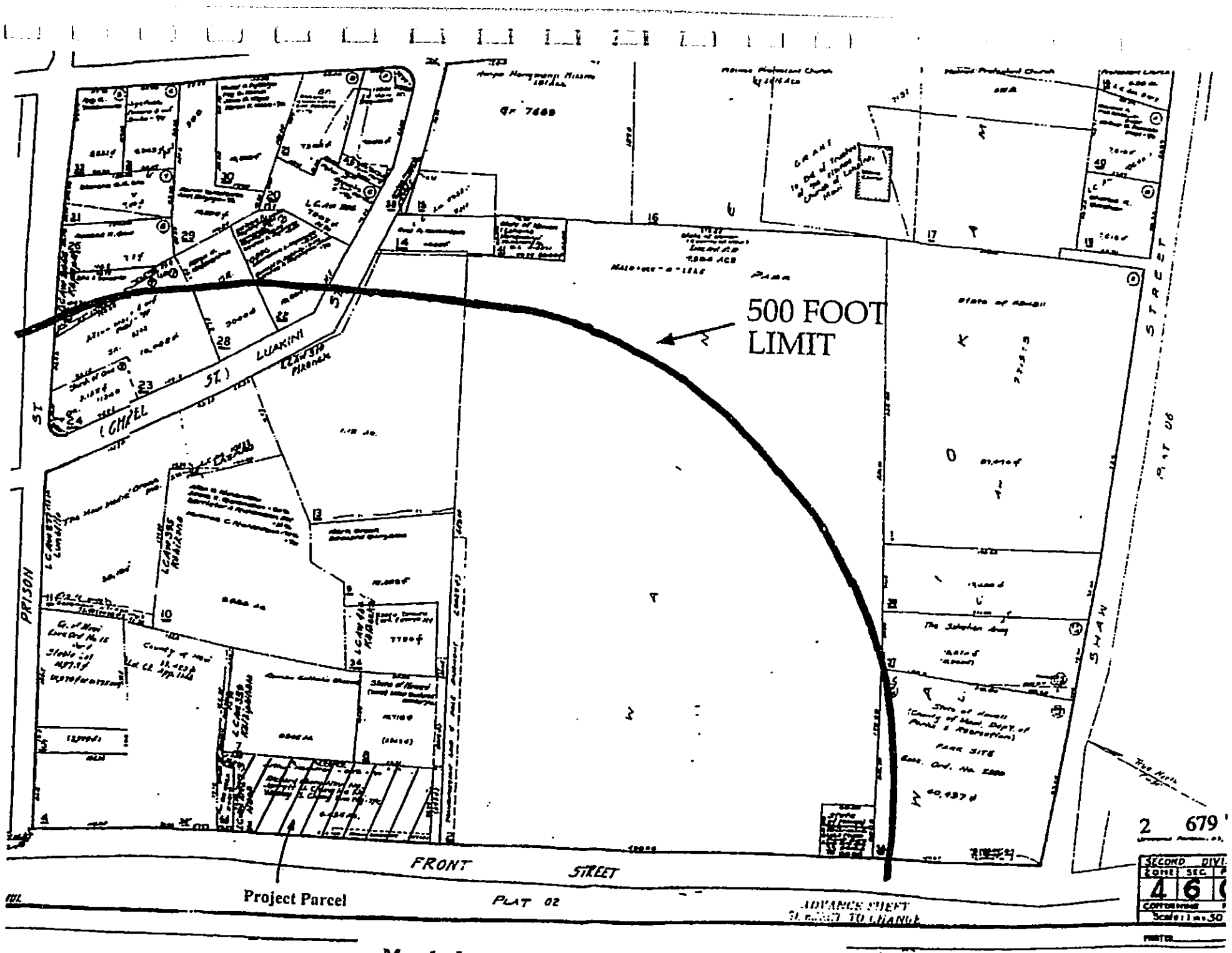

Map 1: Location of the project area, Lahaina, Maui.

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
33 SOUTH KING STREET, 6TH FLOOR
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MICHAEL D. WILSON, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

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HISTORIC PRESERVATION DIVISION
LAND DIVISION
STATE PARKS
WATER AND LAND DEVELOPMENT

April 28, 2998

Mr. Erik Fredericksen
Xamaneck Researches
P.O. Box 131
Pukalani, Hawaii 96788

LOG NO: 21389
DOC NO: 9804BD17

Dear Mr. Fredericksen:

SUBJECT: Chapter 6E-42 Historic Preservation Review of a Monitoring Plan
Puako Ahupua`a, Lahaina District, Island of Maui
TMK 4-6-07: 03

This letter is a Chapter 6E-42 Historic Preservation review of a document entitled *Archaeological Monitoring Plan for a Parcel of Land in the 'Ili of Pekala, Puako Ahupua'a, Lahaina District, Island of Maui (TMK: (2) 4-6-007: 003)* submitted by Xamanek Inc. on April 17, 1998.

Based on archaeological work conducted at the County softball park on Front Street (Kleiger et al. 1995), it is highly likely that buried historic remains will be encountered during construction in TMK 4-6-07: 03. In particular, the subject parcel appears to be located near the NW corner of the pre- and post-Contact Loko o Mokuhinia sacred pond, so special attention should be paid to the archaeological identification and recording of cobblestone pond walls and/or prepared *'auwai* channels.

We find the monitoring plan to be acceptable, with adequate measures to insure that possibly encountered historic remains will be allotted sufficient time to be properly recorded. In the event that human skeletal remains are inadvertently uncovered during construction, all work should cease in the vicinity and the contractor or archaeologist should immediately contact the Maui / Lana'i Island Burial Council and the State Historic Preservation Division offices in Wailuku and on O`ahu.

If you have any questions please contact Maui archaeologist Boyd Dixon at 243-5169.

Aloha,

DON HIBBARD, Administrator
State Historic Preservation Division

BD:jen

cc. Ralph Nagamine, Maui County Department of Public Works (fax: 243-7972)
David Blane, Maui County Department of Planning (fax: 243-7634)

XAMANEK RESEARCHES
P.O. BOX 131
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J. D. I. Ltd. Partners
721 Waine'e Street, Unit 201
Lahaina, Maui, Hawaii 96761
FAX: (808) 667-1827

Attention: Terrence Lee / Steve Gatchell 30 October, 1998

Subject: Field work summary letter report for an archaeological inventory survey conducted on 2 parcels of land in Puako *Ahupua'a* Lahaina District, Island of Maui (TMK: 4-6-07: por 7 and 10).

Xamanek Researches carried out an archaeological inventory survey on 2 adjacent parcels of land in Lahaina District, Maui, in mid-October 1998 (see Map). Parcel 7 (0.345 acre) is presently used as an overflow parking lot, while Parcel 10 (0.845 acre) contains several rented cottages. Both parcels lie within the Lahaina Historic District (Historic 2). This inventory survey was conducted per State Historic Preservation Division (SHPD) requirements because both parcels are in close proximity to Loko o Mokuhinia (present day County of Maui Malu'ulu o Lele Park). In addition, the property adjacent to and southeast of Parcel 10 contains 2 previously identified sites. These consist of Site 50-50-03-4118, a precontact to early post-contact period habitation area, and Site 4119, an early 1900's house. Development plans for both parcels include the construction of parking lots and subsurface drainage infrastructure. The surveyed area lies near the dry coastal strand of Lahaina and is within 200 m. of the ocean.

The project area ranges from a high of c. 7 ft. AMSL to a low of 3 ft. AMSL. Annual precipitation on this portion of leeward Maui averages less than 20 inches. Observed vegetation on Parcel 7 included alien grasses and weeds, landscaping shower trees, and relatively young *niu* (*Cocos nucifera*) trees. Vegetation on the adjacent Parcel 10 consisted of various irrigated landscaping plants, *niu* trees, kiawe (*Prosopis pallida*), alien grasses, and pickle weed or *'akulikuli kai* (*Batis maritima*). This latter species commonly grows in areas where the ground water table is close to the surface. No indigenous plants were observed on the overall project area.

Two sites were located during our inventory survey. These include a largely rebuilt wall and a partially intact subsurface cultural deposit. A site number will be

assigned to the subsurface deposit when the SHPD O'ahu office completes its move to Kapalei in early November 1998. Each site is briefly discussed below.

Site 50-50-03-4682

This wall is located near the southern boundary of Parcel 10. It is c. 36 m. long by up to 1.2 m. high by 0.7 to 0.8 m. wide. Site 4682 is faced and core filled. Portions of it appear to have been reconstructed. Several cut coral blocks were noted in the wall. These prepared building blocks may have been salvaged from dismantled structures in the past. According to an informant, this wall is recorded on a late 19th to early 20th Century map of Lahaina Town. This site is deemed significant under Criterion "d" of Federal and State historic preservation guidelines.

Subsurface cultural deposit on Parcel 7

This site has been impacted by past grading/grubbing activities on the Parcel 7 overflow parking lot. It lies within 30-50 cm. of the existing gravel parking lot surface. This subsurface cultural deposit was only partly intact in tested areas (9 backhoe trenches; 2 with cultural deposit remnant). A total of 3 basin shaped pits were found during trench inspections. Scattered midden observed included bivalves, cowrie (*Cypraea sp.*), *opihi* (*Cellana sp.*), and sea urchin. A few isolated *`ili`ili* were also noted. A single indigenous artifact, a coral abrader, was found near the disturbance zone of the cultural deposit and the overlying fill.

As noted above, the cultural deposit appears to be discontinuous. In addition, it has been impacted by past earthmoving activities on the parcel. Ground water was encountered between 1.6 and 1.8 m. below the surface in all 9 backhoe trenches on Parcel 7. The first trench was terminated when an electrical conduit was exposed.

Subsurface testing on Parcel 10

Much of Parcel 10 presently contains cottages and associated garden and pathway areas. Consequently the higher (i.e. 5-7 ft. AMSL) parts of the property were unavailable for backhoe trench testing. The current tenant's lease will expire at the end of June 1999 and additional inventory level subsurface testing will occur after the property has been excavated. A total of 4 backhoe trenches were excavated on accessible portions of Parcel 10. All 4 trenches yielded post-contact material culture remains. These cultural materials consisted primarily of refuse from the 20th Century. There were, however, 2 portions of bottles from the mid-1800's that were also recovered. Ground water was encountered within 1 m. below surface in all 4 test instances. Inspection of the saturated, very dark gray to black (5 YR 3/1to 5YR 2.5/1) clay soil revealed post-contact materials and what could be precontact material culture remains. Portable remains noted included scattered water worn pebbles, 2 coconut shells, a few isolated pieces of coral, bottle glass, copper, iron and refuse. It appeared that the saturated soil was filled over with reddish brown (5 YR 4/3) clay. It appears possible that this portion of the property once held standing

water, possibly associated with former Mokuhinia Pond. The presence of pickle weed indicates that the ground water table is very close to the surface on c. 20% of Parcel 10.

One informant indicated that he had dug up what were likely foundation stones for a *hale* during the construction of one of the several cottages on the property. These cottages are all on higher ground and border the area covered with pickle weed. As noted earlier, much of Parcel 10 was unavailable for subsurface testing. We will prepare an inventory survey report based on the available subsurface results. It is recommended that additional subsurface investigations be carried out after the subject parcel has been vacated in mid-1999. We will then prepare an addendum report on the subsurface testing results from the area now covered with cottages and infrastructure.

Please contact us if you require any information or have any questions about this letter report. As noted above, we will submit an inventory survey report based on the information that we have recovered at this point in time.

Sincerely,

Erik M. Fredericksen

Erik M. Fredericksen

cc: Dr. Ross Cordy, SHPD O'ahu office

APPENDIX C

Traffic Impact Assessment Report

TRAFFIC IMPACT ANALYSIS REPORT
FOR THE PROPOSED

HARBOR VILLAGE

PREPARED FOR

JDI, LIMITED PARTNERS

PREPARED BY

THE TRAFFIC MANAGEMENT CONSULTANT

TRAFFIC IMPACT ANALYSIS REPORT
FOR THE PROPOSED

HARBOR VILLAGE

PREPARED FOR

JDI, LIMITED PARTNERS

JANUARY 28, 1999

PREPARED BY

THE TRAFFIC MANAGEMENT CONSULTANT

RANDALL S. OKANEKU, P. E., PRINCIPAL • 1188 BISHOP STREET, SUITE 1907 • HONOLULU, HAWAII 96813

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TRAFFIC IMPACT ANALYSIS REPORT
FOR THE PROPOSED
HARBOR VILLAGE

I. Introduction

A. Purpose of Study

The purpose of this study is to analyze the traffic impacts resulting from the proposed Harbor Village in Lahaina, on the island of Maui. This report presents the findings and recommendations of the study.

B. Scope of Study

The scope of this study includes:

1. Description of the proposed project.
2. Evaluation of existing roadway and traffic conditions.
3. Analysis of future roadway and projected traffic conditions without the proposed project.
4. Development of trip generation characteristics for the proposed project.
5. Superimposing the site-generated traffic over future traffic conditions.
6. The identification and analysis of traffic impacts resulting from the proposed project.
7. Recommendation of improvements, if appropriate, that would mitigate the traffic impacts resulting from the development of the proposed project.

II. Project Description

A. Location

The project site is located on the east (mauka) side of Front Street, between Prison Street and Mokuhina Place, in Lahaina, Maui. The properties are identified as Tax Map Key 4-6-07:3, 7, 10, & 44. Vehicular access is not proposed on Front Street or on Mokuhina Place. Site access is proposed via the existing driveways to the County public parking lot, located on the corner of Front Street and Prison Street. Figure 1 depicts the project location. The vicinity of the proposed project is depicted on Figure 2.

B. Proposed Access

The existing County public parking lot would be expanded to satisfy the parking requirements for the proposed project. Vehicular access to the site is proposed at the existing driveways to the County public parking lot on Front Street and on Prison Street.

C. Project Characteristics

The proposed project would consist of a total of 24,000 square feet of commercial floor area and 147 parking stalls, which includes the paving of an existing dirt parking area adjacent to the County public parking lot. The project parking would be integrated into the 93-stall County public parking lot for a total of 240 parking stalls.

The anticipated uses include 12,000 square feet of retail space on the ground floor and a 12,000 square foot restaurant on the second floor. The proposed project is expected to be fully built-out and occupied by late 1999 or early 2000. For the purpose of this traffic impact analysis, the Year 2000 is used as the study's planning horizon. The site plan is illustrated on Figure 3.

III. Existing Conditions

A. Existing Site Characteristics

The project site is occupied by two structures totaling about 2,400 square feet of gross floor area. The existing uses include a visitor activities center and a clothing store.

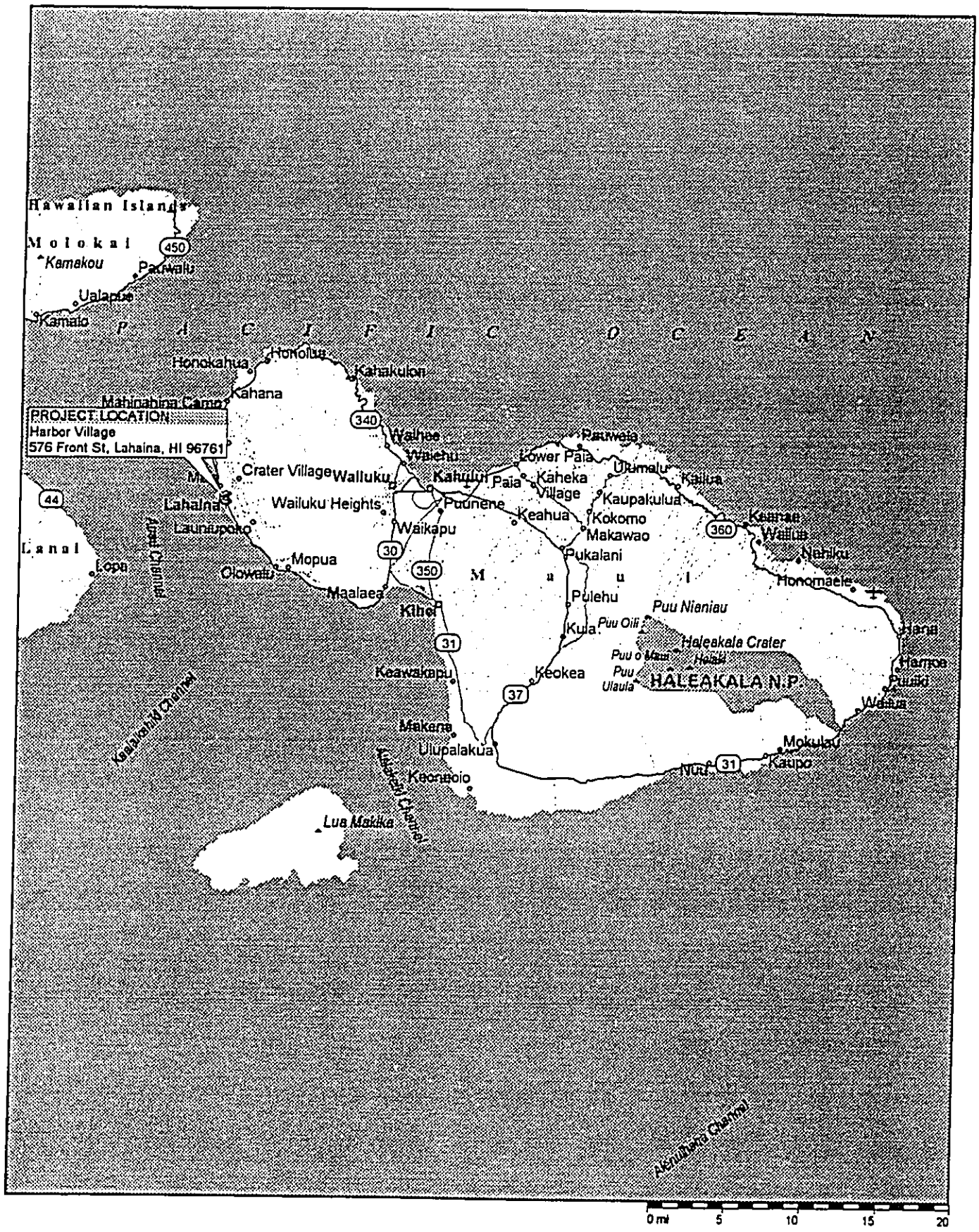

Figure 1. Location Map

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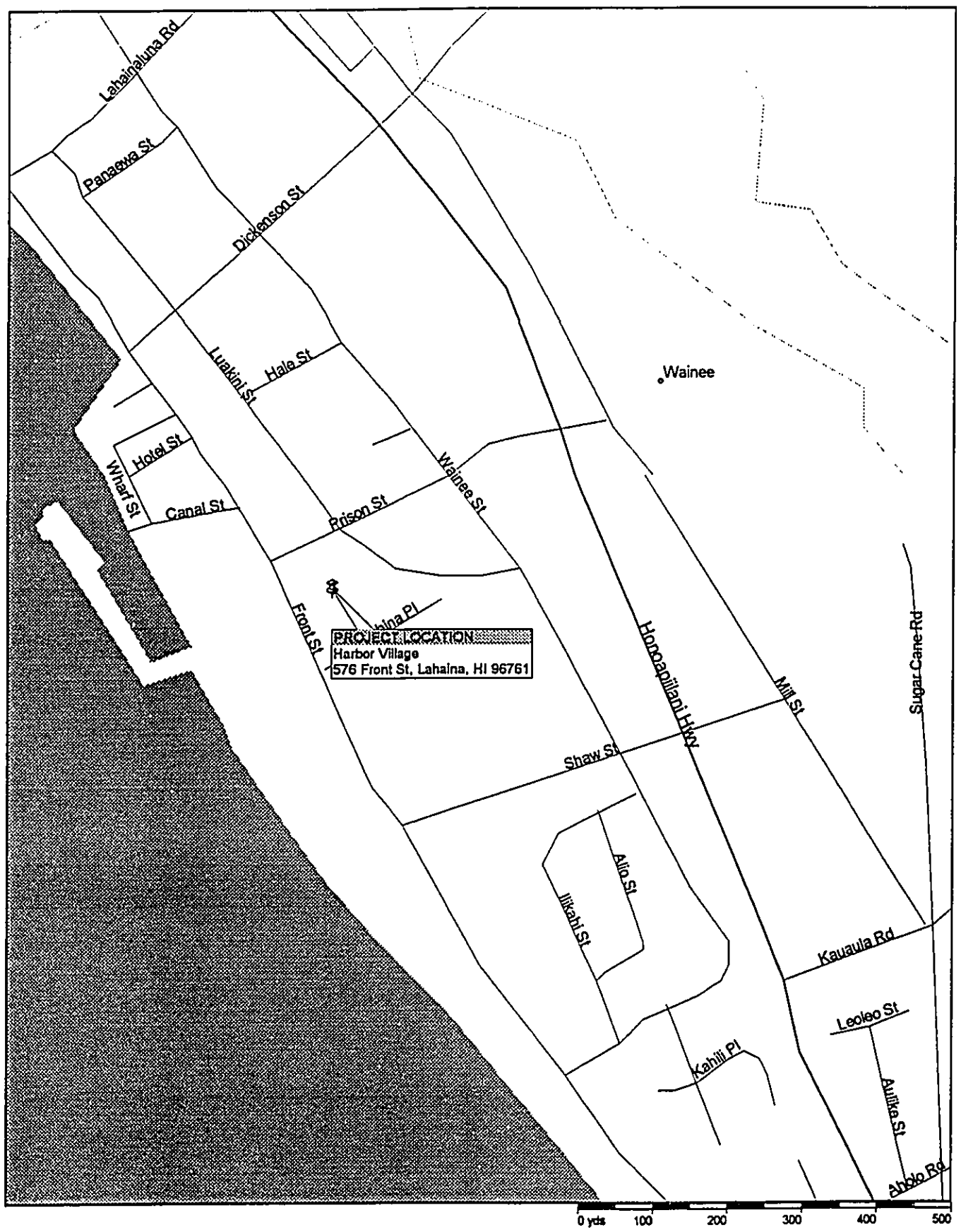

Figure 2. Vicinity Map

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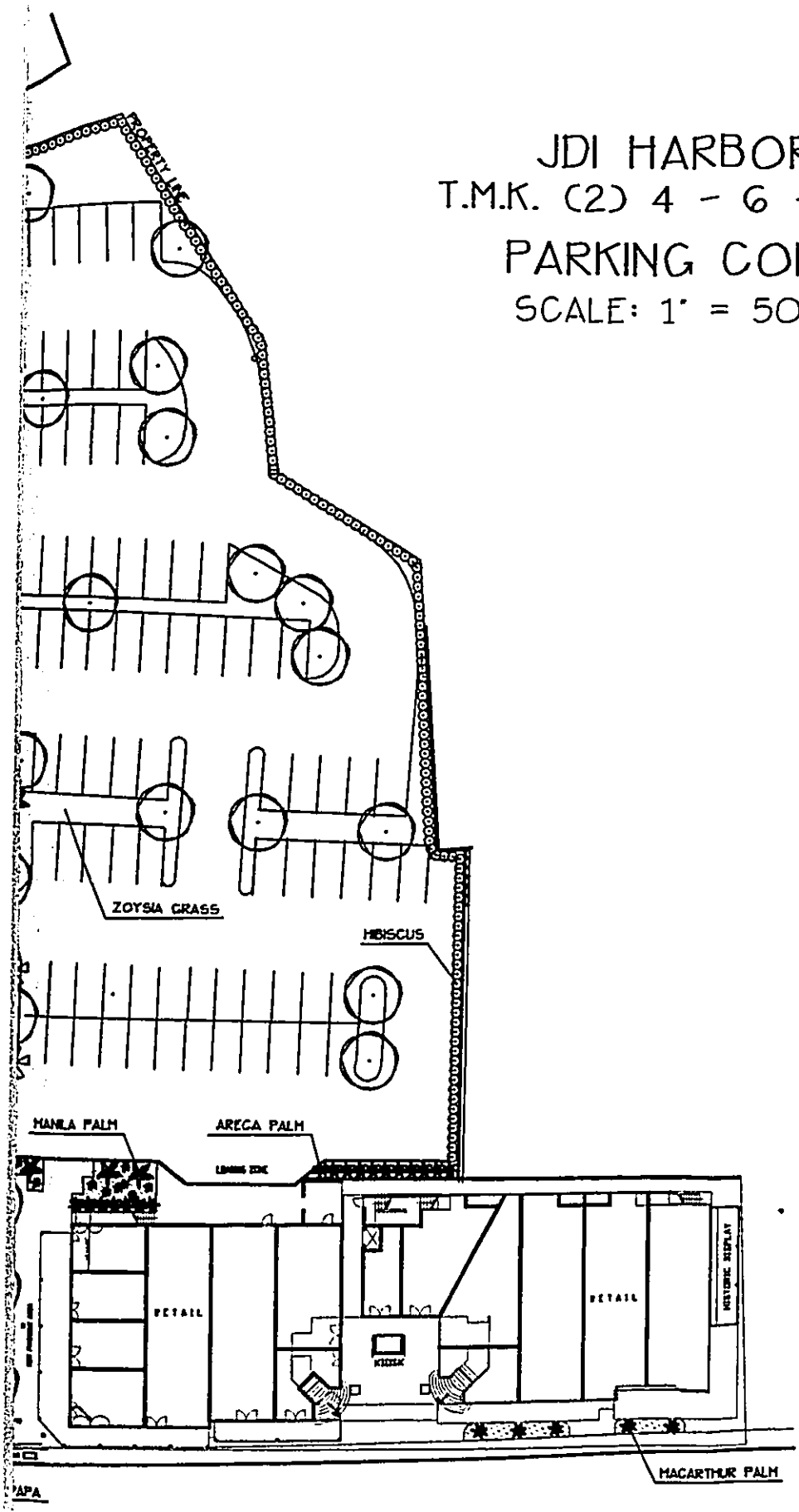
JDI HARBOR VILLAGE

T.M.K. (2) 4 - 6 - 07 : 3. 7. + 10

PARKING CONCEPT PLAN

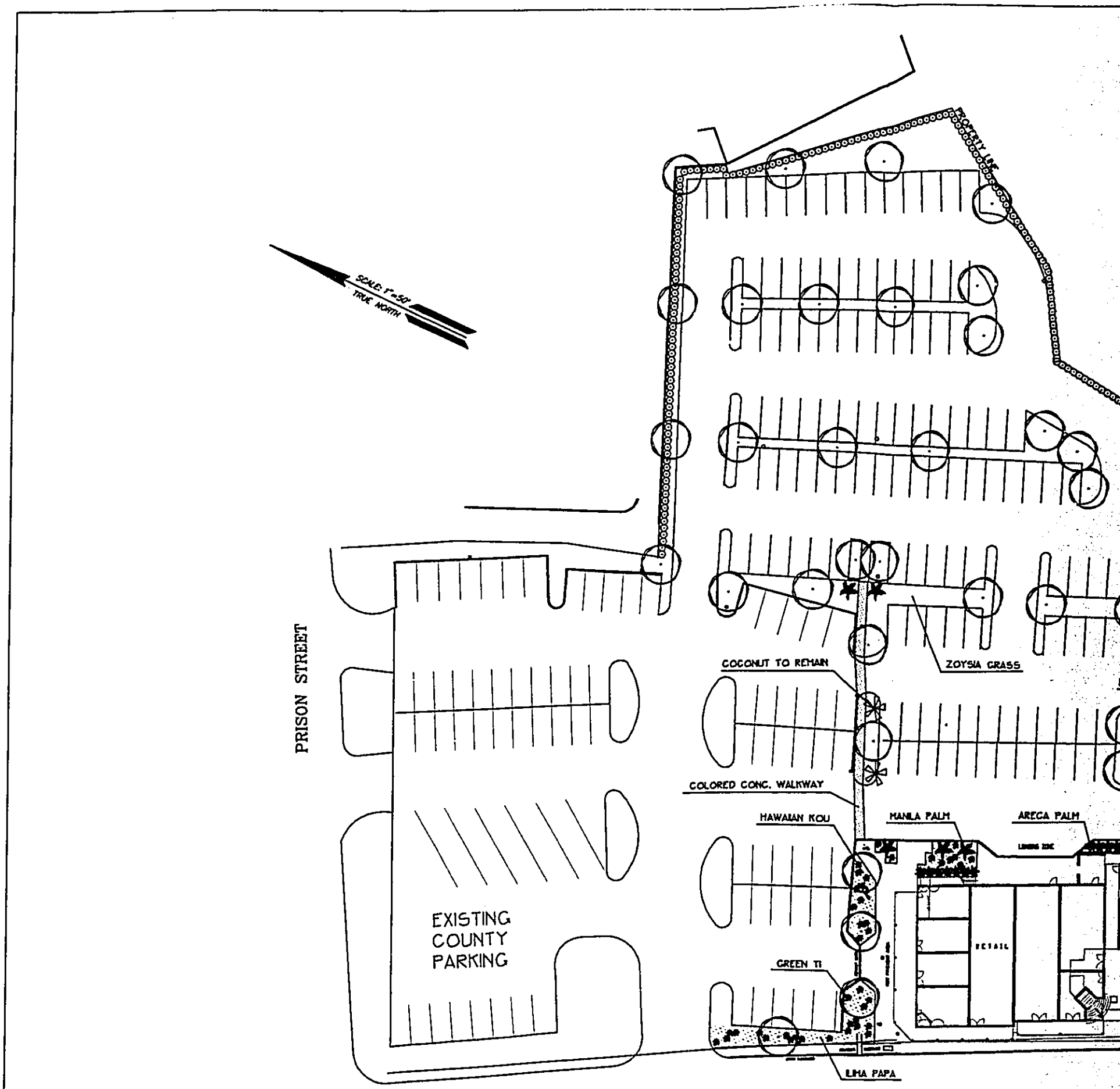
SCALE: 1" = 50' 1-22-99



F R O N T S T R E E T

Figure 3. Site Plan

CHRIS HART & PARTNERS
LANDSCAPE ARCHITECTURE AND PLANNING
1088 MAIN STREET, SUITE 208
WAILUKU, MAUI, HI 96793-1708
TELEPHONE: 808-242-1988
FACSIMILE: 808-242-1998
E-MAIL: chpm@maui.net


SCALE: 1"=50'
TRUE NORTH
PROPERTY LINE
PRISON STREET
EXISTING
COUNTY
PARKING
COCONUT TO REMAIN
ZOYSIA GRASS
COLORED CONC. WALKWAY
HAWAIIAN KOU
MANILA PALM
ARECA PALM
RETAIL
GREEN TI
ILIMA PAPA
FRONT ST

The existing County of Maui public parking lot can accommodate 87 cars. Bus parking also provides for an additional six vehicles. A dirt lot behind the County parking lot is available for public parking of about 42 vehicles. The County parking lot access is provided by a driveway on Front Street and two adjacent driveways on Prison Street.

B. Area Roadway System

1. Front Street

Front Street is a two lane, two way collector roadway that extends along the entire length of Lahaina Town. Front Street is unsignalized at its intersection with Prison Street. Vehicles on southbound Front Street, turning left onto Prison Street, must turn from the through lane of traffic. Public (parallel) parking is permitted on the west (makai) side of Front Street, between Prison Street and Mokuhina Place. Kamehameha III School (angle) parking is located on the makai side of Front Street, north of Prison Street. The posted speed on Front Street is 20 miles per hour (mph).

2. Prison Street

Prison Street is a two-way, two-lane roadway, which extends from Front Street to Honoapiilani Highway. Prison Street is stop-controlled at its Tee-intersection with Front Street.

C. Traffic Volumes and Conditions

1. General

a. Field Investigation

The field investigation was conducted on October 20-21 1998. It was comprised of a site inspection of the roadway and traffic conditions and a traffic count survey at the intersection of Front Street and Prison Street and at the County public parking lot driveways during the peak periods of traffic. A pedestrian survey also was conducted to determine the pedestrian generation characteristics of public parking lot during the PM peak period of traffic. The traffic count survey was conducted between the hours of 7:00 AM and 8:30 AM, and from 3:00 PM to 5:30 PM.

b. Capacity Analysis Methodology

The highway capacity analysis performed for this study is based upon procedures presented in the "Highway Capacity Manual" (HCM), Special Report 209, Transportation Research Board, and the "Highway Capacity Software", Federal Highways Administration.

Level of Service (LOS) is defined by HCM as "a qualitative measure describing operational conditions within a traffic stream". Several factors are included in determining LOS such as: speed, delay, vehicle density, freedom to maneuver, traffic interruptions, driver comfort, and safety. LOS "A", "B", and "C" are considered satisfactory levels of service. LOS "D" is generally considered a "desirable minimum" operating level of service. LOS "E" is an undesirable condition and LOS "F" is an unacceptable condition.

2. Existing AM Peak Hour Traffic Analysis

The intersection of Front Street and Prison Street operated at satisfactory Levels of Service, i.e., LOS "B" or better, during the AM peak hour of traffic. The AM peak hour of traffic occurred between 7:15 AM and 8:15 AM. The left turn movement from southbound Front Street to eastbound Prison Street is prohibited between 7:15 AM and 8:00 AM. A school crossing guard is posted on Front Street at Prison Street during the AM peak period to facilitate pedestrians crossing Front Street.

The County public parking lot driveways on Front Street and on Prison Street also operated at LOS "B" or better during the AM peak hour of traffic. The most significant traffic generator during the AM peak hour was Kamehameha III School. Parents parked in the County parking lot and walked their children across Front Street to the school grounds. Parents also parked along Front Street to drop off or walk their children to school. Periodic queuing was observed on Front Street, as a result of the crossing guard stopping traffic to permit parents and children to cross Front Street. Figure 4 depicts the existing AM peak hour traffic volumes and results of the capacity analysis.

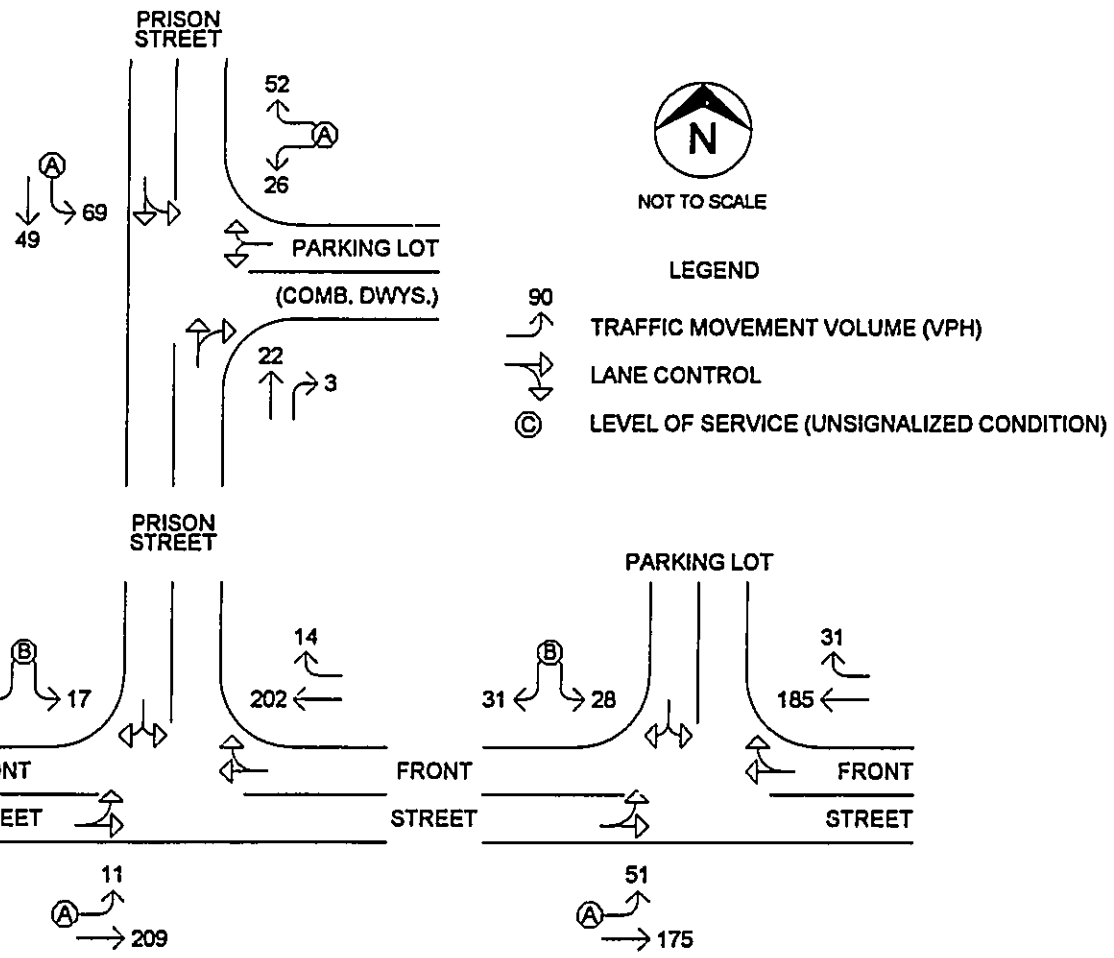


Figure 4 - Existing AM Peak Hour Traffic

3. Existing PM Peak Hour Traffic Analysis

The PM peak hour of traffic occurred between 3:15 PM and 4:15 PM. The intersection of Front Street and Prison Street again operated at LOS "B" or better during the PM peak hour of traffic. The existing PM peak hour traffic volumes and results of the capacity analysis is depicted on Figure 5.

During the PM peak hour of traffic, queuing on northbound Front Street was a result of slow moving traffic, pedestrian traffic, and left turn movements north of Prison Street. Queuing in the southbound direction on Front Street resulted from vehicles turning left to Prison Street. Tour buses, turning left to Prison Street, create long delays to through traffic on Front Street. Because of the restricted width of Prison Street, tour bus drivers must wait until both lanes on Prison Street are clear before making the turning movement, using the full width of Prison Street. The left turn traffic on southbound Front Street meets the volume warrant for an exclusive left turn lane according the American Association of State Highway and Transportation Engineers (AASHTO) guidelines during the existing PM peak hour of traffic.

During the PM peak hour of traffic, 101 pedestrians were observed entering the County parking lot. One hundred and thirty-two (132) pedestrians were observed exiting the parking lot during the same period. Pedestrians entered and exited the parking on both Front Street and Prison Street. Most of the pedestrians proceeded northbound on Front Street. The existing sidewalks on both sides of Front Street appeared to accommodate the flows of pedestrian traffic during the PM peak hour of traffic.

IV. Projected Traffic

A. Site-Generated Traffic

1. Trip Generation Methodology

The trip generation methodology, used in this study, is based upon generally accepted techniques developed by the Institute of Transportation Engineers (ITE) and published in "Trip Generation, 6th Edition", 1997. The ITE trip rates are developed empirically, by correlating the vehicle trip generation data with various land use characteristics, such as vehicle trips per 1,000 square feet of gross floor area.

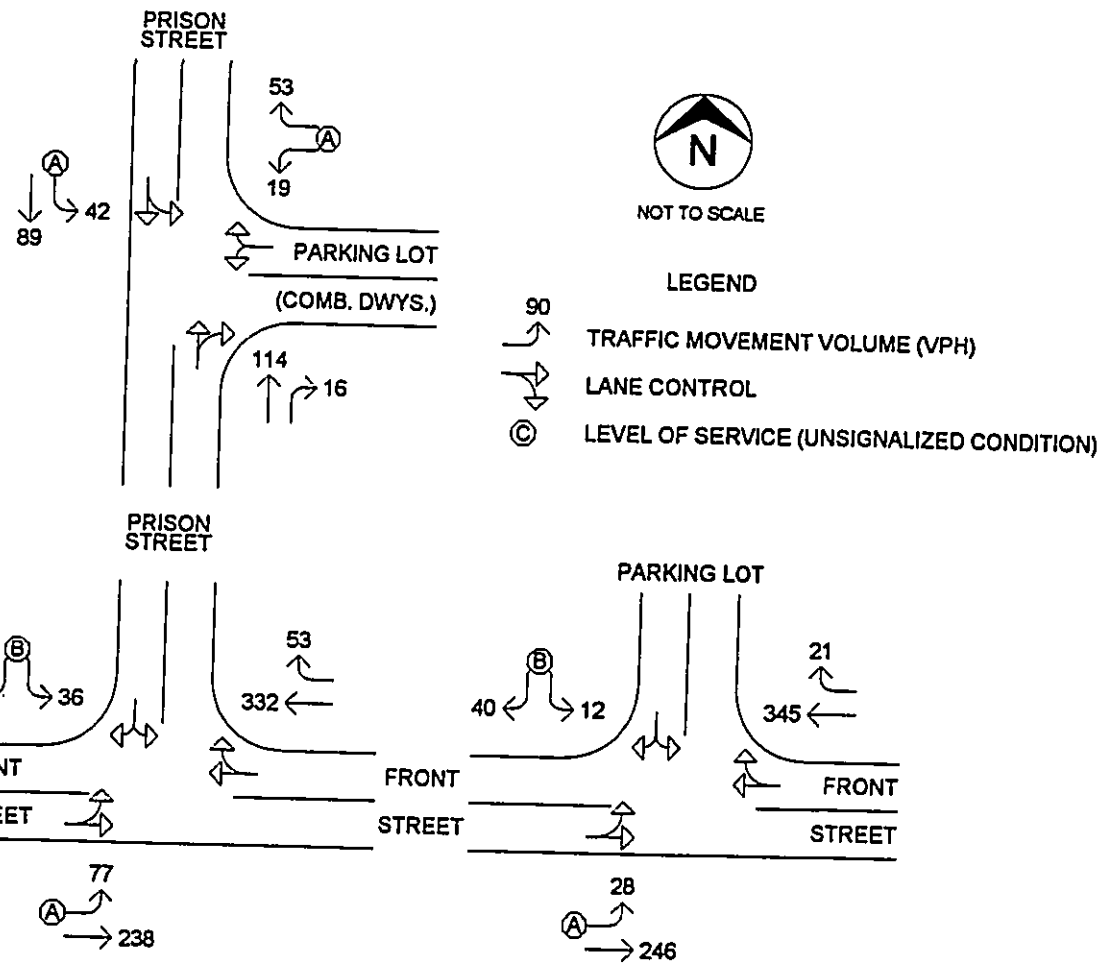


Figure 5 - Existing PM Peak Hour Traffic

2. Trip Generation Characteristics

The trip generation characteristics are based upon 12,000 gross square feet (GSF) of retail space and a 12,000 GSF restaurant. The retail space has been adjusted for the existing commercial activities on the property totaling 2,400 GSF – resulting in a net 9,600 GSF. The proposed project is expected to generate a total of 49 vehicles per hour (vph) during the AM peak hour of traffic – 32 vph entering and 17 vph exiting the site. During the PM peak hour of traffic, the proposed project is expected to generate a total of 238 vph – 134 vph entering and 104 vph exiting the site.

The total PM peak hour trips, generated by a land development, can be defined as driveway traffic, i.e., traffic entering and exiting the project site. A portion of the trips generated by a retail project can be considered "pass-by" trips – traffic attracted from the traffic stream passing the site. The remainder of the trips generated by the commercial project are considered to be "primary" trips – trips whose primary destinations are the proposed retail development. The proportion of pass-by trips relative to the total trip generation varies inversely with the size of the shopping destination, i.e., large shopping center generate a higher proportion of primary trips, while smaller shops generate more pass-by traffic. The retail component of the proposed project is expected to generate 100 percent pass-by traffic, and therefore would not generate any additional traffic.

The PM peak hour for the proposed restaurant is expected to occur around 6:00 PM, while the PM peak hour of the traffic occurs between 3:15 PM and 4:15 PM. Therefore, the proposed restaurant is not expected to directly impact the PM peak hour of traffic.

Currently, there exists a scarcity of public parking in Lahaina Town. During the PM peak hour, the existing County public parking lot was near capacity. The expanded public parking lot is expected to generate traffic during the PM peak hour of traffic. During the PM peak hour of traffic, the parking lot reached capacity during short periods of time, when motorists were observed to enter and exit the parking lot. The existing parking lot is expected to be increased by a net 105 stalls. The PM peak hour trip generation for the

proposed project was based upon the increase in parking capacity of the existing public parking lot. Table 1 summarizes the AM and PM peak hour of traffic vehicle trip generation summary.

Table 1. Summary of Trip Generation Characteristics

			Retail (vph)	Restaurant (vph)	Parking (vph)	Total (vph)
Peak Hour of Adjacent Street Traffic	AM Peak Hour Traffic	Enter	24	8	N/A	32
		Exit	15	2	N/A	17
		Total	39	10	N/A	49
	PM Peak Hour Traffic	Enter	N/A	N/A	87	87
		Exit	N/A	N/A	101	101
		Total	N/A	N/A	188	188

3. Pedestrian Trip Generation

The number of pedestrian trips, generated from the County parking lot, during the PM peak hour of traffic, is derived by comparing the observed pedestrian traffic with the existing number of parking stalls. A total of 233 pedestrians were generated from the existing 129 parking stalls. The bus parking was excluded from the analysis, since parked tour buses were not observed during the PM peak period of analysis. The net increase in parking of 105 stalls is expected to increase the pedestrian trip generation by about 190 pedestrians.

B. Through Traffic

The background growth in traffic is based upon the traffic projections published in the "Maui Long-Range Land Transportation Plan", dated February 1997, prepared for the State of Hawaii Department of Transportation (DOT) and the County of Maui Department of Public Works and Planning Department. The Year 2020 peak hour traffic forecasts south of Lahaina Town were used to develop the traffic forecast for the proposed project's planning horizon of the Year 2000. The

travel forecast analysis indicates that traffic is expected to increase at a rate of approximately 3.67 percent per year using 1998 as the base year. A growth factor of 1.073 is used in projecting through traffic demands to the Year 2000.

C. Projected Traffic Without Project

1. AM Peak Hour Traffic Without Project

The intersection of Front Street at Prison Street and parking lot driveways on Front Street and on Prison Street are expected to continue to operate at satisfactory Levels of Service, i.e. LOS "B" or better, during the AM peak hour of traffic without the proposed project. Figure 6 depicts the Year 2000 AM peak hour traffic projections without the proposed project and the results of the Level of Service analysis.

2. PM Peak Hour Traffic Without Project

Prison Street at Front Street is expected to operate at LOS "C", during the PM peak hour of traffic without the proposed project. The parking lot driveways on Front Street and on Prison Street are expected to continue to operate at satisfactory Levels of Service, i.e. LOS "B" or better, during the PM peak hour of traffic without the proposed project. The Year 2000 PM peak hour traffic without the proposed project and the results of the Level of Service analysis are depicted on Figure 7.

V. Traffic Impact Analysis

A. AM Peak Hour Traffic With Project

The intersection Honoapiilani Highway and Front Street is expected to continue to operate at satisfactory Levels of Service during the AM peak hour of traffic with the proposed project. Figure 8 depicts the projected AM peak hour of traffic with the site-generated traffic and results of the Level of Service analysis.

B. PM Peak Hour Traffic With Project

Prison Street at Front Street is expected to continue to operate at LOS "C", during the PM peak hour of traffic with the proposed project. The parking lot driveways on Front Street and on Prison Street are expected to operate at satisfactory Levels of Service, i.e. LOS "B" or better, during the PM peak hour of traffic with the proposed project. The left turn traffic on southbound Front Street at

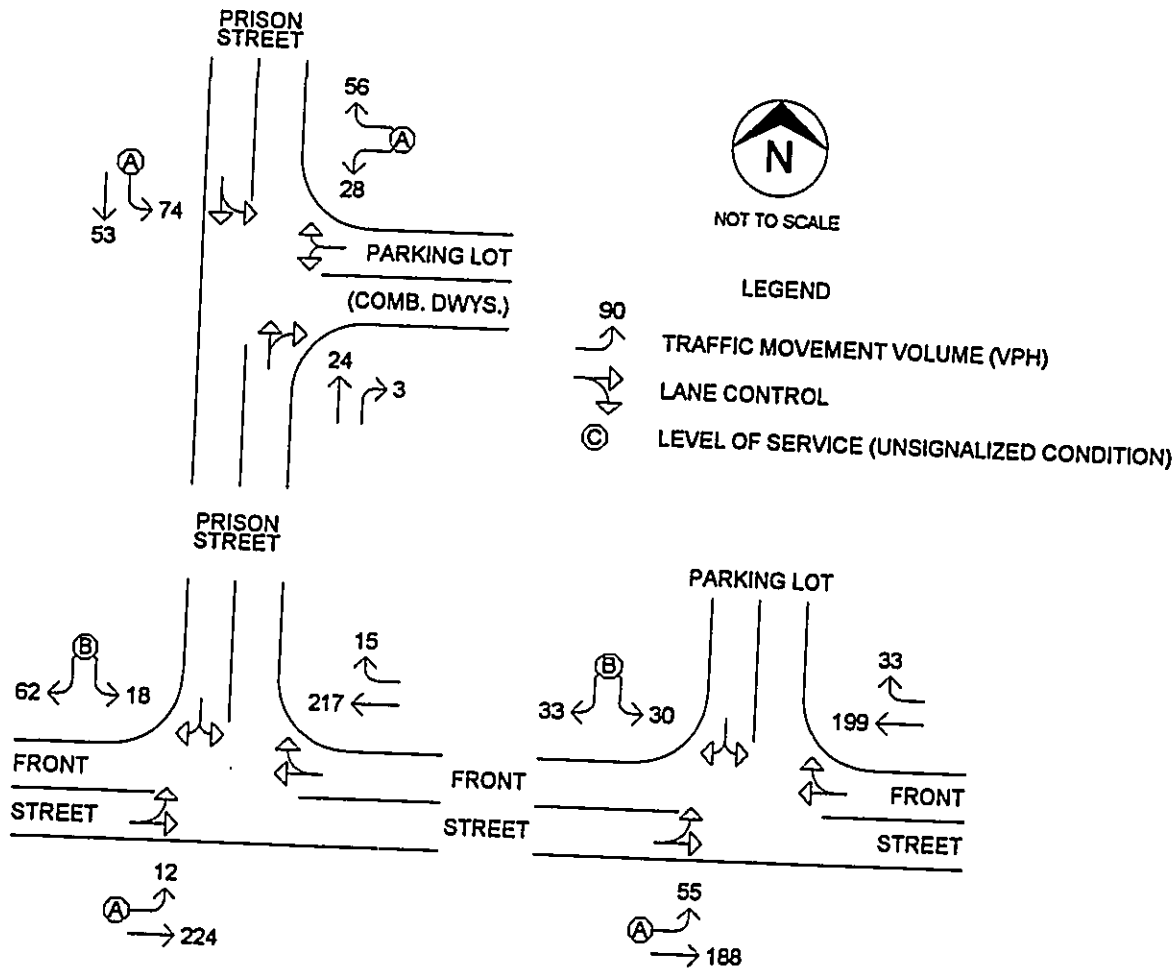


Figure 6 - Year 2000 AM Peak Hour Traffic Without Project

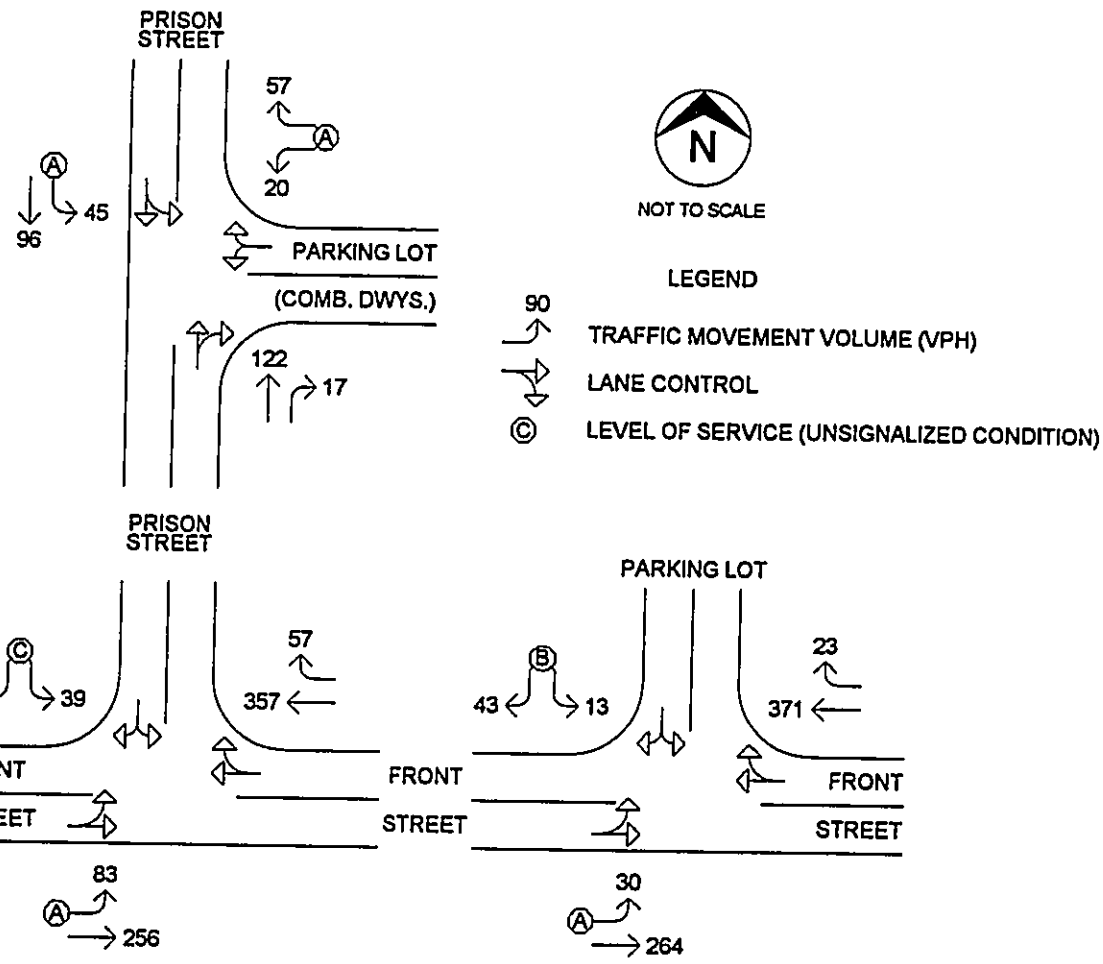


Figure 7 - Year 2000 PM Peak Hour Traffic Without Project

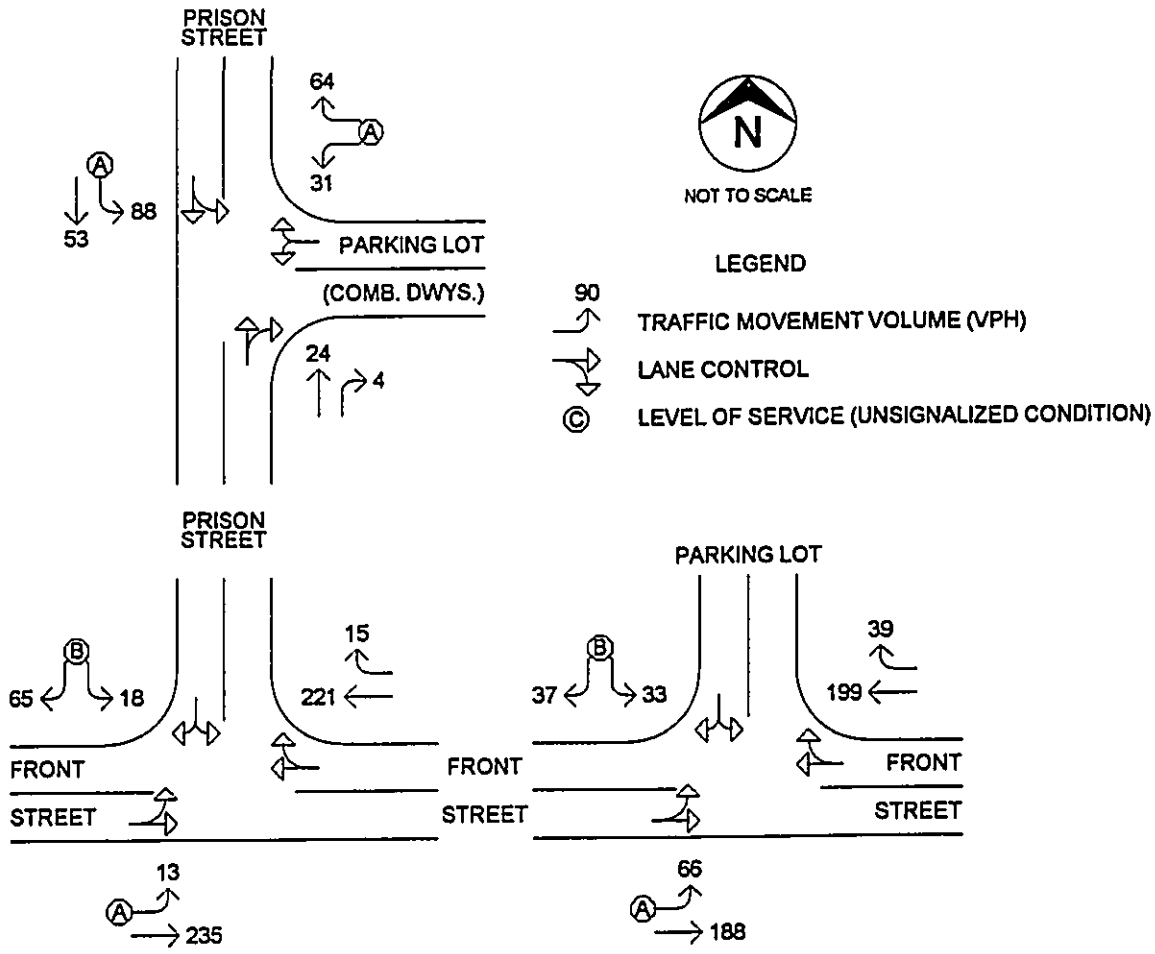


Figure 8 - Year 2000 AM Peak Hour Traffic With Project

the parking lot driveway marginally meets the AASHTO volume warrant for an exclusive left turn lane during the PM peak hour of traffic with the proposed project. Figure 9 depicts the projected PM peak hour of traffic with the site-generated traffic and results of the Level of Service analysis.

Table 2 summarizes the traffic impacts of the proposed Harbor Village on the intersections within the study area.

Table 2. Summary of Traffic Impact Analysis

		Prison St at Front St	Front St Driveway	Prison St Driveway
		LOS	LOS	LOS
Existing Peak Hour	**AM**	B	B	A
	PM	B	B	A
Year 2000 Peak Hour Without Project	**AM**	B	B	A
	PM	C	B	A
Year 2000 Peak Hour With Project	**AM**	B	B	A
	PM	C	B	A

LOS = Level of Service on side street traffic movement

VI. Recommendations

A. Proposed Improvements to Mitigate Highway Deficiencies Without Project

An exclusive left turn lane should be provided on southbound Front Street at Prison Street. The existing PM peak hour traffic demand on Front Street at Prison Street meets the AASHTO volume warrant for an exclusive left turn lane. In order to accommodate the exclusive left turn lane within the existing roadway, about 180 linear feet of the existing angle parking (15 stalls) along Kamehameha III School would be eliminated or converted to parallel parking (8 stalls). Providing an exclusive left turn lane also would eliminate about 40 linear feet of parallel parking (2 stalls) on Front Street, south of Prison Street.

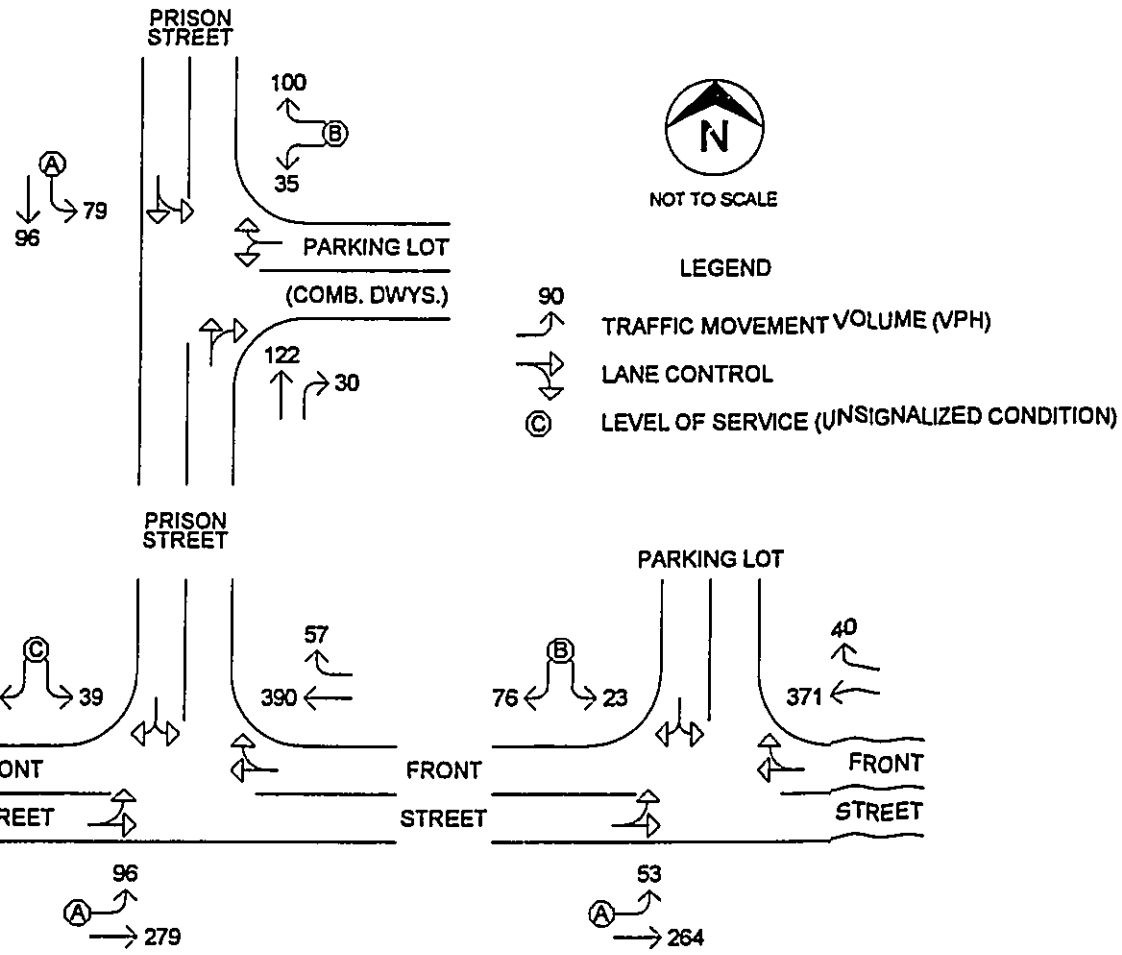


Figure 9 - Year 2000 PM Peak Hour Traffic With Project

Consideration should be given to restricting tour buses, turning left from Front Street to Prison Street because of the limited road widths. Even with the proposed exclusive left turn lane on Front Street at Prison Street, tour buses may still have difficulty negotiating the turning movement without crossing over into the makai bound lane on Prison Street.

B. Proposed Improvements to Mitigate Highway Deficiencies With Project

An exclusive left turn lane should be provided on southbound Front Street at the County public parking lot driveway. The PM peak hour traffic demand with the proposed project on Front Street at the parking lot driveway meets the AASHTO volume warrant for an exclusive left turn lane. In order to accommodate the exclusive left turn lane within the existing roadway, an additional 120 linear feet of the existing parallel parking (6 stalls) would be eliminated on Front Street.

VII. Conclusions

Traffic flow on Front Street is restricted due to left turn movements from the shared through lanes. Exclusive left turn lanes on southbound Front Street would allow through traffic to bypass left turn queues at Prison Street and at the County parking lot driveway. The loss of on street parking, due to the improvement, could be replaced within the County/Harbor Village parking lot. The conversion of exiting angle parking to parallel parking and the elimination of existing parallel parking would further improve traffic flow on Front Street by eliminating the frictional delays resulting from parking maneuvers.

The PM peak hour of the proposed restaurant is expected to occur after the PM peak period of traffic on Front Street. The trips generated by the retail component of the proposed project is expected to attract mostly pass-by trips, i.e., traffic passing the site or parking in the County public parking lot and walking to other destinations in Lahaina Town. Indirect traffic impacts are expected to occur as a result of the increased parking capacity at the County public parking lot. The proposed project is not expected to significantly impact traffic in the study area.

APPENDIX D

Preliminary Drainage Reports

PRELIMINARY

DRAINAGE REPORT

for

Harbor Village
at
576 Front Street

Lahaina, Maui, Hawaii

TMK (2) 4-6-07: 03

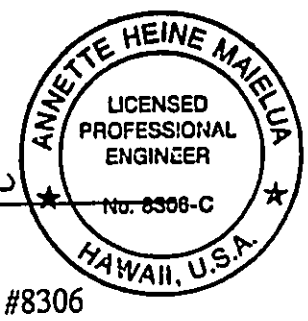
Prepared for:

Maui Architectural Group, Inc.
2331 West Main Street
Wailuku, Hawaii 96793

Prepared by:

ENGINEERING DYNAMICS CORP.
66 Wailani Street
Wailuku, Hawaii 96793
Phone: (808) 242-1644
Fax: (808) 242-0838

This work was prepared by me
or under my supervision



Annette H. Maielua
Professional Engineer
State of Hawaii Certificate #8306

November 30, 1998

This report is an "instrument of service" and part of an integrated process of technical design. Use outside this process is inappropriate and transfer of its observations, conclusions, or methodology to any other work may have serious consequences. Definitions used have only the meanings assigned to them by the engineer in the context employed.

EXECUTIVE SUMMARY

Drainage Report
for Harbor Village
at
Lahaina, Maui, Hawaii

TMK (2) 4-6-07: 03

The parcel is located on Front Street, approximately 200 feet southeast of Prison Street. Proposed improvements consist of demolition of two existing commercial buildings and construction of two commercial buildings with paved parking located on a nearby lot.

The parcel was analyzed to estimate changes in runoff resulting from proposed improvements for 10-year, 1-hour storm.

The runoff from the property primarily sheetflows in a southeasterly direction onto the dirt and graveled parking area. The runoff flows into an existing drainage ditch adjacent to the subject property. The ditch is connected to an existing reinforced concrete box culvert that crosses under Front Street and outlets to the ocean.

Post-development flows will be directed to the same existing drainage system.

Improvements of this project will have no adverse effects on adjoining or downstream properties.

TABLE OF CONTENTS

PROJECT DESCRIPTION

The project site is located on Front Street, approximately 200 feet southeast of Prison Street and is designated by Tax Map Key (2) 4-6-7: 03, Lahaina, Maui, Hawaii. The parcel contains an area of 18,912 square feet and is located in the Historical District of Lahaina.

The proposed improvements include two new commercial buildings with landscaping. The required parking for the project will be located on a nearby lot.

EXISTING CONDITIONS

The site currently has two commercial buildings with six parking stalls. The existing grades range from 8 feet to 5 feet above mean sea level (MSL).

The runoff from the property primarily sheetflows in a southeasterly direction and drains into an existing ditch which runs adjacent to the property. The ditch is connected to a double 8 ft. x 3.5 ft. reinforced concrete box culvert which crosses under Front Street and discharges directly to the ocean.

FLOOD HAZARD

The property is primarily located in Zone C with a small portion located in Zone B. Zone B is an area subject to 100-year flooding with average depths less than one foot. Zone C is an area of minimal flooding and not subject to the *Flood Hazard District Ordinance*, Chapter 19.62 of the Maui County Code.

GENERAL DRAINAGE SCHEME

The proposed improvements will include inlets to collect the onsite runoff. The inlets will be connected to the existing drainage system located on Front Street.

BASIS OF DESIGN

The hydrologic calculations are based on the formulas, charts and tables from the *Drainage Master Plan for the County of Maui* and *Rules for the Design of Storm Drainage Facilities in the County of Maui*, Department of Public Works and Waste Management. For drainage areas of 100 acres or less, the rational method is used for the 10-year, 1-hour recurrence interval. The rational formula is:

$$Q = C\ I\ A$$

Where Q = Rate of flow in cfs

C = Runoff Coefficient

I = Rainfall intensity in inches per hour or as adjusted by a factor related to the time of concentration

A = Drainage area in acres

See Appendix A for hydrologic calculations.

CONCLUSION

The hydrologic calculations show the amount of runoff generated by the existing conditions is Q_{10} = 1.3 cfs. The proposed conditions will yield Q_{10} = 1.9 cfs. The increase in runoff due to the proposed improvements will be Q_{10} = 0.6 cfs.

The Front Street drainage improvements were designed for the 100-year rainfall on the basis of full land development as defined in the 1983 Lahaina Community Plan. Therefore, the existing box culverts have the capacity for the anticipated increased runoff from this project.

There will be no adverse effects on any adjoining or downstream properties as a result of this project.

REFERENCES

1. *Rainfall Frequency Atlas of the Hawaiian Islands, Technical Paper No. 43*, Cooperative Studies Section, Hydrological Services Division, U.S. Weather Bureau, U.S. Department of Commerce, dated 1962.

2. *Drainage Master Plan for the County of Maui, State of Hawaii*, R. M. Towill Corporation, October 1971.

3. *Storm Drainage Standards*, Department of Public Works, City and County of Honolulu, March 1969.

4. *Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii*, U. S. Department of Agriculture, Soil Conservation Service, in cooperation with the University of Hawaii, August 1972.

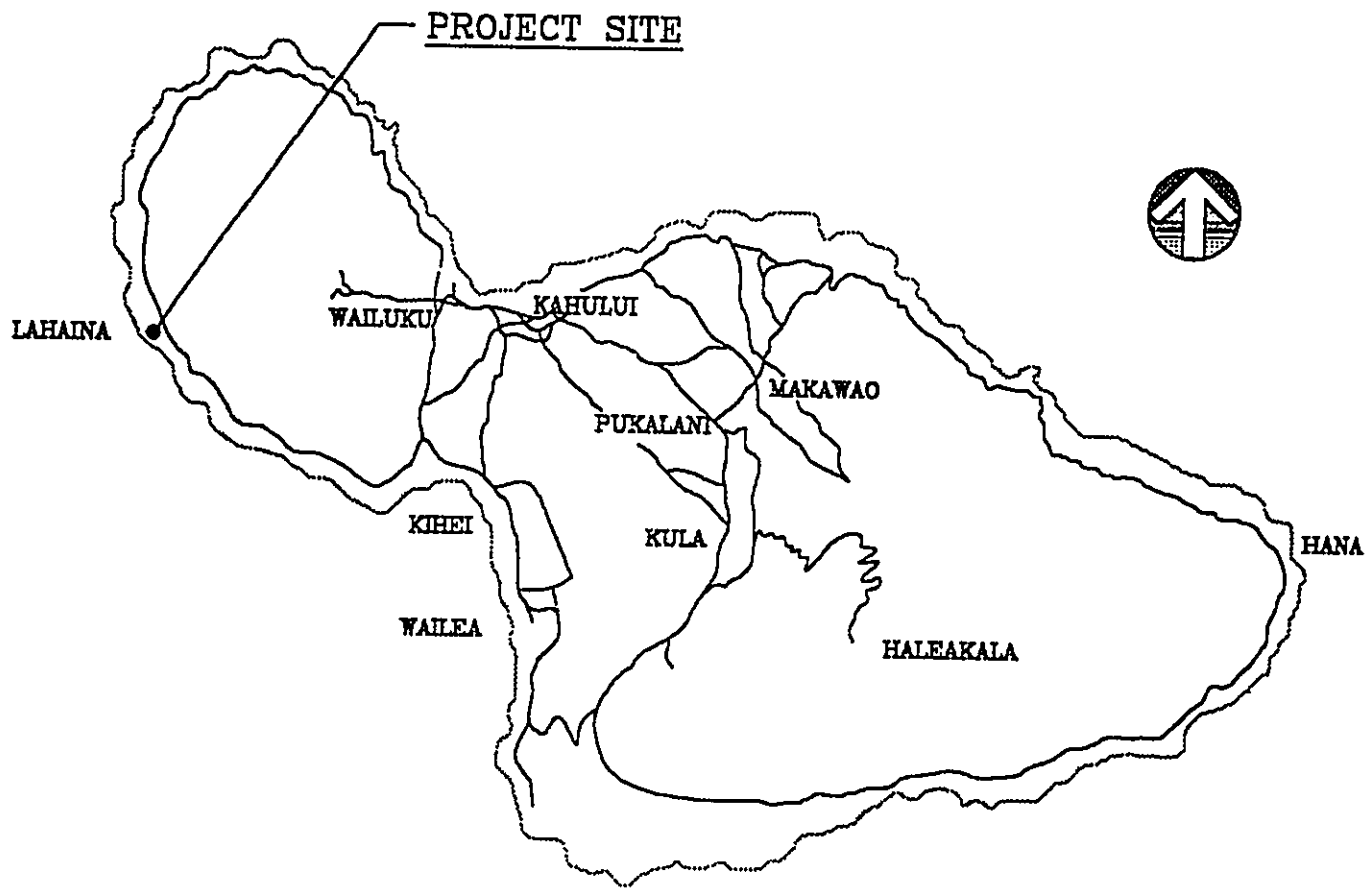
5. *Erosion and Sediment Control Guide for Urbanizing Area in Hawaii*, U. S. Department of Agriculture, Soil Conservation Service, Hawaii association of Soil and Water Conservation Districts, Soil Conservation Society of America, Hawaii Chapter, March 1981.

6. *Flood Insurance Rate Map, Maui County, Hawaii*, U. S. Department of Housing and Urban Development, Federal Insurance Administration.

7. *Drainage of Highway Pavements, Hydraulic Engineering Circular No. 12*, U. S. Department of Transportation, Federal Highway Administration, March 1984.

8. *Rules for the Design of Storm Drainage Facilities in the County of Maui, Chapter 4, Title MC-15*, Department of Public Works and Waste Management, County of Maui, State of Hawaii, July 1995.

9. *Front Street Improvement Project Final Environmental Assessment*, Chris Hart & Partners, September 1994.



LOCATION MAP

ISLAND OF MAUI

EXHIBIT 1

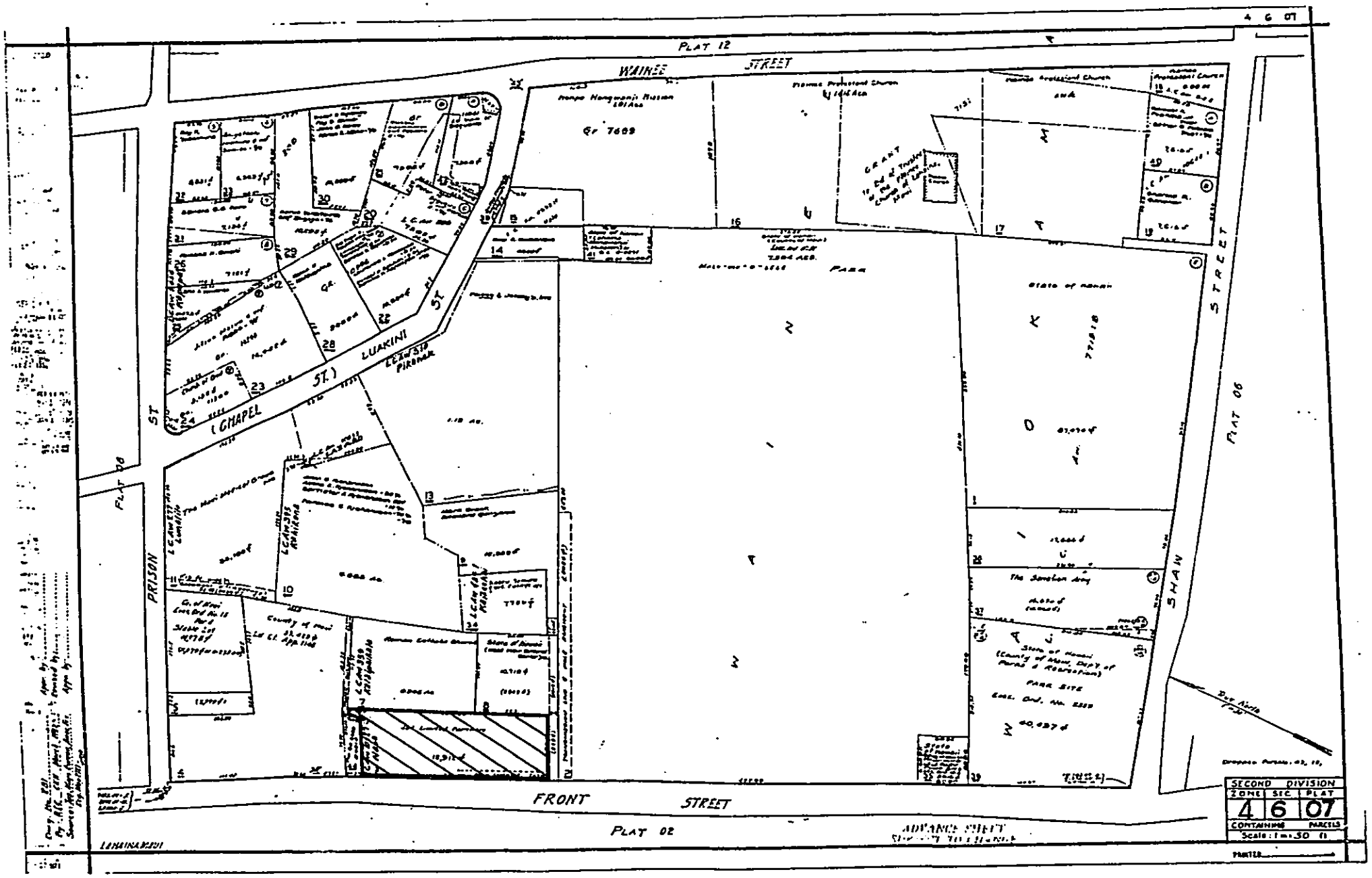
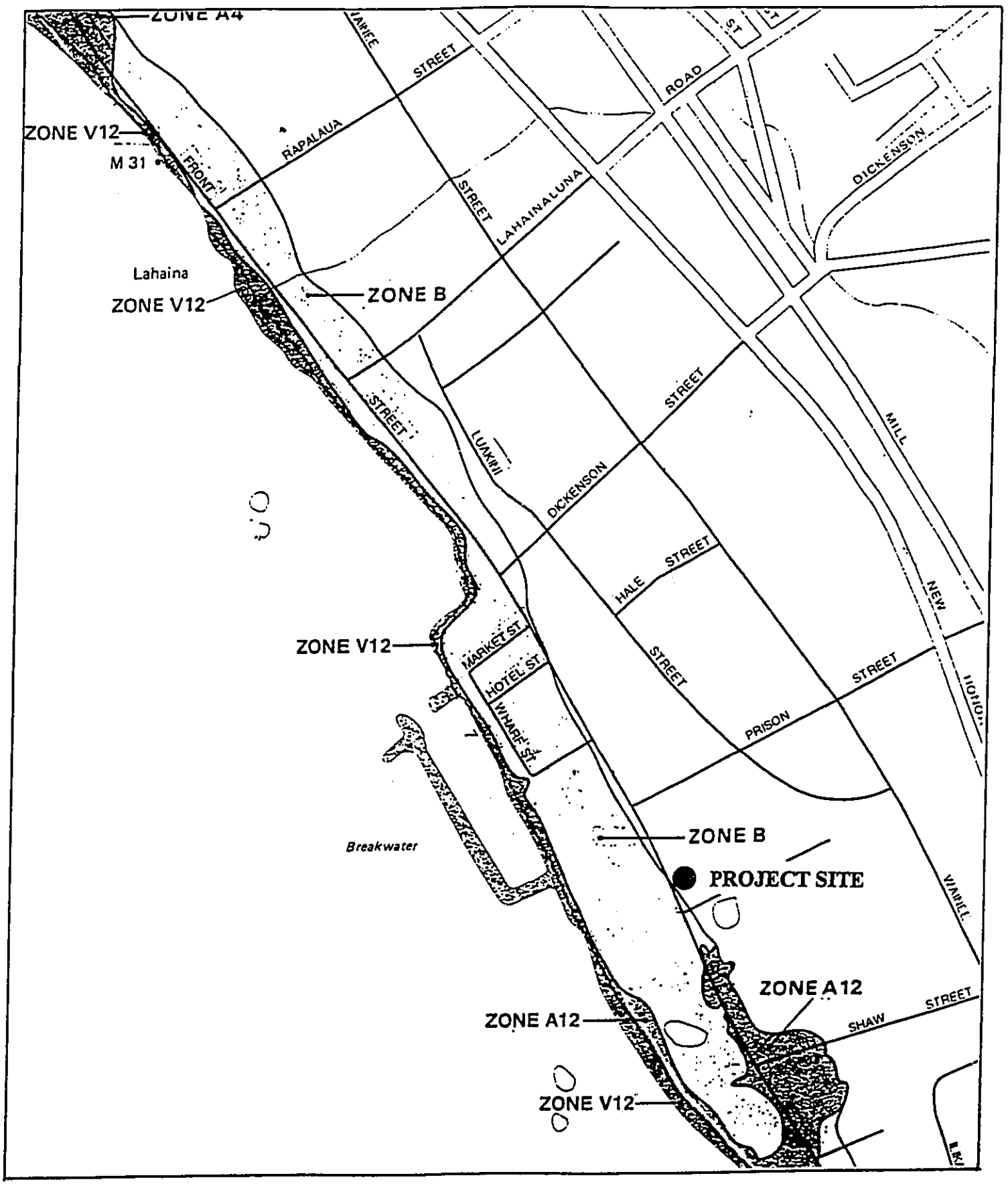

PLAT 12
WAIKEE STREET
Gr 7669
LUAKINI ST.
(CHAPEL ST.)
PRISON ST
PLAT 06
STREET
PLAT 02
FRONT STREET
SHAW
SECOND DIVISION
ZONE 4 SEC 6 PLAT 07
Scale: 1 in. = 50 ft.

EXHIBIT 2



Portion of Flood Insurance Rate Map (revised)
Community Panel Number 150003 0163C

Exhibit 3

APPENDIX A

HYDROLOGIC CALCULATIONS

Existing Conditions

Total Area	A = 0.434 acres (18,912 sf) 55% impervious area
Runoff Coefficient	C = 0.95 (impervious) C = 0.10 (sandy lawns, flat slope)
Time of Concentration	t_c = 5 minutes
1-Hour Rainfall	R_{10} = 2.0 inches
Intensity	I_{10} = 5.2 inches/hour
Runoff	Q_{10} = CIA = (0.95)(5.2)(0.434*0.55)+(0.10)(5.2)(0.434*0.45) = 1.2 + 0.1 = **1.3 cfs**

Proposed Conditions

Total Area	A = 0.434 acres (18,912 sf) 90% impervious area
Runoff Coefficient	C = 0.95 (impervious) C = 0.10 (sandy lawns, flat slope)
Time of Concentration	t_c = 5 minutes
1-Hour Rainfall	R_{10} = 2.0 inches
Intensity	I_{10} = 5.2 inches/hour
Runoff	Q_{10} = CIA = (0.95)(5.2)(0.434*0.90)+(0.10)(5.2)(0.434*0.10) = 1.9 + 0.02 = **1.9 cfs**
Net Increase	Q_{10} = 1.9 - 1.3 = **0.6 cfs**

PRELIMINARY

Drainage and Soil Erosion Control Report

for

Harbor Village Off-site Parking

at

Lahaina, Maui, Hawaii

TMK (2) 4-6-07: 07 and 10

Prepared for:

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761

Prepared by:

ENGINEERING DYNAMICS CORP.
66 Wailani Street
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Phone: (808) 242-1644
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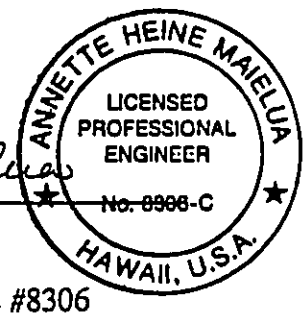
This work was prepared by me
or under my supervision



Annette H. Maielua
Professional Engineer
State of Hawaii Certificate #8306

November 20, 1998

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EXECUTIVE SUMMARY

Drainage Report
for Harbor Village Off-site Parking
at
Lahaina, Maui, Hawaii

TMK (2) 4-6-07: 07 and 10

The two parcels are located near the intersection of Front Street and Prison Street, both adjacent to the County municipal parking lot. Parcel 7 is currently used as a parking lot. Parcel 10 is heavily overgrown and has several existing residences. Proposed improvements for both lots consists of pavement, lighting and landscaping.

Both parcels were analyzed to estimate changes in runoff resulting from proposed improvements for 10-year, 1-hour storm.

Parcel 7 is very flat and runoff generally ponds prior to percolating into the ground. Parcel 10 contains a depressed area on the eastern half of the lot where runoff collects and eventually percolates into the ground.

Post development flows will be directed to a new drainage system which will collect runoff from both parcels and discharge into the existing drainage facilities located on Front Street.

The proposed improvements for the two parking areas will have no adverse effects on adjoining or downstream properties.

TABLE OF CONTENTS

PROJECT DESCRIPTION

There area two parcel proposed for the parking areas for the Harbor Village project. Parcel 7 of Tax Map Key (2) 2-6-7, Lahaina, Maui, Hawaii contains 0.345 acres and is accessed off Front Street. Parcel 10 of Tax Map Key (2) 4-6-7, Lahaina, Maui, Hawaii contains 0.885 acres and is accessed off Prison Street. Both are located in the Historical District of Lahaina.

The proposed improvements for both lots include paving, lighting and landscaping.

EXISTING CONDITIONS

Parcel 7 is currently used as an unpaved parking lot. It is adjacent to the County municipal parking lot. Runoff from the property primarily ponds within the lot and percolates into the ground.

Parcel 10 is heavily overgrown and has several existing residences. This lot is also adjacent to the County municipal parking lot. Runoff from the property generally sheet flows toward the eastern half of the property and percolates into the ground.

FLOOD HAZARD

The property is located in Zone C as indicated by the *Flood Insurance Rate Map*, Community Panel Number 150003 0163C and therefore is not subject to the *Flood Hazard District Ordinance*, Chapter 19.62 of the Maui County Code.

GENERAL DRAINAGE SCHEME

The proposed drainage system will extend from an existing catch basin on Front Street through the Harbor Village project and Lot 7, into Lot 10. A large baffled interceptor will be installed to prevent grease and oils from the paved parking areas from discharging into the ocean.

BASIS OF DESIGN

The hydrologic calculations are based on the formulas, charts and tables from the *Drainage Master Plan for the County of Maui* and *Rules for the Design of Storm Drainage Facilities in the County of Maui*, Department of Public Works and Waste Management. For drainage areas of 100 acres or less, the rational method is used for the 10-year, 1-hour recurrence interval. The rational formula is:

$$Q = C\,I\,A$$

Where Q = Rate of flow in cfs

C = Runoff Coefficient

I = Rainfall intensity in inches per hour or as adjusted by a factor related to the time of concentration

A = Drainage area in acres

See Appendix A for hydrologic calculations.

CONCLUSION

For parcel 7, the hydrologic calculations show the amount of runoff generated by the existing conditions is $Q_{10} = 0.7$ cfs. The proposed conditions will yield $Q_{10} = 1.5$ cfs. The increase in runoff due to the proposed improvements will be $Q_{10} = 0.8$ cfs.

For parcel 10, the hydrologic calculations show the amount of runoff generated by the existing conditions is $Q_{10} = 2.5$ cfs. The proposed conditions will yield $Q_{10} = 3.9$ cfs. The increase in runoff due to the proposed improvements will be $Q_{10} = 1.4$ cfs.

The proposed drainage system will collect runoff from both parcels, remove oils and solids, and drain into an existing catch basin on Front Street. The Front Street drainage system discharges directly to the ocean. The Front Street drainage improvements were designed for the 100-year rainfall on the basis of full land development as defined in the 1983 Lahaina Community Plan. Therefore, the existing box culverts have the capacity for the anticipated increased runoff from this project.

There will be no adverse effects on any adjoining or downstream properties as a result of this project.

SOIL EROSION CONTROL

Soil Erosion and sedimentation Control requirements are set by Maui County Code (MCC) Chapter 20.08 and Public Health Regulations, Chapter 37-B, Conservation Standards.

Soil Erosion and Sedimentation control regulates and controls grubbing and grading as well as cut and fill slopes operation within the County. By enforcing regulations, damage by sedimentation to streams, floodplains, watercourses, natural areas and property of others can be prevented. Sedimentation occurs as a result of erosion.

Soil Erodibility

The soils of the site are classified as Ewa Series, Ewa silty clay loam (EaA), 0 to 3 percent slopes, by the Soil Conservation Service of the United States Department of agriculture. These soils are characterized by an erodibility factor of 0.17.

Soil Loss and Erosion Rate Estimates

Soil loss and erosion rates are estimated for an average year under an assumed set of conditions using the Universal Soil Loss Equation, as set forth by the Hawaii Environmental Simulation Laboratory (HESL) per MCC 20.02.020.K. HESL soil loss and erosion rates for the project during construction are calculated as the product of six variables:

$$E = RK(LS)(CP)$$

where:

- E = uncontrolled erosion rate in tons/acre/year
- R = average rainfall erosion factor = 150 tons/acre/year
- K = soil erodibility factor = 0.17
- L = slope length = 300 feet
- S = slope gradient = 3%
- LS = slope length factor = 0.4
- C = protective cover factor - use bare soil = 1.0
- P = control measures factor - construction site = 1.0

Therefore the uncontrolled erosion rate is estimated as:

$$E = 150 \times 0.17 \times 0.4 \times 1 \times 1 = 10 \text{ tons/acre/year}$$

The **Allowable Erosion Rate** is determined by dividing the total permissible erosion (found on the Maximum Allowable Construction Area x Erosion Rate table) by the total area distributed by construction. This provides an allowable yearly erosion rate per acre.

where:

a. potential sediment hazard to coastal waters (D) = Class A = 2

b. downstream hazard factor (F) = 4

c. duration of site work (T) = 1/2 year maximum

d. maximum allowable construction area x erosion rate
= 5,000 tons/year

e. graded area (A) = 1.2 acres

f. allowable erosion rate = 5000/1.2 = 4167 tons/acre/year

The allowable erosion rate ("E") is 4,167 tons/acre/year. An erosion rate of 10 tons/acre/year for the graded area is well within the allowable 4,167 tons/acre/year limit and therefore does not require special control measures.

Severity Rating Number

A severity rating number ("H") assesses the comparative degree of downstream hazard for potential erosion and sedimentation damage; this is used to establish the need for and/or level of mitigation required. H is calculated according to the formula:

$$H = (2FT + 3D)\,AE$$

where:

F = downstream hazard factor = 4

T = duration of disturbance = 1/2 year

D = potential sediment damage to coastal waters = 2

A = area of disturbance = 1.2 acres

E = soil erosion rate = 10 tons/acre/year

$$H = [(2 \times 4 \times 0.5) + 3 \times 2] \times 1.2 \times 10 = 120$$

A severity rating of 120 is well below the allowable maximum tolerable value of 50,000, therefore no unusual level of hazard is present and special measures are not required.

Erosion Control Measures

Notwithstanding that indicators above are well within mandated standards, contractors will be required to comply with several measures to minimize erosion:

a. Areas of exposed ground will be strictly controlled and limited.

b. Dust control shall be accomplished by watering with trucks or a temporary sprinkler system.

c. Graded areas shall be thoroughly watered after construction activity has ceased for the day and on weekends and holidays.

d. Use silt fences or berms where needed to control erosion of exposed areas.

e. Upon completion of final grading, all areas shall be paved, grassed or landscaped. These areas will be maintained for a sufficient period to establish the ground cover and prevent any future dust and soil erosion problems.

REFERENCES

1. *Rainfall Frequency Atlas of the Hawaiian Islands, Technical Paper No. 43*, Cooperative Studies Section, Hydrological Services Division, U.S. Weather Bureau, U.S. Department of Commerce, dated 1962.

2. *Storm Drainage Standards*, Department of Public Works, City and County of Honolulu, March 1969.

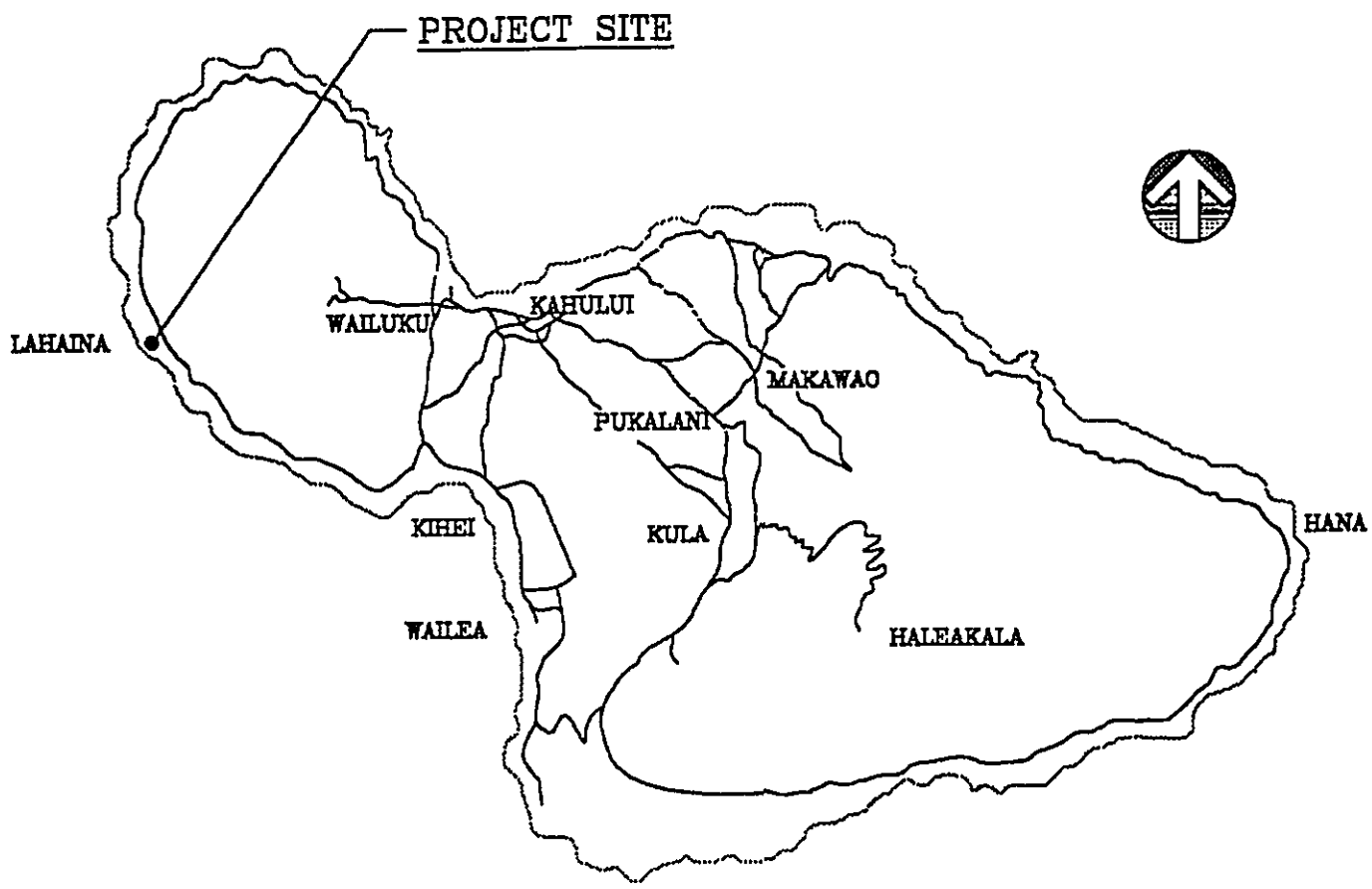
3. *Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii*, U. S. Department of Agriculture, Soil Conservation Service, in cooperation with the University of Hawaii, August 1972.

4. *Erosion and Sediment Control Guide for Urbanizing Area in Hawaii*, U. S. Department of Agriculture, Soil Conservation Service, Hawaii association of Soil and Water Conservation Districts, Soil Conservation Society of America, Hawaii Chapter, March 1981.

5. *Flood Insurance Rate Map, Maui County, Hawaii*, U. S. Department of Housing and Urban Development, Federal Insurance Administration.

6. *Rules for the Design of Storm Drainage Facilities in the County of Maui, Chapter 4, Title MC-15*, Department of Public Works and Waste Management, County of Maui, State of Hawaii, July 1995.

7. *Front Street Improvement Project Final Environmental Assessment*, Chris Hart & Partners, September 1994.



LOCATION MAP

ISLAND OF MAUI

EXHIBIT 1

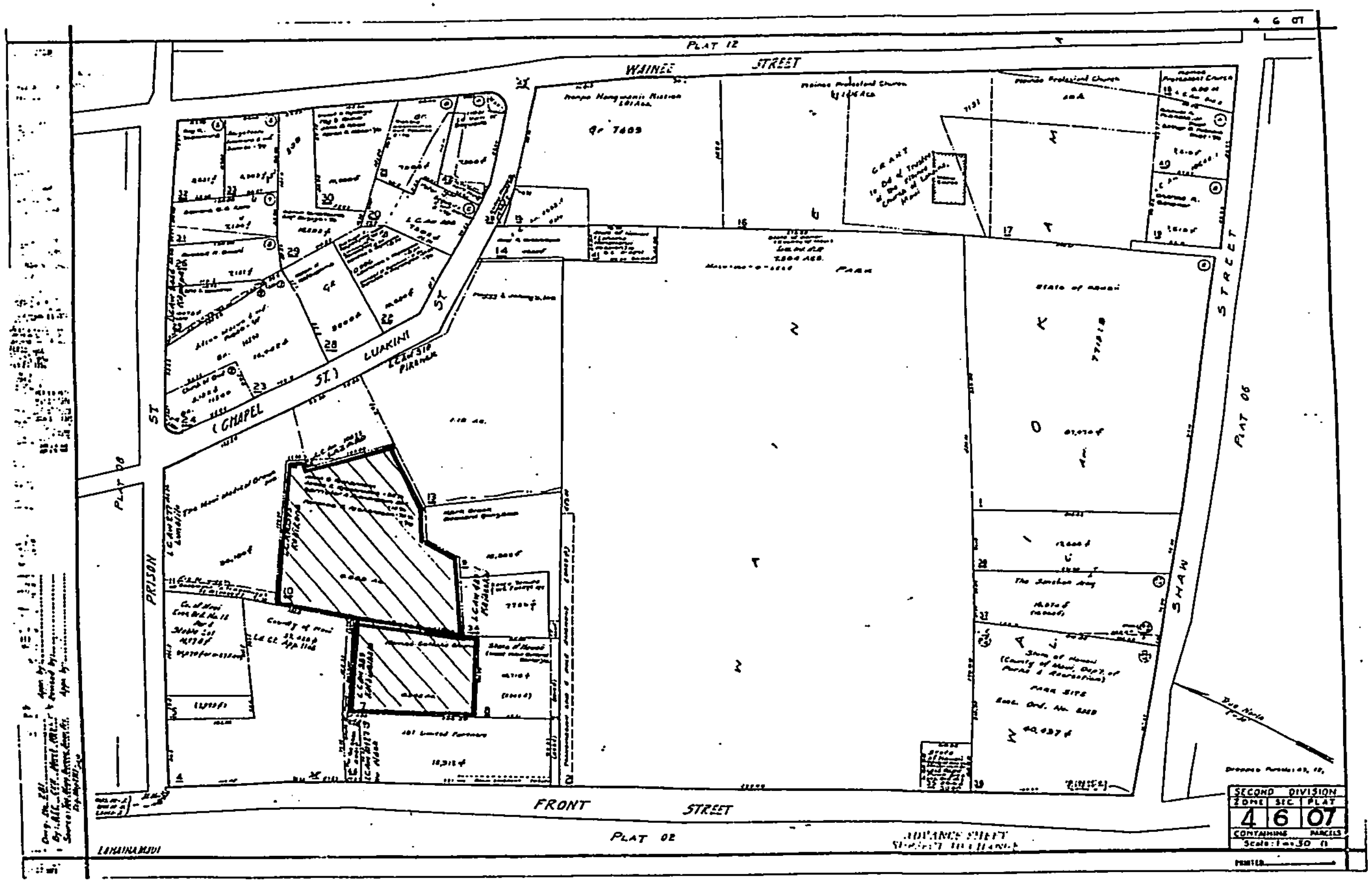

PLAT 12
WAINEE STREET
SHAW STREET
FRONT STREET
PRISON ST
LUAKINI ST
(CHAPEL ST)
PLAT 06
PLAT 08
PLAT 02
PARK
SECOND DIVISION
ZONE SEC PLAT
4 6 07
ADVANCE SHEET
LAHAINALUNA

EXHIBIT 2

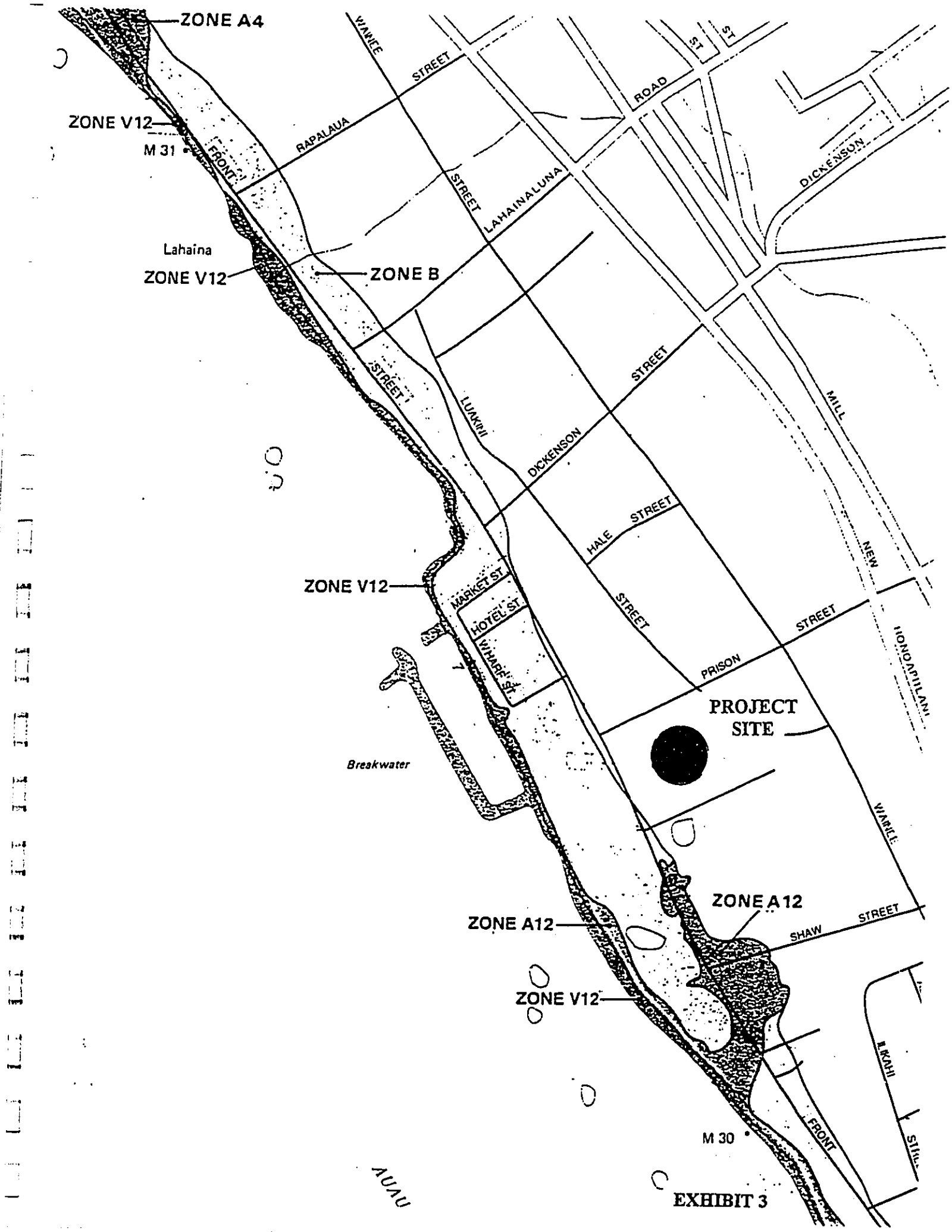

ZONE A4
ZONE V12
M 31
Lahaina
ZONE V12
ZONE B
ZONE V12
ZONE A12
ZONE A12
ZONE V12
M 30
Breakwater
PROJECT SITE
WAINEE STREET
RAPALAUA
FRONT
STREET
LAHAINALUNA
STREET
LUAKINI
DICKENSON
STREET
HALE STREET
STREET
PRISON
STREET
ROAD
ST
ST
DICKENSON
MILL
NEW
HONOAPIILANI
MARKET ST
HOTEL ST
WHARF ST
VIARILE
ZONE A12
SHAW STREET
ILIKAHI
FRONT
AUAU

EXHIBIT 3

APPENDIX A

HYDROLOGIC CALCULATIONS - Parcel 7

Existing Conditions

Total Area	A = 0.345 acres, 10% impervious area
Runoff Coefficient	C = 0.95 (impervious) C = 0.30 (unimproved area)
Time of Concentration	t_c = 5 minutes
1-Hour Rainfall	R_{10} = 2.0 inches
Intensity	I_{10} = 5.2 inches/hour
Runoff	$Q_{10} = CIA = (0.95)(5.2)(0.345*0.10)+(0.30)(5.2)(0.345*0.90)$ $= 0.2 + 0.5 =$ **0.7 cfs**

Proposed Conditions

Total Area	A = 0.345 acres, 90% impervious area
Runoff Coefficient	C = 0.95 (impervious) C = 0.10 (planters, flat slope)
Time of Concentration	t_c = 5 minutes
1-Hour Rainfall	R_{10} = 2.0 inches
Intensity	I_{10} = 5.2 inches/hour
Runoff	$Q_{10} = CIA = (0.95)(5.2)(0.345*0.90)+(0.10)(5.2)(0.345*0.10)$ $= 1.5 + 0.02 =$ **1.5 cfs**

Net Increase $Q_{10} = 1.5 - 0.7 =$ **0.8 cfs**

HYDROLOGIC CALCULATIONS - Parcel 10

Existing Conditions

Total Area	A = 0.885 acres, 25% impervious area
Runoff Coefficient	C = 0.95 (impervious) C = 0.40 (flat, heavy vegetation, residential)
Time of Concentration	t_c = 5 minutes
1-Hour Rainfall	R_{10} = 2.0 inches
Intensity	I_{10} = 5.2 inches/hour
Runoff	Q_{10} = CIA = (0.95)(5.2)(0.885*0.25)+(0.40)(5.2)(0.885*0.75) = 1.1 + 1.4 = **2.5 cfs**

Proposed Conditions

Total Area	A = 0.885 acres, 90% impervious area
Runoff Coefficient	C = 0.95 (impervious) C = 0.10 (planters, flat slope)
Time of Concentration	t_c = 5 minutes
1-Hour Rainfall	R_{10} = 2.0 inches
Intensity	I_{10} = 5.2 inches/hour
Runoff	Q_{10} = CIA = (0.95)(5.2)(0.885*0.90)+(0.10)(5.2)(0.885*0.10) = 3.9 + 0 = **3.9 cfs**

Net Increase Q_{10} = 3.9 - 2.5 = **1.4 cfs**

APPENDIX E

Non Exclusive Access Easement across the County's Public Parking Lot at the Corner of Prison and Front Streets

Post-it® Fax Note 7671	Date 3/23/99	# of pages ▶ 5
To Terry Lee	From Howard Fukumoto	
Co./Dept.	Co.	
Phone #	Phone # 243-7740	
Fax # 667-182T	Fax # 243-7152	

LAND COURT REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL (X) PICK UP ( )

COUNTY OF MAUI
Department of Finance
200 South High Street
Wailuku, Maui, Hawaii 96793

TOTAL NO. OF PAGES: 5

Tax Key Nos.: (2)4-6-7:4

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That COUNTY OF MAUI, a political subdivision of the State of Hawaii, whose business address is 200 S. High Street, Wailuku, Hawaii 96793 (hereinafter called the "Grantor"), in consideration of the sum of ONE AND NO/100 DOLLARS ($1.00) to it paid by JDI LIMITED PARTNERS, a Hawaii limited partnership, whose business address is 721 Wainee Street, Suite 201, Lahaina, Hawaii 96761 (hereinafter called the "Grantee"), the receipt of which is hereby acknowledged, together with other obligations set forth hereinafter, does hereby grant and convey unto the Grantee and its legal successors and assigns, a nonexclusive access easement across the County's public parking lot located at the corner of Front Street and Prison Street in Lahaina, Hawaii, identified as

TMK: (2)4-6-7:4, solely for access to and from TMK Nos.: (2)4-6-7:10 and (2)4-6-7:7, which is owned and/or leased by the Grantee, and to be used solely by agents, employees and permittees of the Grantee and by persons using the facilities located on TMK: (2)4-6-7:3, said easement area more particularly described on Exhibit "A" attached hereto and made a part hereof.

RESERVING, HOWEVER, unto the Grantor, the right to relocate the easement area (e.g., restriping of parking lot, or relocation of aprons, driveways, entrances), from time to time, provided that the cost, if any, of such relocation be at the sole expense of the Grantor; and, RESERVING ALSO to itself and its assigns, the right to use said parking lot including the easement area for its own purposes including, but not limited to, use for parking, roadway, pipe lines, utility lines, etc., such reserved right to be used as not to interfere unreasonably with the easement rights herein granted to the Grantee.

TO HAVE AND TO HOLD the same unto the Grantee, its legal successors and assigns, in perpetuity or until terminated as provided herein.

AND in consideration of the premises, the Grantee does hereby covenant and agree with the Grantor;

(1) That it will, within TMK: (2)4-6-7:4, maintain the planting and landscape areas designated by the Grantor. Such maintenance shall include trimming, mowing, pruning and other activities necessary to keep such designated areas in a neat and

orderly appearance but not to include any other improvements such as irrigation or additional landscaping.

(2) That it will defend, indemnify and hold harmless the Grantor from and against all damages, costs, counsel fees, expenses and liabilities incurred in or resulting from all claims and demands against the Grantor for loss of damage or injury or death to person or property, including the claims of the Grantee's agents, employees, permittees and any claims by persons using the facilities on TMK: (2)4-6-7:3 arising from the maintenance and use of said easement area and the exercise by the Grantee and its agents, employees, permittees and persons in the exercise of the rights granted hereunder, provided that such claims and demands are not caused by the negligence of the Grantor or its agents or employees acting within the course and scope of their employment;

(3) That it will reimburse the Grantor, its tenants and other permitted occupants, for any and all damage or injury to their property caused by, sustained or resulting from the maintenance and use of said easement area and the exercise by the Grantee and its agents, employees, permittees and persons in the exercise of the rights granted hereunder;

(4) That it will not assign or transfer its right hereunder without the written consent of the Grantor.

(5) In the event the Grantee at any time completely abandons the easement area, and for a period of two (2) years and fails to use the easement area as provided herein, the rights granted under the terms of this Agreement shall terminate.

(6) Any forbearance or failure of the County to strictly enforce any condition or covenant of this Agreement shall not be construed as a waiver of the right of the County to pursue any remedy hereunder for existing or subsequent defaults or for breach of any other term, covenant or condition herein on the part of Grantee to be observed and performed.

The term "Grantor" whenever used herein shall include the Grantor and its successors and assigns, and the term "Grantee" whenever used herein shall include the Grantee and its successors and permitted assigns.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this _____ day of _____, 199__.

GRANTOR:

COUNTY OF MAUI

_____
JAMES H. APANA, JR.

GRANTEE:

JDI LIMITED PARTNERS

By_____

Its_____

APPROVED AS TO FORM AND LEGALITY:

_____
HOWARD M. FUKUSHIMA
Deputy Corporation Counsel
County of Maui S:\CLERICAL\PJK\AGT\JDILTD.ESM

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this _____ day of _____, 19__, before me appeared JAMES H. APANA, JR., to me personally known, who being by me duly sworn did say that he is the Mayor of the County of Maui, a political subdivision of the State of Hawaii, and that the seal affixed to the foregoing instrument is the lawful seal of the said County of Maui, and that the said instrument was signed and sealed on behalf of said County of Maui by authority of its Charter, and the said JAMES H. APANA, JR. acknowledged the said instrument to be the free act and deed of said County of Maui.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

_____
Notary Public, State of Hawaii

_____
Print Name

My commission expires: _____

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this _____ day of _____, 19____, before me personally appeared _____, to me personally known, being by me duly sworn or affirmed, did say that such (s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacities shown, having duly authorized to execute such instrument in such capacities.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

_____
Notary Public, State of Hawaii

_____
Print Name

My commission expires: _____

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, HI 96761
808-661-8380 / Fax: 667-1827

February 2, 1999

County of Maui
Department of Public Works
and Waste Management
250 South High Street
Wailuku, HI 96793

RE: TMK: (2) 4-6-007-004 County Parking Lot (Prison and Front Street)

Dear Mr. Jencks:

Thank you again for a very productive meeting today.

As a follow up to our meeting, I am clarifying our responsibilities with respect to the maintenance of the County parking lot.

In exchange for the County of Maui granting us an easement across the County parking lot (parcel 4), we will maintain existing landscaping on parcel 4 as follows:

Trim trees and hedges, cut grass, weed, fertilize and dispose of rubbish.

If you have any questions, please do not hesitate to call.

Sincerely,

Steven Gatchell
Partner

CHRIS HART &PARTNERS

January 20, 1999

Mr. Charles Jencks
Department of Public Works and
Waste Management
County of Maui
200 South High Street
Wailuku, HI 96793

Dear Mr. Jencks:

SUBJECT: Harbor Village

As a follow up to our October 28, 1998 letter, I am sending you an updated site plan December 4, 1998.

Also enclosed is the October 28, 1998 letter and attachments which requests your assistance in processing a right of access agreement as well as a letter of "no interest" regarding the State owned parcel TMK 4-6-7:44.

If you have any questions, please do not hesitate to call me.

Very truly yours,

RORY FRAMPTON

cc: Mr. Terry Lee - JDI Limited Partners (w/o Enclosures)

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

CHRIS HART & PARTNERS

October 28, 1998

Mr. Charles Jencks, Director
Department of Public Works and Waste Management
County of Maui
200 South High Street
Wailuku, HI 96793

Dear Mr. Jencks:

Re: JDI/*Harbor Village*, Lahaina

This letter is a follow-up to the meeting held in Mr. Travis Thompson's office on October 15, 1998, with yourself, Travis, Mr. Terry Lee, and Mr. Rory Frampton of this office to discuss the proposed Harbor Village development in Lahaina. Our firm, Chris Hart & Partners (CH&P), has been retained to provide planning and landscaping services and to process the SMA application for the project. The main topic of the meeting was to discuss the integration of the private parking lots for the project with the existing County parking lot. Per your request, the following is a brief summary of the interrelated issues between the developers and the County.

I. Background: Harbor Village is a restaurant and retail complex being developed by Mr. Terry Lee and Mr. Steve Gatchell, the principals of JDI. They are proposing to build a two story, approximately 24,000 s.f. Structure, designed by architect Jim Niess. The 18,912 s.f. parcel is community planned Business/Commercial, and zoned Historic District No. 2. This zoning allows restaurants, commercial and retail uses with a 35-foot height limit.

The key to the design and viability of the project is adequate parking. The developers want to maintain the "on street" aspect of Lahaina town by having the plantation style building close to the sidewalk. All vehicle access for parking and loading would be from the rear of the building. Accordingly, they have successfully negotiated 55-year leases on two adjacent parcels for parking.

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

The two parcels are known as the "Catholic" and the "Richardson" parcels. The "Catholic " parcel is TMK 4-6-7:07 containing 15,028 s.f. with space for approximately 42 cars. The "Richardson" parcel is TMK 4-6-7:10 with 38,594 s.f. and space for approximately 105 cars. The total parking provided would be approximately 25 more stalls than required for the project. These numbers are preliminary as CH&P is working on the final layout and circulation plan. Both lots will be landscaped and paved.

II. Request: The applicants would like the support of your office in processing the following:

No. 1. Right of Access: The applicants need a Right of Access agreement for vehicles and pedestrians across the County lot to access both private lots. A draft agreement has been prepared and is being reviewed by your department. Hopefully, this can be transmitted to the County Council for action by the end of this year. As discussed, the developers will be willing to maintain the frontage of the County lot including some landscaping improvements and watering. This arrangement would improve the appearance of their commercial project and provide for "in kind" compensation the County for the Right of Access.

No. 2. Easement for State Land: The developers are working with the State to formalize a vehicle Right of Access (ROA) across the small State owned parcel (TMK 4-6-7: 44) that runs between the north side of their lot and the County's parking lot. This ROA would allow them to maintain their existing access to these lots. Officials at the Department of Land and Natural Resources (DLNR) are willing to negotiate an easement for this 8,491 s.f. parcel but there is an unfinished agreement dating back to 1988 to lease the parcel to the County. We understand that the County no longer has an interest in this parcel. DLNR would like a letter from the County confirming this then they will proceed with an easement with Harbor Village. I have enclosed a draft of this letter to expedite this notification.

I hope this summary has adequately presented the issues discussed in the meeting. If so, we would appreciate an expeditious transmittal of the Right of Access to the County Council and the letter to the DLNR. Please call Rory or myself if you require additional information and we will respond immediately. As always, we appreciate the cooperative attitude present whenever we deal with your department.

Respectfully yours

Christopher L. Hart, ALSA
Landscape Architect - Planner

xc: Mr. Travis Thompson
Enclosures

XC please
TRAVIS
TERRY LEE
FILE

Marlene 10/29/98

Thanks

LINDA LINGLE
Mayor

TRAVIS O. THOMPSON
Director of Finance

WAYNE Y. FUJITA
Deputy Director of Finance

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

MEMO TO: CHARLES G. JENCKS, Director of Public Works and Waste Management

DATE: April 20, 1998

SUBJECT: **JDI LIMITED PARTNERS**

Charlie, attached is a letter, map, and business card from a Steven Gatchell, of the subject outfit. He has asked me questions relative to the existing lease of a lot used for parking from the Roman Catholic Church.

The issue, however, is not the lease. I believe the issue has to do with parking requirements in Lahaina and whether whatever Mr. Gatchell has in mind will improve or impact these requirements. In my mind, this is something within your area of responsibility, because I can quickly react to anything you want to do relative to the lease we have on the property.

My personal, nonprofessional feeling is that parking is a significant problem in the area. I live in fear of being towed by Everything Works. So, I am happy that this is in your ball park and not in mine. As always, I will assist in anyway I can.

TRAVIS O. THOMPSON
Director of Finance

TOT:rt
Attach.
c: Steven Gatchell

JDI LIMITED PARTNERS
721 Wainee Street, Suite 201
Lahaina, Maui, HI 96761
Phone (808)661-8380
Fax (808)667-1827

April 14, 1998

Mr. Travis Thompson
Director of Finance
County of Maui
200 S. High Street
Wailuku, Maui, HI 96793

RE: Lease @ TMK (2)4-6-7-7

Dear Mr. Thompson,

My name is Steven Gatchell. I am one of the owners of 576/578 Front Street (TMK (2)4-6-7-7). My partner (Terry Lee), and I purchased the property about two years ago. At the time we purchased the property, it was being used residentially, but was zoned Historic II. The community plan was public quasi public. The property has been used commercially for the past year and a half by us and a few tenants. Our desire in purchasing the property was to one day develop it. Thus, we hired Chris Hart & Partners to help us through a community plan amendment. That was achieved just last month.

We are now proceeding with plans to submit for an SMA, in order to develop the property for optimum usage. We are considering several possibilities to satisfy our parking requirements. One of the most interesting possibilities is the unpaved lot located adjacent to the county parking located at Prison and Front Street, that the County is leasing from the Catholic Church. Our lot shares a mauka border. This lot would be ideal to satisfy part of our parking requirements.

It is our understanding that the initial long term lease is expired, and the County is leasing this month to month. It is also our understanding that the County feels that the monthly payment of $2080.00 is excessive. We would like to propose a situation that would benefit both the County and ourselves. We would like to enter into a long term lease with the County to create parking in that area. Our customers and the general public would have access to the lot. We are able and willing to make all the necessary improvements at our expense.

Another possibility would be for the County to simply give-up the existing lease and allow us to deal directly with the Catholic Church.

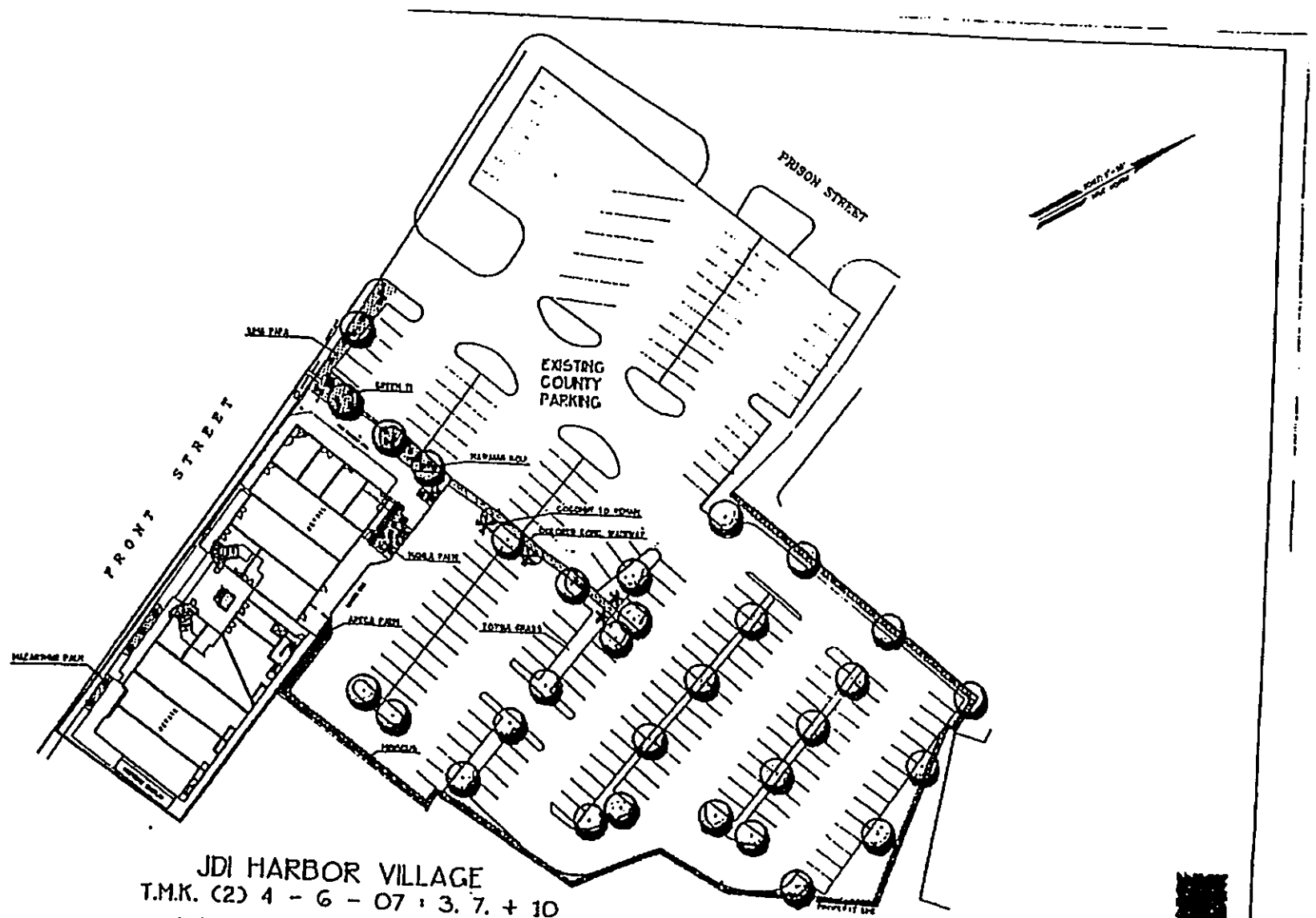
We are willing to discuss any possibilities with you. Please contact me if there is interest in discussing possible options. Thank you for your consideration

Sincerely,

Steven G. Gatchell
Partner
JDI Limited Partners

SG:bak

Enclosures



JDI HARBOR VILLAGE
T.M.K. (2) 4 - 6 - 07 : 3, 7, + 10
PARKING CONCEPT PLAN
SCALE: 1" = 50' 12-4-98
amended 1/20/99 r.f

APPENDIX F

Agency Pre-Consultation on State Owned Parcel

JAMES "KIMO" APANA
Mayor

CHARLES JENCKS
Director

DAVID C. GOODE
Deputy Director

Telephone: (808) 243-7845
Fax: (808) 243-7955

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

RALPH NAGAMINE, L.S., P.E.
Land Use and Codes Administration

Wastewater Reclamation Division

LLOYD P.C.W. LEE, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

ANDREW M. HIROSE
Solid Waste Division

February 17, 1999

Mr. Philip Ohta
District Land Agent
Department of Land and Natural Resources
54 South High Street, Room 101
Wailuku, Hawaii 96793

Dear Mr. Ohta:

SUBJECT: STATE OWNED PARCEL, TMK: 4-6-7:44, LAHAINA, MAUI

The purpose of this letter is to advise your department that the County of Maui may no longer have an interest in leasing parcel TMK: 4-6-7:44 from the State of Hawaii. This 8,491 square foot parcel is in Lahaina near the intersection of Front and Prison Street and provides access to lands adjacent to the current Prison Street parking lot. Approximately ten years ago, the County had requested an easement for this parcel and the Board of Land and Natural Resources approved this request.

At the present time a development partnership entitled JDI Limited Partners has proposed to the County of Maui that it assume the lease for the Catholic Church properties identified as TMK: 4-6-7:7 and improve and utilize this parcel for parking as a part of their requirement for the development of their Harbor Village development which abuts Front Street. This letter is to advise you that at the time the lease agreement is transferred from the County of Maui to the JDI Limited Partnership, the County of Maui will no longer need the subject easement granted by the State and would recommend the State, under separate application, approve access over its land to JDI Limited Partnership to the referenced Catholic Church parcel.

At the present time it is premature to request the release of the County's interest in this easement. At the time other various easement agreements are approved by the Maui County Council, the SMA approval is finally given for the Harbor Village development, and building permits are in process, the County would

appreciate scheduling this matter before the Board of Land and Natural Resources for its review and approval. The trigger for this hearing would be notification from JDI Limited Partners that they are entering into the lease agreement with the Catholic Church and immediately planning to improve the Catholic Church parking lot.

By copy of this letter to JDI Limited Partners, I will advise them of this timing requirement and urge them to make contact with you directly at the time the release by the Board is necessary.

Should you have any questions with regard to this letter, please feel free to contact me at 243-7845.

Sincerely,

CHARLES JENCKS
Director of Public Works
and Waste Management

CJ:mt
cc: Mr. Terry Lee, JDI Limited Partners

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF LAND MANAGEMENT
54 SOUTH HIGH STREET, ROOM 101
WAILUKU, HAWAII 96793-2198

MICHAEL D. WILSON
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTY
GILBERT S. COLOMA-AGARAN

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
WATER RESOURCE MANAGEMENT

September 2, 1998

Mr. Christopher L. Hart
Chris Hart & Partners
1955 Main Street, Suite 200
Wailuku, HI 96793-1706

RECEIVED
SEP 04 1998
CHRIS HART & PARTNERS
Landscape Architecture & Planning

Dear Mr. Hart:

Subject: JDI Limited Partners' Request for an Immediate Right of Entry on State Lands for Boundary and Topographical Survey, Identified as Tax Map Key: 4-6-07: 44, Lahaina, Maui

This is in response to your letter of August 17, 1998, requesting a right of entry onto State lands, for purposes of a boundary and topographical survey of Tax Map Key: 4-6-07: 44, situate at Lahaina, Maui.

For your information, the County of Maui, requested for the lands to be set aside as a road right-of-way to access a public parking lot in the 1980's. The Board of Land and Natural Resources approved the request of September 26, 1986; however, the County did not pursue to close this matter and the file has been pending since. We will be confering with the County to determine the parcel's status shortly.

In the meantime, pursuant to the authority granted to the District Land Offices by the Board of Land and Natural Resources at its meeting of June 14, 1991, under Agenda Item F-11, a right of entry for the above described work is hereby granted, subject to the following terms and conditions:

1. The right of entry will be effective from September 14, 1998 on a month-to-month basis, and will expire on October 13, 1998.

2. No debris shall be left or buried on State lands.

3. You shall indemnify and hold the State of Hawaii harmless against all claims for personal injury, death or property damage caused by or in any way connected with the permission granted herein.

4. You shall obtain a liability insurance policy naming the State of Hawaii as additional insured, with the following minimum limits to be established:

Bodily Injury	$1,000,000.00
Property Damage	50,000.00
Medical Benefits	5,000.00

5. All tools, equipment, improvements and other property brought or placed upon the subject properties by you shall remain the property of same and be removed prior to the expiration of the subject right of entry.

6. You shall comply with all applicable rules, regulations, ordinances and statutes of the County, State and Federal governments relative to the use of the subject lands, including those relating to public health and safety.

7. Failure to comply with any of the above conditions shall automatically nullify this agreement.

8. The Department of Land and Natural Resources, Division of Land Management and its Chairperson reserve the right to impose additional terms and conditions, if deemed necessary.

Please indicate your acceptance and compliance with the above terms and conditions by placing your signature in the space provided below and return a copy to this office **no later than September 11, 1998.**

If you should have any questions, please contact this office at the address described on the letter head or by telephone at 984-8100.

Very truly yours,

PHILIP OHTA
Maui District Land Agent

The foregoing terms and conditions of the above described right of entry is hereby accepted and acknowledged:

CHRISTOPHER L. HART for
JDI Limited Partners

DATE

PO:lw

c: Mr. D. Y. Uchida
Mr. W. Kennison
Mr. K. Keau, Maui DOCARE

CHRIS HART & PARTNERS

August 17, 1998

Mr. Philip Ohta, District Land Agent
Department of Land and Natural Resources
State of Hawai`i
54 High Street, Room 101
Wailuku, Hawai`i 96793

RE: Right of Entry Over TMK 4-6-07: 44 to Perform a boundary and topographical survey for the Application of Easement of said property.

Dear Mr. Ohta:

We are requesting on behalf of JDI Limited Partners a "Right of Entry" over TMK 4-6-07: 44 located on Front Street at the southerly boundary of the Prison Street Parking Lot. The purpose of the "Right of Entry" is to perform a boundary and topographical survey in order to submit to your office an Application of Easement over said property.

Your assistance in this matter is greatly appreciated. If you have any questions, please call Ted Ion or myself at 242-1955.

Sincerely yours,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc Terry Lee, JDI
File Copy

CHRIS HART & PARTNERS

July 15, 1998

Mr. Philip Ohta
Maui District Land Agent
Division of Land Management
54 High Street - Room 101
Wailuku, HI 96793

Dear Mr. Ohta:

RE: Offer to Purchase or Lease a State owned parcel in Lahaina, Maui. TMK: 4-6-07: 44

Our firm represents Mr. Terry Lee and Mr. Stephen Gatchell of JDI Limited Partners of Lahaina. They own a small commercial development in Lahaina on Front Street near Kamehameha III School. Their parcel is at 576 Front Street, TMK: 4-6-07:3.(See attached exhibit). There are currently two older homes on the parcel which have been zoned for commercial use. JDI Partners plan to remove the older homes and build a new retail and restaurant complex in compliance with the Historic District Guidelines of Lahaina.

Adjacent to their parcel is a State owned remnant parcel: TMK 4-6-07: 44, containing an area of approximately 2,431 Square Feet. It appears to be an abandoned roadway parcel that was deeded to the State in 1937 by exchange deed registered in Book 1379: pg. #1. The parcel does not appear to have any purpose today.

The parcel has been an eyesore and a nuisance for many years. The weeds were overgrown and homeless people were camping in the area at night. This created a concern for the safety of the elementary school children at Kamehameha School and a maintenance and liability problem for the State. When JDI Limited Partners bought their parcel in 1996 they assumed the maintenance by clearing the rubbish and keeping the grass mowed. They would like the entitlement to control this parcel over the long term to maintain a quality environment for their new building. The acquisition of this parcel will not alter the size of their project or increase its value. The remnant will become an landscaped buffer or part of the entrance to the parking lot.

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET. SUITE 200 · WAILUKU. MAUI. HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

In preliminary discussions, Mr. Louis Wada of your office suggested that this preliminary letter of inquiry could start the State review process. JDI Partners would like to purchase the remnant property outright. If this is not possible they would like a long term lease of at least 30 years but preferably 55 years. They understand that both of these options would require the approval of the Board of Land and Natural Resources (BLNR) and that they would be responsible for an appraisal fee of approximately $ 1,000.

They are in the process of applying for a Special Management Area Permit (SMA) for their new building and are anticipating a Public Hearing before the Maui Planning Commission in late September. If possible, they would like to have a preliminary indication of the State willingness to pursue these options by the time of the hearing.

Please let us know how to proceed. We will be willing to research the records at the Bureau of Conveyances if it will expedite this inquiry.

Thank you for your attention to this request. Please call me if your have any question.

Respectfully yours,

Christopher L. Hart, ASLA
Landscape Architect - Planner

XC. JDI Limited Partners

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Mr. Jon Hamdorf
Maui Medical Group
2180 Main Street
Wailuku, HI 96793

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

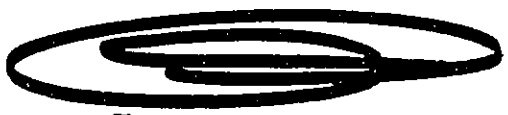
Dear Mr. Hamdorf;

Thank you for taking the time to sit down and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your concerns related to the project, especially regarding the Traffic and Parking issues.

I am glad that after going through the proposed plans in detail with you and addressing these specific concerns, you are much more comfortable with the project.

We look forward to your continued support.

Sincerely,



Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Theo Morrison
Executive Director
Lahaina Town Action Committee
120 Dickenson Street
Lahaina, HI 96761

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

Dear Theo;

Thank you for taking the time to sit down and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your concerns related to the project, especially regarding the Landscaping issue.

Steve and myself are glad that after going through the project in detail with you and addressing these specific concerns, you are much more comfortable with the project.

We look forward to your continued support.

Sincerely.

Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Mr. J.J. Elkin
505 Front Street
Lahaina, HI 96761

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

Dear Mr. Elkin;

Thank you for taking the time to sit down and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your input related to the project, especially regarding the overall upgrade of the 500 block of Front Street and the success of the Cultural Parks.

I am in total agreement with you, in that, the improvements being proposed for the two cultural parks and Harbor Village, will bring much needed upgrades to the 500 block of Front Street. This in turn will make this end of Front Street a much safer, functional and visually pleasing place to visit for residents and our valued visitors.

We look forward to your continued support.

Sincerely,

Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Mr. Rick Paul
Principal
King Kamehameha III Elementary School
611 Front Street
Lahaina, HI 96761

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

Dear Mr. Paul;

Thank you for taking the time to sit down and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your input related to the project, especially regarding the overall upgrade of the 500 block of Front Street and the safety of the school children.

I am in total agreement with you, in that, the improvements being proposed for the two cultural parks and Harbor Village, will bring much needed upgrades to the 500 block of Front Street. This in turn will make this end of Front Street a much safer, functional and visually pleasing place to visit for residents (including the school children) and our valued visitors.

We look forward to your continued support.

Sincerely,

Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Christine Moschetti
Executive Director
Hui O Wa'a Kaulua
525 Front Street
Lahaina, HI 96761

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

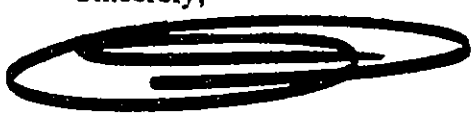
Dear Christine;

Thank you for taking the time to sit down and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your concerns related to the project, especially regarding the Parking and Archaeological issues.

I am glad that after going through the proposed plans in detail with you and addressing these specific concerns, you are much more comfortable with the project.

We look forward to your continued support.

Sincerely,



Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Akoni Akana
Executive Director
Friends of Moku'ula
505 Front Street
Lahaina, HI 96761

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

Dear Mr. Akana;

Thank you for taking the time to sit down with Chris Hart and myself and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your concerns related to the project, especially regarding the Design and Archaeological issues.

Since our meeting, we have completed reports on traffic, drainage and archaeological resources. These reports are on file with the Maui Planning Department.

Please don't hesitate to call with any other questions or concerns.

Sincerely,

Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Rev. Charles Cannon
Holy Innocents' Episcopal Church
561 Front Street
Lahaina, HI 96761

RE: *Harbor Village*
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

Dear Rev. Cannon;

Thank you for taking the time to sit down with David Blane and myself and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your concerns related to the project, especially regarding the Drainage, Noise, Light, Traffic, Parking and Archaeological issues.

Since our meeting, we have completed reports on traffic, drainage and archaeological resources. These reports are on file with the Maui Planning Department.

Please don't hesitate to call with any other questions or concerns.

Sincerely,

Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Mr. Dave Chenoweth
340 Front Street
Lahaina, HI 96761

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

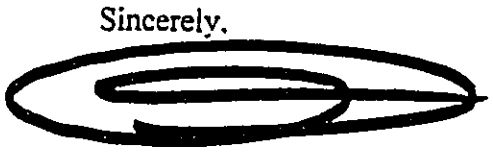
Dear Mr. Chenoweth;

Thank you for taking the time to sit down with David Blane and myself and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your concerns related to the project, especially regarding the Drainage, Traffic, Parking and Archaeological issues.

Since our meeting, we have completed reports on traffic, drainage and archaeological resources. These reports are on file with the Maui Planning Department.

Please don't hesitate to call with any other questions or concerns.

Sincerely,



Terry Lee
Partner

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, Hawaii 96761
808-661-8380 / Fax 667-1827

March 26, 1999

Mr. Buck Buchanan
416 Alio Street
Lahaina, HI 96761

RE: Harbor Village
576 Front Street, Lahaina (TMK#: 2-4-6-7-3)
Proposed Commercial Project with Restaurant

Dear Mr. Buchanan;

Thank you for taking the time to sit down with David Blane and myself and discuss our upcoming Harbor Village project in Lahaina. We certainly appreciate your concerns related to the project, especially regarding the Drainage, Traffic, Parking and Archaeological issues.

Since our meeting, we have completed reports on traffic, drainage and archaeological resources. These reports are on file with the Maui Planning Department.

Please don't hesitate to call with any other questions or concerns.

Sincerely,

Terry Lee
Partner

DRAFT ENVIRONMENTAL ASSESSMENT
COMMENT LETTERS AND RESPONSES

BENJAMIN J. CAYETANO
GOVERNOR

BRUCE S. ANDERSON, Ph.D.
Director of Health

'99 APR 21 P3:46

ALFRED M. ARENSDORF, M.D.
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, MAUI, HAWAII 96793

April 20, 1999

Mr. John E. Min
Director of Planning
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawai'i 96793

Dear Mr. Min:

Subject: Harbor Village
TMK: (2) 4-6-7: 003, 007 and 010
SM1 990003, EA 990002, HDC 99003, OSP 990002

Thank you for the opportunity to comment on the land use applications. We have the following comments to offer:

1. An assessment for asbestos on the buildings to be demolished shall be made by the applicant. If present, appropriate steps for its removal should be taken.

2. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control". A noise permit may be required and should be obtained prior to the commencement of work.

Should you have any questions, please call me at 984-8230.

Sincerely,

HERBERT S. MATSUBAYASHI
District Environmental Health Program Chief

c: Art Bauckham
Robert Lopes

CHRIS HART & PARTNERS

July 8, 1999

Mr. Herbert S. Matsubayashi
Maui District Health Office
State of Hawaii Department of Health
54 High Street
Wailuku, Maui, HI 96793

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Matsubayashi:

Thank you for your April 20, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

The applicant agrees to follow appropriate procedures after completing a Phase I environmental assessment for the possible existence of asbestos in the two wood frame buildings to be demolished, and will apply for an appropriate noise permit during the construction phase of the project.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII

LAWRENCE MIKE
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

'99 APR 15 In reply, please refer to:
ENVIRONMENTAL PLANNING OFFICE
HAWAII STATE DEPARTMENT OF HEALTH
919 ALA MOANA BLVD., 3RD FLOOR
HONOLULU, HI 96814-4912

FACSIMILE TRANSMITTAL

DATE: 4/15/99 NO. OF PAGES (w/ cover sheet): 2

TO: Ann T. Cua

OFFICE: Planning Dept., Co. of Maui

FAX: 243-7634 PHONE: 243-7735

FROM: Art Buickham

OFFICE: EPO - 104

PHONE: (808) 586-4337 FAX: (808) 586-4370

MESSAGE: SM1 990003, EA 990002, HDC 99003, OSP 990002
Harbor Village, Lahaina

We have no comments to offer on the above project. AB

NOTE: If this transmittal was illegible or incomplete, please call the sender.

CHRIS HART & PARTNERS

July 8, 1999

Mr. Art Bauckham
Environmental Planning Office
Department of Health
State of Hawaii
919 Ala Moana Boulevard, 3rd Floor
Honolulu, Hawaii 96814-4912

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Bauckham:

Thank you for your April 15, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval, in which you state that you have "no comments."

If you have any further questions, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

3532

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P.O. BOX 621
HONOLULU, HAWAII 96809

'99 MAY 17 P12:23

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

MAY 14 1999

Ref:PS:EH

Mr. John E. Min, Director of Planning
Department of Planning
County of Maui
250 South High Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Min:

Subject: Applications for Special Management Area Permit, Historic District Approval and Off-site Parking Approval
Project Name: Harbor Village
Applicant: Chris Hart & Partners on Behalf of JDI Limited Partners
TMK: 4-6-7:003, 007, and 010

We have reviewed the subject application and offer the following comments for your consideration.

Engineering Branch:

We suggest the Erosion Control Measures comply with applicable County standards and guidelines. We also suggest that the State Department of Health be contacted regarding a Water Quality Certification.

According to FEMA Community Panel Map No. 150003 0163 (Revised in 1998), no section of the proposed project site is located in Zone B. The entire site is located in Zone C, an area of minimal flooding.

Written comments regarding the proposed project were submitted to you on April 20, 1999, from Phil Ohta, Maui District Land Agent.

Thank you for the opportunity to review this application.

Should you have any questions or require further assistance, please contact staff planner Ed Henry at 587-0380.

Very truly yours,

TIMOTHY E. JOHNS
Chairperson

c.c. Engineering Branch
MDLO

CHRIS HART & PARTNERS

July 8, 1999

Mr. Timothy E. Johns
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, Hawaii 96809

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Johns:

Thank you for your May 14, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

As you recommend in your letter, Erosion Control Measures for this project will comply with applicable County standards and guidelines, and the State of Department of Health will be contacted regarding a Water Quality Certification.

We have received and responded to comments from Phil Ohta, Maui District Land Agent.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET. SUITE 200 · WAILUKU. MAUI. HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

CHRIS HART & PARTNERS

'99 JUL 20 P2:15

TRANSMITTAL

TO: Office of Environmental Quality Control
State Office Tower, Suite 702
235 S. Beretania Street
Honolulu, HI 96813

DATE: July 14, 1999

PROJECT: Harbor Village

SUBJECT: *Final Environmental Assessment*

Attention: Les Segundo

THE FOLLOWING ARE ENCLOSED: ( ) FOR APPROVAL (X) FOR YOUR USE ( ) AS REQUESTED
( ) FOR YOUR REVIEW AND COMMENT ( ) FOR YOUR INFORMATION ( ) OTHER

COPIES	/	DATE	/	DESCRIPTION
1	/	7/13/99	/	FONSI letter from John Min, Planning Director, County of Maui (original)
1	/	7/12/99	/	Draft EA comment letter from Don Hibbard, Administrator, SHPD

REMARKS:

Dear Mr. Segundo,

Enclosed please find the original copy of the FONSI letter for the Harbor Village project from John E. Min, Planning Director, County of Maui.

Also enclosed is a copy of the final version of a comment letter on the Harbor Village draft environmental assessment from the State Historic Preservation Division, Don Hibbard, Administrator. This letter is meant to replace a draft copy (which is identical in wording) that was included in the bound copies of the Final EA sent to you on Monday, July 12.

Thank you for your help.

Sincerely yours,

Nancy Kleban

Nancy Kleban
Planner

Enclosures

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793 • PHONE (808) 242-1955 • FAX (808) 242-1956

Post-it™ brand fax transmittal memo 7671 | # of pages ▸

To	Terry Lee	From	Ross
Co.	JDI Ltd.	Co.	
Dept.		Phone #	
Fax #	667-1827	Fax #	

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
Kakuhihewa Building, Room 555
601 Kamokila Boulevard
Kapolei, Hawaii 96707

TIMOTHY E. JOHNS, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES
JANET E. KAWELO

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

July 12, 1999

John E. Min, Director
Planning Department
County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

LOG NO: 23761
DOC NO: 9907rc11

Dear Mr. Min:

SUBJECT: Historic Preservation Review Harbor Village (JDI Partners)
Puako Ahupua'a (Lahaina Town), Lahaina, Maui
TMK: 4-6-07: 3, 7 and 10

Terry Lee of JDI Partners has asked us to send a status review on the Harbor Village development. The development proposes a plantation style retail and restaurant building along Front Street (Parcel 3) with parking in the rear (Parcels 7 and 10).

Our office approved archaeological monitoring for Parcel 3, and approved the monitoring plan prepared by Xamanek Inc. on April 28, 1998 (Hibbard to Fredericksen Log: 21,389; Doc: 9804BD17). Thus, mitigation work is set for this parcel.

Our office has just reviewed the archaeological survey report for parcels 7 and part of 10 (D. Fredericksen & E. Fredericksen 1999. Archaeological Inventory Survey in the 'Ili of Pakala, Puako, Ahupua'a, ... Xamanek Researches ms.). Parcel 10 is not yet completely surveyed, and the applicant is committed to doing this survey later this fall.

We believe that archaeological testing on parcel 7 has representatively covered the parcel, finding one significant site – site 4690 (the remnants of a habitation deposit which once probably covered parcel 7 and part of its cut coral houselot wall). The wall is listed as site 4682, but we believe that it is part of 4690. This site minimally dates from the 1400s-1600s up into the 1800s. The description of the stratigraphy of this parcel needs to be upgraded and other elements of the report need revision to acceptably document the work that was done. But it is clear that the parcel has been heavily impacted by modern land alterations, and only small, very shallow remnants of the older archaeological deposits survive, along with a portion of the 1840s era cut coral houselot wall. For mitigation, the applicant

RECEIVED
JUL 13 1999
CHRISTIAN & PARTNERS
Landscape Architecture & Planning

proposes preserving the cut coral wall, and we believe that some archaeological data recovery work is needed -- testing against the wall in site 4690 to see if deposits are present there, and then possibly some additional test units. Thus, the form of mitigation for this site (preservation/data recovery) is clear, but the detailed mitigation plans (scopes of work) need to be worked out.

Survey on parcel 10 has not yet been completed. However, one site has been found – the apparent archaeological deposits of Loko Puako (with gleyed soils) which contains refuse thrown into it from pre-contact and 1800s times. [Note: This pond is Loko Puako and not part of Mokuhinia Pond as originally indicated in our December 15, 1998 letter to Chris Hart & Partners or as indicated in the draft archaeological inventory survey report.] The pond's deposits may contain significant information on pre-settlement vegetation and on the timing of early settlement in this area of Lahaina. We are recommending that the current survey report be split into two reports – one on parcel 7 finds and one on the partial fieldwork in parcel 10 – so the finds on each parcel can clearly be considered. The current report on parcel 10 needs to be revised to assign a number to the apparent pond deposits and to clarify that this is not Loko o Mokuhina. The historic research suggests that the unsurveyed parts of parcel 10 may contain archaeological habitation deposits. Again, the applicant plans to have survey work concluded in this unsurveyed portion this fall, and then a report on the remaining findings for parcel 10 will be issued (sort of a volume 2 for parcel 10). Mitigation commitments for parcel 10 will have to await the completion of the survey, which will determine how many significant sites are present. At this time, one possible mitigation action would be data recovery -- coring of the Loko Puako pond sediments and paleo-environmental analysis of the soil cores (e.g., pollen, dating) by paleo-environmental specialists. This could identify pre-Polynesian vegetation in this area and when this area of Lahaina was settled (shown by the reduction tree pollen, as a result of cutting of trees for houses and fields, and by the marked increase in charcoal).

The applicant would like to phase the historic preservation review of the project, to complete the survey of parcel 10 at a later date and yet enable current review of the development proposal by the County. Given this request and the information summarized above, we recommend the following conditions to ensure "no adverse effects" to significant historic sites in these properties.

1. Parcel 3. Development work on this parcel can begin, but archaeological monitoring of land altering work must take place in accordance with the approved archaeological monitoring plan. Once an acceptable report is completed the State Historic Preservation Division shall notify Maui County in writing that the monitoring work has been concluded.

2. The archaeological survey report currently prepared for parcel 7 and part of parcel 10 (D. Fredericksen & E. Fredericksen 1999. Archaeological Inventory Survey in the 'ili of Pakaia, Puako, Ahupua'a, ... Xamanek Researches ms.) shall be revised as requested by the State Historic Preservation Division (SHPD). It will be split into two reports -- one for parcel 7 and another for the first part of survey in parcel 10. Once acceptable reports are completed the SHPD shall notify Maui County in writing.

3. Parcel 7. The cut coral wall within site 4690 shall be preserved and the subsurface deposits of 4690 shall undergo archaeological data recovery. A detailed preservation plan and detailed data recovery plan (scopes of work) shall be prepared, and must be acceptable to the State Historic Preservation Division (SHPD) and County. The SHPD will notify Maui County in writing when the plan is successfully executed. No land alteration will occur in parcel 7 until the plan is successfully executed or interim protection measures are put in place.

4. Parcel 10. The archaeological inventory survey for this parcel shall be completed, with an acceptable report on the second phase of the survey's findings submitted to the State Historic Preservation Division. Once an acceptable report is completed, the SHPD shall notify Maui County in writing.

5. If significant historic sites are present in parcel 10 (and at least one seems to be present, the deposits of Loko Puako), then mitigation commitments (e.g., preservation, data recovery) must be agreed upon by the applicant, Maui County, and the State Historic Preservation Division (SHPD), with the opportunity for public comment. Once the form of mitigation is agreed upon, detailed mitigation plans (scopes of work) must be approved by SHPD and County. The SHPD will notify Maui County in writing when the plan is successfully executed. No land alteration will occur in parcel 10 until the plan is successfully executed or interim protection measures are put in place.

If you have any questions, Dr. Ross Cordy, our Branch Chief for Archaeology, is our contact person for this project (692-8025).

Aloha,

Don Hibbard, Administrator
State Historic Preservation Division

RC:jen

c: Terry Lee, GDI Ltd. [fax 667-1827]

DRAFT

RECEIVED
JUL - 9 1999
CHRISTIANA PACIFICO
Landscape Architecture & Planning

Log:
Doc: 9907RC11

John E. Min, Director
Planning Department
County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Min:

SUBJECT: Historic Preservation Review Harbor Village (JDI Partners)
Puako Ahupua'a (Lahaina Town), Lahaina, Maui
TMK: 4-6-07: 3, 7 and 10

Terry Lee of JDI Partners has asked us to send a status review on the Harbor Village development. The development proposes a plantation style retail and restaurant building along Front Street (Parcel 3) with parking in the rear (Parcels 7 and 10).

Our office approved archaeological monitoring for Parcel 3, and approved the monitoring plan prepared by Xamanek Inc. on April 28, 1998 (Hibbard to Fredericksen Log: 21,389; Doc: 9804BD17). Thus, mitigation work is set for this parcel.

Our office has just reviewed the archaeological survey report for parcels 7 and part of 10 (D. Fredericksen & E. Fredericksen 1999. Archaeological Inventory Survey in the 'ili of Pakala, Puako, Ahupua'a, Xamanek Researches ms.). Parcel 10 is not yet completely surveyed, and the applicant is committed to doing this survey later this fall.

We believe that archaeological testing on parcel 7 has representatively covered the parcel, finding one significant site – site 4690 (the remnants of a habitation deposit which once probably covered parcel 7 and part of its cut coral houselot wall). The wall is listed as site 4682, but we believe that it is part of 4690. This site minimally dates from the 1400s-1600s up into the 1800s. The description of the stratigraphy of this parcel needs to be upgraded and other elements of the report need revision to acceptably document the work that was done. But it is clear that the parcel has been heavily impacted by modern land alterations, and only small, very shallow remnants of the older archaeological deposits survive, along with a portion of the 1840s era cut coral houselot wall. For mitigation, the applicant proposes preserving the cut coral wall, and we believe that some archaeological data recovery work is needed -- testing against the wall in site 4690 to see if deposits are present there, and then possibly some additional test units. Thus, the form of mitigation for this site (preservation/data recovery) is clear, but the detailed mitigation plans (scopes of work) need to be worked out.

Survey on parcel 10 has not yet been completed. However, one site has been found – the apparent archaeological deposits of Loko Puako (with gleyed soils) which contains refuse

DRAFT

thrown into it from pre-contact and 1800s times. [Note: This pond is Loko Puako and not part of Mokuhinia Pond as originally indicated in our December 15, 1998 letter to Chris Hart & Partners or as indicated in the draft archaeological inventory survey report.] The pond's deposits may contain significant information on pre-settlement vegetation and on the timing of early settlement in this area of Lahaina. We are recommending that the current survey report be split into two reports -- one on parcel 7 finds and one on the partial fieldwork in parcel 10 -- so the finds on each parcel can clearly be considered. The current report on parcel 10 needs to be revised to assign a number to the apparent pond deposits and to clarify that this is not Loko o Mokuhina. The historic research suggests that the unsurveyed parts of parcel 10 may contain archaeological habitation deposits. Again, the applicant plans to have survey work concluded in this unsurveyed portion this fall, and then a report on the remaining findings for parcel 10 will be issued (sort of a volume 2 for parcel 10). Mitigation commitmens for parcel 10 will have to await the completion of the survey, which will determine how many significant sites are present. At this time, one possible mitigation action would be data recovery -- coring of the Loko Puako pond sediments and paleo-environmental analysis of the soil cores (e.g., pollen, dating) by paleo-environmental specialists. This could identify pre-Polynesian vegetation in this area and when this area of Lahaina was settled (shown by the reduction tree pollen, as a result of cutting of trees for houses and fields, and by the marked increase in charcoal).

The applicant would like to phase the historic preservation review of the project, to complete the survey of parcel 10 at a later date and yet enable current review of the development proposal by the County. Given this request and the information summarized above, we recommend the following conditions to ensure "no adverse effects" to significant historic sites in these properties.

1. Parcel 3. Development work on this parcel can begin, but archaeological monitoring of land altering work must take place in accordance with the approved archaeologial monitoring plan. Once an acceptable report is completed the State Historic Preservation Division shall notify Maui County in writing that the monitoring work has been concluded.

2. The archaeological survey report currently prepared for parcel 7 and part of parcel 10 (D. Fredericksen & E. Fredericksen 1999. Archaeological Inventory Survey in the 'ili of Pakala, Puako, Ahupua'a, Xamanek Researches ms.) shall be revised as requested by the State Historic Preservation Division (SHPD). It will be split into two reports -- one for parcel 7 and another for the first part of survey in parcel 10. Once acceptable reports is completed the SHPD shall notify Maui County in writing.

3. Parcel 7. The cut coral wall within site 4690 shall be preserved and the subsurface deposits of 4690 shall undergo archaeologial data recovery. A detailed preservation plan and detailed data recovery plan (scopes of work) shall be prepared, and must be acceptable to the State Historic Preservation Division (SHPD) and County. The SHPD will notify Maui County in writing when the plan is successfully executed. No land alteration will occur in parcel 7 until the plan is successfully executed or interim protection measures are put in place.

DRAFT

4. Parcel 10. The archaeological inventory survey for this parcel shall be completed, with an acceptable report on the second phase of the survey's findings submitted to the State Historic Preservation Division. Once an acceptable report is completed, the SHPD shall notify Maui County in writing.

5. If significant historic sites are present in parcel 10 (and at least one seems to be present, the deposits of Loko Puako), then mitigation commitments (e.g., preservation, data recovery) must be agreed upon by the applicant, Maui County, and the State Historic Preservation Division (SHPD), with the opportunity for public comment. Once the form of mitigation is agreed upon, detailed mitigation plans (scopes of work) must be approved by SHPD and County. The SHPD will notify Maui County in writing when the plan is successfully executed. No land alteration will occur in parcel 10 until the plan is successfully executed or interim protection measures are put in place.

If you have any questions, Dr. Ross Cordy, our Branch Chief for Archaeology, is our contact person for this project (692-8025).

Aloha,

DH

c: Terry Lee, SDI Partners [fax 667-1827]

CHRIS HART & PARTNERS

July 9, 1999

Mr. Don Hibbard, Administrator
State Historic Preservation Division
Department of Land and Natural Resources
State of Hawaii
601 Kamokila Boulevard
Kapolei, Hawaii 96707

Attention: Dr. Ross Cordy, Branch Chief, Archaeology

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Hibbard:

Thank you for your July 9, 1999, draft response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

After reviewing the draft letter with our client and the Maui Planning Department, we understand that it is being finalized for signature. In this context, we agree to comply with conditions no. 1 through 5 on pages 2 and 3 as a phased completion of the historic preservation review process.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

2732

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII

'99 APR 22 P12 :47

Timothy E. Johns
~~MICHAEL D. WILSON~~
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTY
~~X SUSPENDED ROLLING CLOSED~~
Janet E. Kawelo

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
WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF LAND MANAGEMENT
54 SOUTH HIGH STREET, ROOM 101
WAILUKU, HAWAII 96793-2198

April 20, 1999

Mr. John E. Min, Director of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Attn: *Ms. Ann T. Cua, Staff Planner*

Dear Mr. Min:

Subject: SM1 990003; EA 990002; HDC 990003; OSP 990002
TMK: (2) 4-6-07: 03, 07 and 10, Lahaina, Maui

Following are our comments relating to the subject applications for Special Management Area Permit, Historic District approval and Off-Site Parking approval for the Harbor Village proposed project:

1. Tax map key: (2) 4-7-07: 44, currently used to access the overflow parking on Parcel 07, is owned by the State of Hawaii.

2. On 9/26/86, the Land Board approved the County of Maui's request for Parcel 44 to be set aside as a road right-of-way to access the public parking lot; however, the executive order was never issued. The County now wishes to relinquish its interest in Parcel 44 upon the approval of the various permits and agreements.

3. JDI Limited Partnership, through their consultants Chris Hart & Partners, have applied for a long-term perpetual access and landscaping easement over Parcel 44. The Maui District Branch will submit JDI's request to the Land Board after receiving the County's withdrawal letter.

Please call our office at 984-8100 should you require additional information.

~~Very~~ truly yours,

PHILIP OHTA
Maui District Land Agent

PO:lw

c: Central Files
Maui Land Board Member
Chris Hart & Partners

CHRIS HART & PARTNERS

July 8, 1999

Mr. Philip Ohta
Maui District Land Agent
Division of Land Management
State of Hawaii Department of Land
and Natural Resources
54 South High Street, Room 101
Wailuku, Maui, HI 96793-2198

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Ohta:

Thank you for your April 20, 1999 positive response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

The applicant acknowledges that TMK 4-7-07:44 is owned by the State of Hawaii, and will await a response from the Land Board to the request for a long-term perpetual access and landscape planting easement over Parcel 44.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

BENJAMIN J. CAYETANO
GOVERNOR

RAYMOND H. SATO
COMPTROLLER

'99 APR -8 P3:38

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
SURVEY DIVISION
P. O. BOX 119
HONOLULU, HAWAII 96810

RESPONSE REFER TO:

FILE NO. _____

April 7, 1999

MEMORANDUM

TO: Mr. John E. Min, Planning Director
Maui County Planning Department

ATTN.: Ms. Ann T. Cua, Staff Planner

FROM: Randall M. Hashimoto, State Land Surveyor

SUBJECT: I.D.: SM1 990003; EA 990002; HDC 99003;
OSP 990002
TMK: 4-6-7:003, 007 and 010
Project Name: Harbor Village
Applicant: Chris Hart & Partners on
Behalf of JDI Limited Partners

The subject proposal has been reviewed and confirmed that no Government Survey Triangulation Stations and Benchmarks are affected. The Survey Division has no objections to the proposed project.

Randall M. Hashimoto

RANDALL M. HASHIMOTO
State Land Surveyor

CHRIS HART & PARTNERS

July 8, 1999

Mr. Randall M. Hashimoto
State Land Surveyor
State of Hawaii
Department of Accounting and General Services
P.O. Box 119
Honolulu, Hawaii 96810

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Hashimoto:

This letter is in response to your memorandum to Mr. John E. Min, dated April 7, 1999, regarding the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval, in which you report that since no Government Survey Triangulation Stations and Benchmarks are affected by the proposed project, your Division has no objections.

Thank you for reviewing this SMA Permit Application. If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

BENJAMIN J. CAYETANO
GOVERNOR

PAUL G LeMAHIEU, P
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KING KAMEHAMEHA III ELEMENTARY SCHOOL
611 FRONT STREET
LAHAINA, MAUI, HAWAII 96761-1298

April 27, 1999

Mr. John E. Min
Director of Planning
County of Maui
250 South High Street
Wailuku, HI 96790

Dear Mr. Min:

I am happy to write you this letter on behalf of the Harbor Village Project on the 500 Block of Front Street in Lahaina. Earlier in the school year I met with Mr. Terry Lee and one of his associates. They made an appointment with me and we discussed the Harbor Village Project. I was very happy they included King Kamehameha III Elementary in their plans and discussions.

I would like you to know that I lend my support to the project. As you may be aware, our students use Malu'ulu'olele Park for recess and physical education. We have had serious problems with the homeless population that regularly uses the park. Our students have found hypodermic needles and even drugs at the park. Our PTA approached the County Council who acted very quickly in changing some laws or ordinances that positively affected the safety of our students. One of the positive aspects of the Harbor Village Project is the presentation of historically correct buildings in an area that is presently unappealing. I feel this project would be a positive extension of Front Street toward the direction of 505 Front Street and would lengthen our "safe zone" . Also, with new businesses in the area I feel the school would receive the benefits of additional police patrols on our end of Front Street.

Mr. Lee showed me the plans of the project and I asked many questions. The plans indicate that his parking situation would be more than adequate and would not affect the limited parking that affects our staff and parents. He also assured me that the project would not create traffic problems for our school because there would be no Front Street entrances or exits. I was informed that landscaping would be put in place on Front Street which will enhance the beauty of the area.

In conclusion, Mr. Lee and his associates have presented a very pleasing plan that would benefit Lahaina. They have extended themselves as good neighbors and we would welcome their part in increasing the safety and beauty of Front Street. If you have any questions, please do not hesitate to call me at 662-3954.

Sincerely,

Richard Paul
Principal

cc: Terry Lee

CHRIS HART & PARTNERS

July 8, 1999

Mr. Richard Paul, Principal
King Kamehameha III Elementary School
611 Front Street
Lahaina, Maui, HI 96761-1298

Subject: *Harbor Village*, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Paul:

Thank you for your April 27, 1999 positive response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

The applicants, Mr. Terry Lee and Mr. Stephen Gatchell, will keep you informed as the project progresses, and will work with you during the construction period to help create a safer environment for the school children. Mr. Lee and Mr. Gatchell wish to keep on being "good neighbors" with King Kamehameha III School and believe that the physical and social improvements contributed to the neighborhood will be of considerable benefits to the community.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET. SUITE 200 · WAILUKU. MAUI. HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

2581

BENJAMIN J. CAYETANO
GOVERNOR
STATE OF HAWAII

RAYNARD C. SOON
INTERIM CHAIRMAN
HAWAIIAN HOMES COMMISSION

JOBIE M. K. M. YAMAGUCHI
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII '99 APR -9 10:44
DEPARTMENT OF HAWAIIAN HOME LANDS
P.O. BOX 1879
HONOLULU, HAWAII 96805

April 8, 1999

The Honorable John E. Min, Director
County of Maui, Department of Planning
250 South High Street
Wailuku, Maui, Hawaii 96793

Attn: Ann Cua

Dear Mr. Min:

Subject: Harbor Village, SM1 990003, EA 990002, HDC 99003, OSP 990002, TMK 4-6-7:03, 07 & 10, Lahaina, Maui, Dated January, 1999

Thank you for the opportunity to review the subject application. The Department of Hawaiian Home Lands has no comment to offer.

If you have any questions, please call Daniel Ornellas at 586-3836.

Aloha,

Danelle Gozdzin

for Raynard C. Soon, Interim Chairman
Hawaiian Homes Commission

CHRIS HART & PARTNERS

July 8, 1999

Mr. Raynard C. Soon, Interim Chairman
Hawaiian Homes Commission
Department of Hawaiian Home Lands
State of Hawaii
P.O. Box 1879
Honolulu, Hawaii 96805

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Soon:

Thank you for your April 8, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval, in which you state that you have "no comment."

If you have any further questions, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET. SUITE 200 · WAILUKU. MAUI. HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

BENJAMIN J. CAYETANO
GOVERNOR

GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4186

'99 JUN -7 P3:09

June 3, 1999

Mr. Terry Lee
Mr. Steve Gatchel
JDI Limited Partners
721 Wainee Street, Suite 201
Lahaina, HI 96761

Dear Messrs. Lee and Gatchel:

The Office of Environmental Quality Control has reviewed the draft environmental assessment (DEA) entitled "Harbor Village, 576 Front Street, Lahaina, Maui, Hawai'i, TMK: 4-6-07: 3, 7, and 10" and submits the following comment for your consideration and response.

SUSTAINABLE BUILDING DESIGN

Hawaii law calls for efforts to conserve natural resources, promote efficient use of water and energy and encourage recycling of waste products. To meet these goals, special care must be taken to plan a project from the very beginning to include sustainable building design concepts. Enclosed are draft guidelines for sustainable building design in Hawai'i. We understand that as the project is within the Lahaina Historic District, specific design elements will be drawn from the County Historic Commission's *Architectural Style Book for Lahaina*. We request that you consider the design elements contained within the enclosed checklist and discuss in the environmental assessment any specific sustainable design elements (e.g., landscaping with native xerophagic plants, incorporation of natural ventilation using trade winds, etc.) your project will entail.

If you have any questions, please call Mr. Leslie Segundo, Environmental Health Specialist at 586-4185. Thank you for the opportunity to comment on your project.

Sincerely,

Genevieve Salmonson

GENEVIEVE SALMONSON
Director

Enclosure

c: Mr. Christopher L. Hart, Chris Hart & Partners
Ms. Ann Cua, Maui Planning Department

CHRIS HART & PARTNERS

July 8, 1999

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
State of Hawaii
236 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Ms. Salmonson:

Thank you for your June 3, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

Pursuant to the recommendations in your letter, we have consulted with the project architect, Mr. Jim Niess, and he has committed that the principles of sustainable building design, including efficient use of water and energy, recycling of waste products, and design elements that maximize substainability will be considered in the planning of the project.

Thank you for providing comments. If you have any further questions, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET, SUITE 200 · WAILUKU, MAUI, HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

JAMES "KIMO" APANA
Mayor

JOHN E. MIN
Director

CLAYTON I. YOSHIDA
Deputy Director

COUNTY OF MAUI
DEPARTMENT OF PLANNING

May 17, 1999

Mr. Christopher L. Hart
Chris Hart & Partners
1955 Main Street, Suite 200
Wailuku, Hawaii 96793-1706

Dear Mr. Hart:

RE: Comments from the Cultural Resources Commission on the Draft Environmental Assessment for the Harbor Village Commercial Project at 576 Front Street, TMK: 4-6-7:3, 7, and 10, Lahaina, Maui, Hawaii (HDC 980011)

The Maui County Cultural Resources Commission (Commission), at its meeting of April 15, 1999, reviewed the Draft Environmental Assessment for the Harbor Village Project in Lahaina, Maui. After lengthy review, the Commission provided the following comments:

1. That details of each storefront, including colors and materials, shall be provided as part of the application submittals.

2. That elevations of the rear of the building shall be provided as part of the application submittals.

3. That additional analysis should be provided on the project's impact on the surrounding community.

Thank you for your cooperation in this matter. If further clarification is required, please contact Ms. Ann T. Cua, Staff Planner, of this office at 243-7735.

Very truly yours,

JOHN E. MIN
Director of Planning

JEM:ATC:cmb
c: Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Tremaine Balberdi for CRC Members
Project File
General File
(s:\all\ann\havillea.crc)

CHRIS HART & PARTNERS

July 9, 1999

Mr. John E. Min, Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Maui, Hawaii 96793

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Min:

Thank you for your May 17, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval, in which you convey the comments of the Maui County Cultural Resources Commission (CRC) expressed at the Commission's April 15 meeting.

The storefont details including colors and materials will be included in the refined exhibit package for presentation to the CRC at our formal action meeting, along with elevations of the rear of the building. We have been evaluating the impact of the project on the surrounding community and meeting with the Lahaina Restoration Foundation, the Lahaina Town Action Committee and other community organizations in order to mitigate any potential project impacts.

Thank you for providing comments. If you have any further concerns, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET. SUITE 200 · WAILUKU. MAUI. HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

JAMES "KIMO" APANA
Mayor

CHARLES JENCKS
Director

DAVID C. GOODE
Deputy Director

Telephone: (808) 243-7845
Fax: (808) 243-7955

99 MAY 13 A9:47

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

RALPH NAGAMINE, L.S., P.E.
Land Use and Codes Administration

Wastewater Reclamation Division

LLOYD P.C.W. LEE, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

ANDREW M. HIROSE
Solid Waste Division

May 12, 1999

MEMO TO: JOHN E. MIN, DIRECTOR OF PLANNING

FROM: for CHARLES JENCKS, DIRECTOR OF PUBLIC WORKS AND WASTE MANAGEMENT

SUBJECT: SPECIAL MANAGEMENT AREA PERMIT APPLICATION, ENVIRONMENTAL ASSESSMENT, HISTORIC DISTRICT COMMISSION, OFF-SITE PARKING
HARBOR VILLAGE
TMK: (2) 4-6-007:003, 007 & 010
SM1 99/0003, EA 99/0002, HDC 99/0003, OSP 99/0002

We reviewed the subject application and have the following comments.

1. Wastewater calculations and assessment fees are required before the building permit is issued.

2. The developer is required to fund any off-site improvements to the collection and wastewater pump stations. The applicant shall work with the Wastewater Reclamation Division to substantiate that the existing wastewater collection system is adequate to serve this project.

3. We would recommend that fencing be provided along the property adjacent to the open drainage channel running parallel to Mokuhinia Place.

4. Modifications to the Prison Street parking lot ordinance, Maui County Code 10.76.050, may be necessary to accommodate the proposed non-exclusive easement. The department supports the granting of a County easement to the proposed private lot, as well as assigning the easement over State property to the private lot. The existing Prison Street entrance is adequate to service the new combined parking lot and any additional Front Street access to the new lot is not needed.

5. Construction activities should not grossly interfere with the continued use of the County's Prison Street parking lot by the public. Any contractor for this project should not use the County parking lot for storage or as a work area.

6. Any de-watering activity that will discharge water into the County's drainage system shall reduce to the greatest extent possible the amount of sediment, grease and oils, or other pollutants, from entering said drainage system and from entering the ocean. Should such discharge occur, the work causing such discharge shall be ceased immediately and the contractor shall then provide appropriate cleanup measures.

7. The developer shall construct a separate left-turn lane on Front Street at its intersection with Prison Street at no cost to the County.

8. The developer proposed to eliminate seven parking stalls in front of Kamehameha III School to allow for a separate left-turn lane on Front Street caused by impacts of this development. The elimination of these stalls should be discussed with school officials. Further, the elimination of these stalls on a proposed re-routing of traffic around the Old Courthouse should be discussed with the Engineering Division.

9. Off-street parking, loading, and landscaping shall be provided per Maui County Code, Chapter 19.36.

10. A detailed final drainage report and erosion control Best Management Practices (BMP) plan shall be submitted with the construction plans for review and approval prior to issuance of a grading permit. The drainage report shall include hydrologic and hydraulic calculations and the schemes for disposal of run-off waters. It must comply with the provisions of the "Rules for Design of Storm Drainage Facilities in the County of Maui" and must provide verification that the grading and runoff waters generated by the project will not have an adverse effect on adjacent and downstream properties. The BMP plan shall show the location and details of structural and non-structural measures to control erosion.

If you have any questions, please call David Goode at 243-7845.

DG:msc/mt
S:\LUCA\CZM\HARBOR.WPD

CHRIS HART & PARTNERS

July 9, 1999

Mr. Charles Jencks, Director
Department of Public Works and Waste Management
County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Jencks:

Thank you for your May 12, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval. The following comments to the Department of Public Works and Waste Management (DPW&WM) are provided for your consideration:

Wastewater calculations will be generated and assessment fees will be paid before the building permit is issued.

The applicant will work with the Wastewater Reclamation Division to substantiate that the existing wastewater collection system is adequate to serve this project.

The applicant is also working with the Friends of Moku`ula and the Board of Directors of the Lahaina Restoration Foundation in order to visually soften the south elevation of the proposed two-story commercial building by adding a stone masonry planter with appropriate trees, shrubs and groundcover along the property adjacent to the open drainage channel running parallel to Mokuhinia Place.

The applicant will continue to work with the DPW&WM to modify the Prison Street parking lot ordinance, Maui County Code 10.76.050, if it is necessary to accommodate the proposed non-exclusive easement. We appreciate DPW&WM's

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support of the granting of a County easement to the proposed private lot, as well as assigning the easement over State property to the private lot. Also, we appreciate your support that the existing Prison Street entrance is adequate to service the new combined parking lot and any additional Front Street access to the new lot is not needed.

The applicant confirms that construction activities will not "grossly interfere" with the continued use of the County's Prison Street parking lot by the public, and that the contractor for the project will not use the County parking lot for storage or as a work area. The applicant has leased TMK 4-7-07:7 & 10 located immediately adjacent, and these parcels will be used as a storage/work area.

During construction, the contractor shall reduce to the greatest extent possible the amount of sediment, grease and oils, or other pollutants entering the drainage system and the ocean due to any de-watering activity that will discharge water into the County's drainage system. In the event that such discharge does occur, the work causing the discharge will be ceased immediately and the contractor will provide appropriate cleanup measures.

The applicant will continue to dialogue with the DPW&WM, Kamehameha III School and the Lahaina Town Action Committee regarding the appropriateness of constructing the first left-turn lane on Front Street in Historic District No. 1. Also, the proposal to eliminate the seven parking stalls in front of Kamehameha III School to allow for the separate left-turn lane on Front Street will be further discussed with school officials and the DPW&WM. In addition, the impact of the elimination of these stalls on a proposed re-routing of traffic around the Old Courthouse will be further discussed with the Engineering Division.

Off-street parking, loading and landscape planting and irrigation will be provided per Maui County Code Chapter 19.36.

The applicant will submit a detailed final drainage report and erosion control Best Management Practices plan with the construction plans for review and approval prior to issuance of a grading permit. The drainage report will include hydrologic and hydraulic calculations and the schemes for disposal of runoff waters, and it will comply with the provisions of the "Rules for Design of Storm Drainage Facilities in the County of Maui." Also, the drainage report will provide verification that the grading and runoff waters generated by the project will not have an adverse effect on adjacent and downstream properties, and the

BMP plan will show the location and details of structural and non-structural measures to control erosion.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

DEPARTMENT OF
PARKS AND RECREATION
COUNTY OF MAUI

1580-C KAAHUMANU AVENUE WAILUKU, HAWAII 96793

JAMES "KIMO" APANA
Mayor

FLOYD S. MIYAZONO
Director

ELIZABETH D. MENOR
Deputy Director

(808) 243-7230
FAX (808) 243-7934

'99 APR 14 P2:38

MEMORANDUM

April 13, 1999

TO: John Min, Planning Director

FROM: Floyd S. Miyazono, Director

SUBJECT: Harbor Village — Special Management Area Permit Application
Historic District Approval
and Off-site Parking Approval.

Thank you for the opportunity to review and comment on the above subject actions. Our only comment, at this time, is regarding access to parking for the development being through the existing County of Maui parking lot. Should the development's two required parking lots be restricted (a fee charged, or parking for businesses within the development only), then patrons of the development would most likely park in the county lot on the way to the development's parking lot. This would severely limit available spaces in the county parking lot,

Also, in the easement agreement, across the county parking lot, there is no mention of who will determine if the maintenance of the parking lot is adequate and timely or what the penalties for non performance would be. These issues should be addressed in advance.

Should you have any questions on this matter, please call me or Patrick Matsui, Chief of Parks Planning & Development at extension 7387.

FSM:PTM:rh

c: Patrick Matsui, Chief of Parks Planning & Development

CHRIS HART & PARTNERS

July 9, 1999

Mr. Floyd S. Miyazono, Director
Department of Parks and Recreation
County of Maui
1580-C Kaahumanu Avenue
Wailuku, Maui, Hawaii 96793

Attention: Mr. Patrick Matsui, Chief of Parks Planning & Development

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Miyazono:

Thank you for your April 13, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

Regarding the decision to jointly use the existing County parking lot driveway access, this has been coordinated with the Department of Public Works & Waste Management (DPW&WM) in order to decrease the number of driveway accesses on Front Street and to enhance automobile and pedestrian safety. (Please note comment no. 4 of the enclosed memorandum dated May 12, 1999 from Mr. Charles Jencks, Director, DPW&WM.)

You are correct in your assumption that patrons would choose to park first in the "free" County lot; however, because of the close proximity of the parcels, the situation would not change with a separate driveway access. In addition, we are working toward the operation of both the public and private lots as "paid parking."

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Also, in our discussions with DPW&WM, we are considering drafting and executing a formal parking lot maintenance agreement with appropriate conditions to be administered by DPW.

If you have any further questions, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

JAMES "KIMO" APANA
Mayor

CHARLES JENCKS
Director

DAVID C. GOODE
Deputy Director

Telephone: (808) 243-7845
Fax: (808) 243-7955

99 MAY 13 A9:47

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

RALPH NAGAMINE, L.S., P.E.
Land Use and Codes Administration

Wastewater Reclamation Division

LLOYD P.C.W. LEE, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

ANDREW M. HIROSE
Solid Waste Division

May 12, 1999

MEMO TO: JOHN E. MIN, DIRECTOR OF PLANNING

FROM: for CHARLES JENCKS, DIRECTOR OF PUBLIC WORKS AND WASTE MANAGEMENT

SUBJECT: SPECIAL MANAGEMENT AREA PERMIT APPLICATION, ENVIRONMENTAL ASSESSMENT, HISTORIC DISTRICT COMMISSION, OFF-SITE PARKING
HARBOR VILLAGE
TMK: (2) 4-6-007:003, 007 & 010
SM1 99/0003, EA 99/0002, HDC 99/0003, OSP 99/0002

We reviewed the subject application and have the following comments.

1. Wastewater calculations and assessment fees are required before the building permit is issued.

2. The developer is required to fund any off-site improvements to the collection and wastewater pump stations. The applicant shall work with the Wastewater Reclamation Division to substantiate that the existing wastewater collection system is adequate to serve this project.

3. We would recommend that fencing be provided along the property adjacent to the open drainage channel running parallel to Mokuhinia Place.

4. Modifications to the Prison Street parking lot ordinance, Maui County Code 10.76.050, may be necessary to accommodate the proposed non-exclusive easement. The department supports the granting of a County easement to the proposed private lot, as well as assigning the easement over State property to the private lot. The existing Prison Street entrance is adequate to service the new combined parking lot and any additional Front Street access to the new lot is not needed.

5. Construction activities should not grossly interfere with the continued use of the County's Prison Street parking lot by the public. Any contractor for this project should not use the County parking lot for storage or as a work area.

6. Any de-watering activity that will discharge water into the County's drainage system shall reduce to the greatest extent possible the amount of sediment, grease and oils, or other pollutants, from entering said drainage system and from entering the ocean. Should such discharge occur, the work causing such discharge shall be ceased immediately and the contractor shall then provide appropriate cleanup measures.

7. The developer shall construct a separate left-turn lane on Front Street at its intersection with Prison Street at no cost to the County.

8. The developer proposed to eliminate seven parking stalls in front of Kamehameha III School to allow for a separate left-turn lane on Front Street caused by impacts of this development. The elimination of these stalls should be discussed with school officials. Further, the elimination of these stalls on a proposed re-routing of traffic around the Old Courthouse should be discussed with the Engineering Division.

9. Off-street parking, loading, and landscaping shall be provided per Maui County Code, Chapter 19.36.

10. A detailed final drainage report and erosion control Best Management Practices (BMP) plan shall be submitted with the construction plans for review and approval prior to issuance of a grading permit. The drainage report shall include hydrologic and hydraulic calculations and the schemes for disposal of run-off waters. It must comply with the provisions of the "Rules for Design of Storm Drainage Facilities in the County of Maui" and must provide verification that the grading and runoff waters generated by the project will not have an adverse effect on adjacent and downstream properties. The BMP plan shall show the location and details of structural and non-structural measures to control erosion.

If you have any questions, please call David Goode at 243-7845.

DG:msc/mt
S:\LUCA\CZM\HARBOR.WPD

JAMES "KIMO" APANA
MAYOR

CLAYTON T ISHIKAWA
CHIEF

FRANK E FERNANDEZ JR
DEPUTY CHIEF

'99 APR -8 P3:26

COUNTY OF MAUI
DEPARTMENT OF FIRE CONTROL

200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
(808) 243-7561
FAX (808) 243-7919

April 7, 1999

Ms Ann T. Cua, Staff Planner
County of Maui, Department of Planning
250 South High Street
Wailuku, HI 96793

RE: Harbor Village; TMK: 4-6-07:03, 07, and 10; SM1 990003, EA 990002, HDC 990003 and OSP 990002

Dear Ms Cua,

Thank you for the opportunity to comment on the Harbor Village project.

The Department of Fire Control has no comment at this time concerning the permit applications. However, the Department wishes to reserve comment until such time as plans and specifications are submitted for plans review.

If you have any questions, you may contact me at extension 7566.

Sincerely,

Leonard F Niemczyk

LEONARD F NIEMCZYK
Captain, Fire Prevention Bureau

cc: Inspector C. Pico

CHRIS HART & PARTNERS

July 8, 1999

Mr. Leonard F. Niemczyk
Captain, Fire Prevention Bureau
Department of Fire Control
County of Maui
200 Dairy Road
Kahului, Maui, Hawaii 96732

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Niemczyk:

Thank you for your April 7, 1999 response to the the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval, in which you indicate no objection at the present, and reserve further comment until reviewing plans and specifications for the project.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

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United States
Department of
Agriculture

Natural
Resources
Conservation
Service

210 Imi Kala St.
Suite 209
Wailuku, Hi
96793-2100

'99 APR 15 A11:48

Our People...Our Islands...In Harmony

DATE: April 14, 1999

Mr. John Min, Director
Department of Planning
County of Maui
250 S. High Street
Wailuku, Hawaii 96793

Dear Mr. Min,

SUBJECT: Harbor Village; TMK: 4-6-007: 3, 7, 10
I.D. SM1 990003, EA 990002, HDC 99003, OSP 990002

Presently, an existing drainage ditch running the length of Maluuluolele Park's northern boundary and fronting parcels 3, 8, 9 and 13 is not functional. The ditch connects to a culvert under Front Street and discharges into the ocean.

The drainage system of Harbor Village is expected to connect to a drainage line fronting Front Street which I believe connects at the same area the ditch is connected. Because of the ditch's status, I believe there may be a problem during time of heavy runoff at this intersection.

The problem presently is the operation and maintenance of the ditch and not the proposed project. However, part of the project may be affected if the short and long term solutions are not worked out.

Thank you for the opportunity to comment.

Sincerely,

Neal S. Fujiwara
District Conservationist

CHRIS HART & PARTNERS

July 8, 1999

Mr. Neal S. Fujiwara
District Conservationist
United States Department of Agriculture
210 Imi Kala Street, Suite 209
Wailuku, Hawaii 96793-2100

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Fujiwara:

Thank you for your April 14, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

As you note, the existing open drainage ditch running the length of Maluuluolele Park's northern boundary has been improved due to its connection to the recently upgraded Drain line "F" collection and outfall improvements. In the ultimate development of Parcels 3, 7 and 10, all of the surface runoff will be collected and piped for disposal through Drain line "F". Therefore, by virtue of this diversion of surface stormwater, the function of the existing drainage ditch will be enhanced.

The existing open drainage ditch does fill up with miscellaneous debris from time to time, and the owners of Harbor Village have taken it upon themselves to assist Maui County in maintaining the structure during the interim period prior to its improvement.

In consideration of the foregoing, we believe that any potential drainage impacts due to the inadequacy of the existing drainage ditch will be successfully mitigated.

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If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Pacific Islands Ecoregion
300 Ala Moana Boulevard, Room 3-122
Box 50088
Honolulu, Hawaii 96850

In Reply Refer to: KAJ

JUN 23 1999

John E. Min
County of Maui, Dept. of Planning
250 South High St.
Wailuku, Hawaii 96793

Re: Special Management Area Permit Application for Commercial Development and Parking Structure, Harbor Village, Lahaina, Maui, Hawaii

Dear Mr. Min:

The U.S. Fish and Wildlife Service (Service) has reviewed the January 1999 Special Management Area Permit Application for Harbor Village, a proposed commercial and restaurant building with a related parking structure. The commercial building and associated parking structure may have bright artificial lighting as part of the project design. In addition, it is not known whether construction activities will occur after sunset, which might require bright, artificial lighting. The Service offers the following comments for your consideration.

To the best of our knowledge, there are no Federal trust resources, including endangered or threatened species, directly within the proposed project's footprint. However, the federally endangered dark rumped petrel (*Pterodroma phaeopygia sandwichensis*) and the wedge-tailed shearwater (*Puffinus pacificus*) are known to occur on Maui and may be intermittently present in the vicinity of the proposed project site.

Both circumstantial observations and experimental evidence have shown that artificial lighting can disorient seabirds when flying between inland nesting areas and offshore feeding grounds. This disorientation can result in seabird collisions with man-made structures such as light poles, utility wires, trees, buildings, and automobiles. Injured seabirds that "fall out" from collisions are highly vulnerable to predation by dogs, cats, and mongooses. Therefore the Service recommends all artificial lighting at the project site be shielded and oriented toward the ground and that the Maui office of the Hawaii Division of Forestry and Wildlife be contacted for additional recommendations

The project site is approximately 400 feet from the ocean and is separated from the ocean by a major road and developed properties. Proposed mitigation to minimize impacts to water quality from runoff include installation of "...a retention and cleansing baffled interceptor system onsite." The system will reduce oils, dirt, and other contaminants in the paved parking lot runoff. The Service recommends that the system be installed as early as possible so that potential sedimentation of nearshore waters from runoff will be controlled during project construction.

The Service believes that incorporation of these measures into the project will greatly minimize the potential for project-related adverse impacts to fish and wildlife resources. We appreciate the opportunity to comment on the proposed project. If you have any questions regarding these comments, please contact Fish and Wildlife Biologist Karen "Kitti" Jensen at 808/ 541-3441.

Sincerely,

Robert P. Smith
Pacific Islands Manager

cc: DOFAW, Hawaii

CHRIS HART & PARTNERS

July 1, 1999

Mr. Robert P. Smith, Pacific Islands Manager
Fish and Wildlife Service
United States Department of the Interior
P.O. Box 50088
Honolulu, Hawaii 96850

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Smith:

Thank you for your June 23, 1999 response to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval.

As you recommend in your letter, the lighting at the project site during construction will be shielded and oriented toward the ground, and the Maui office of the Hawaii Division of Forestry and Wildlife will be contacted for further recommendations. Also, the baffled interception system will be installed early to minimize sedimentation of nearshore waters during construction.

Thank you for providing comments. If you have any further concerns, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
1955 MAIN STREET. SUITE 200 · WAILUKU. MAUI. HAWAII 96793-1706 · PHONE: 808-242-1955 · FAX: 808-242-1956

Maui Electric Company, Ltd. • 210 West Kamehameha Avenue • PO Box 398 • Kahului, Maui, HI 96733-6898 • (808) 871-8461

'99 APR 13 P12:25

April 9, 1999

Mr. John E. Min
Planning Director
Maui Planning Department
250 S. High Street
Wailuku, HI 96793

Dear Mr. Min:

Subject: Harbor Village
TMK: 4-6-7:003, 007, and 010
I.D.: SM1 990003: EA 990002; HDC 99003; OSP 990002

Thank you for allowing us to comment on the subject project.

In reviewing the information transmitted and our records, we have no objection to the subject project. We encourage the developer's electrical consultant to meet with us as soon as practical to verify the project's electrical requirements so that service can be provided on a timely basis.

If you have any questions or concerns, please call Dan Takahata at 871-2385.

Sincerely,

for Edward L. Reinhardt
Manager, Engineering

ELR/dt

CHRIS HART & PARTNERS

July 8, 1999

Mr. Edward L. Reinhardt
Manager, Engineering
Maui Electric Company, Ltd.
P.O. Box 398
Kahului, Maui, Hawaii 96732-6898

Subject: Harbor Village, 576 Front Street, Lahaina, Maui, Hawaii
Special Management Area Permit Application,
Historic District Approval, Off-Site Parking Approval
TMK: 4-6-07: 3, 7 and 10

Dear Mr. Reinhardt:

Thank you for your April 9, 1999 response indicating no objection to the Harbor Village Application for Special Management Area Permit, Historic District Approval, and Off-Site Parking Approval. As you suggest, our electrical engineering consultant will meet with MECO to determine electrical requirements as soon as practical.

If you have any further comments, please do not hesitate to contact me at 242-1955.

Respectfully,

Christopher L. Hart, ASLA
Landscape Architect - Planner

cc: John E. Min, Director of Planning
Clayton Yoshida, AICP, Deputy Director of Planning
Ann T. Cua, Staff Planner
Terry Lee, JDI Limited Partners

LANDSCAPE ARCHITECTURE AND PLANNING
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ADDITIONAL LETTERS
IN SUPPORT OF PROJECT

2498

PACIFIC CENTURY
TRUST

April 6, 1999

'99 APR -7 P12:1

Mr. John E. Min, Director of Planning
Department of Planning, County of Maui
250 South High Street
Wailuku, Maui, Hawaii 96793

RE: RCC Agency - Investment Properties (135002053)
578-A Front Street; RE1416602
Lahaina, Maui, Hawaii; TMK: (2) 4-6-007-007
SMA Application for Harbor Village, Lahaina, Maui

Dear Mr. Min:

This letter is written to express support for the referenced project in Lahaina on Front Street. Pacific Century Trust is the Agent for the Roman Catholic Church in the State of Hawaii, which is the owner of the referenced adjacent parcel. Generally, we believe that this project is conceived and designed in a manner consistent with the architectural features of old Lahaina town and will enhance and improve the experience of residents and visitors who travel along this part of Front Street.

Specifically, we believe that the planting of palm trees along the street frontage of this project will complement the similar plantings across the street and create a tropical Hawaiian feel at this entrance to Lahaina town. In addition, the vehicle ingress/egress will be away from Front Street, the building will be set back 6 feet from the sidewalk, services will be provided at the rear of the building and 30 more parking stalls than the required 109 stalls (25% greater than the requirement) will be provided. These added design features are community friendly and the increased pedestrian traffic in both directions at this end of Lahaina town will result in a safer and more vital community.

Thank you for your attention to this matter and please call me in Honolulu at (808) 538-4562 if you have any questions.

Very truly yours,

PACIFIC CENTURY TRUST

By: Fred Ferguson-Brey
Fred Ferguson-Brey
Its: Vice President

FFB:hf
cc: Roman Catholic Church in the State of Hawaii

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ALLEN B. RICHARDSON, M.D.
4960 Maunalani Circle
Honolulu, HI 96816

(808) 735-5088
(808) 521-8127
FAX: (808) 735-3934
email: abrmd@hawaii.edu

'99 APR 13 P12:24

April 11, 1999

John E. Min
Director of Planning
250 South High Street
Wailuki, Maui, HI 96761

re: Harbor Village

Dear Mr. Min:

I am writing this letter of support for the Harbor Village Project presently under design by JDI Limited Partners. I am an owner of an adjacent property and feel that this project will greatly enhance the value and use of my property. Additionally, the design of the project seems to fit well with the architecture of Lahaina and will enhance the "entrance" to Lahaina, extending the business district in an eastward direction.

The property for Harbor Village is presently a paved and unpaved parking lot. My property is presently inhabited by a number of older dwellings. The Lahaina Medical Group Building is probably the only useful building in this large block. Therefore, the Harbor Village Project will certainly be a needed addition and upgrade to this part of Lahaina. Given all the planned parking, it should also relieve some of the congestion on Front Street itself.

I am hopeful that you will decide in favor of this project, which seems to meet all the needs of Lahaina.

Sincerely yours,

Allen B. Richardson, M.D.

xc: JDI Limited Partners
721 Wainee Street
Suite 201
Lahaina, HI 96761

70

Maui Medical Group, Inc.

Health Care Excellence For Maui Since 1961

99 APR 20 P12:31

ALLERGY
Joe Harrison, M.D.

DERMATOLOGY
Gary Salenger, M.D.

FAMILY PRACTICE
Darcel Gilbert, M.D.
Joe Harrison, M.D.
Deborah Mathias, M.D.
Diane Nagasaka, M.D.
Paz C. Nunez, M.D.
Kim Chi Nguyen, M.D.
Helen S. Percy, M.D.
Guy Sugino, M.D.

GENERAL SURGERY
Jeffrey Kaplan, M.D.
S. Dwight Lyons, M.D.

INTERNAL MEDICINE
Curtis Andrew, M.D.
Nolan Arruda, M.D.
Melvin D. Burton, M.D.
William Mitchell, M.D.
Paul Wells, M.D.

NEUROLOGY
George Powell, M.D.

OBSTETRICS-GYNECOLOGY
William Gintling, M.D.
A. Dawn Lawson, M.D.
Robert G. Yapp, M.D.

ONCOLOGY
Curtis Andrew, M.D.

OPHTHALMOLOGY
Clifford Rhodes, M.D.

ORTHOPEDICS
Darren K. Egami, M.D.
Gary Iannitello, M.D.

OTOLARYNGOLOGY
Cornelius Jansen, M.D.

PEDIATRICS
Bert Akitake, M.D.
John Briley, M.D.
Guy K. Hirayama, M.D.
Matthew Ho, M.D.
Debra J.R. Stern, M.D.

PODIATRY
Steven A. King, D.P.M., CPED

PULMONARY CRITICAL CARE
Melvin D. Burton, M.D.

PULMONARY DISEASE
William Mitchell, M.D.

RADIOLOGY
Bruce Lepolstat, M.D.
Lundie F. Robb, M.D.
Blan Williams, M.D.

UROLOGY
Patrick Hamilton, M.D.

VASCULAR SURGERY
Jeffrey Kaplan, M.D.

ADMINISTRATION

Guy K. Hirayama, M.D.
President

Jon Hamdorf
Executive Director

Clifford Alakai
Chief Financial Officer

April 16, 1999

John E. Min, Director of Planning
County of Maui
250 South High Street
Wailuku, Maui, Hawaii 96793

Re: Harbor Village - Letter of Support
576 Front Street, Lahaina

Dear Mr. Min:

I am writing this letter to express Maui Medical Group's support of the above referenced development which will be next door to our Lahaina facility.

This project seems to be very well thought out and addresses the most important issues at stake, such as, parking, a historically correct design with landscaping on and off Front Street and traffic.

This is a long over due improvement to the 500 block of Front Street, which will bring increased awareness and safety to the area. It will be nice to see tourists and locals wandering Front Street between Prison and Shaw streets, as opposed to homeless and drug dealers.

Thank you for this opportunity to voice my support.

Sincerely,

Jon Hamdorf, Executive Director

cc: Terry Lee
JDI Limited Partners

WAILUKU: 2180 Main Street, Wailuku, Maui, Hawaii 96793 / Telephone: 242-6464 / FAX: 244-0603
LAHAINA: 130 Prison Street, Lahaina, Maui, Hawaii 96761 / Telephone: 661-0051 / FAX: 661-5975
PUKALANI: 55 Pukalani Street, Pukalani, Maui, Hawaii 96768 / Telephone: 573-6200 / FAX: 573-9240

744 FRONT STREET
LAHAINA, MAUI

744 Front Street, Lahaina, Maui 96761
Phone: Maui (808) 661-0595 • Honolulu 521-3922
Lahaina Fashions

'99 APR 16 P2:50

APRIL 16, 1999

MR. JOHN E. MIN
DIRECTOR OF PLANNING
COUNTY OF MAUI
250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

RECOMMENDATION FOR PROPOSED HARBOR VILLAGE

DEAR MR. MIN,

PROPOSED HARBOR VILLAGE PROJECT WILL STIMULATE RETAIL ACTIVITIES AND LIFE TO A SECTION OF FRONT STREET NOW CONSIDERED A SECONDARY RETAIL AREA. THE NEW BUILDING WILL GIVE THE 500 BLOCK A GREATER STREET/SIDEWALK PRESENCE AND A PLACE TO STOP. THE ADDITIONAL PARKING STALLS THAT IS PROPOSED WILL INDUCE MORE PEOPLE TO PARK, WALK AND SHOP.

AS A BUSINESS AND PROPERTY OWNER IN LAHAINA WE ARE HAPPY TO GIVE HARBOR VILLAGE OUR WHOLEHEARTED ENDORSEMENT.

MAHALO,

G. Takeuchi

GEORGE TAKEUCHI
LAHAINA FASHIONS, INC.

Harvest Chapel

CHURCH OF GOD

'99 APR 26 P1:09

"And had made us Kings and Priests unto God." *Revelations 1:6*

Pastor
LAKI PO'MAIKAI KA'AHUMANU
590 Luakini Street
Lahaina, Maui,HI 96761
Ph. (808)667-1959
Fax. (808)667-7454
(800)-689-1100
e-mail:hchapel@t-link.net
http://www.t-link.net/~hchapel

April 21, 1999

John E. Min
Director of Planning
County of Maui
250 South High Street
Wailuku, HI 96793

RE: SMA Application for Harbor Village
576 Front Street, Lahaina, Maui, Hawaii 96761

Dear Mr. Min:

I am Pastor Laki Kaahumanu, Senior Pastor of Havest Chapel located two blocks mauka from 576 Front Street.

This letter is written in support of the Harbor Village project for Lahaina Town. Your intentions to secure and improve the current 500 block of Front Street is indeed a blessing, as we are very concerned about the illegal and transient activities that inhabit that area. I believe that the increased awareness and safety issues are much needed not only for our visitors, but residents as well. In addition, the proposed parking area will help relieve the congestion we find along the parallel streets which are hazardous conditions for the pedestrians and homeowners. And, we agree that Harbor Village will create new jobs, helping the economic growth of our community.

May the blessings of Our Lord be upon you and your business endeavors.

In Service to Christ,

Pastor Laki Kaahumanu
Senior Pastor

cc: Terry Lee
JDI Limited Partners

JEFFREY T. AND SUSAN Y. C. KUWADA
608 FRONT STREET
LAHAINA, HAWAII 96793

April 21, 1999

'99 APR 27 P3:22

Via Hand Delivery

John E. Min, Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Re: SMA Application for Harbor Village, Lahaina, Maui, Hawaii

Dear Mr. Min:

My wife and I are owners of the real property and improvements at 608 Front Street. We consider the developer of the above-referenced project ("Proposed Project") to be our neighbor.

We wholeheartedly support the Proposed Project for the following reasons:

1. The Proposed Project is well conceived and designed in a manner consistent with the spirit and sense of history of Old Lahaina Town;

2. The Proposed Project will enhance the appearance of the "500 block" end of Front Street;

3. The developer, in the design of the Proposed Project, demonstrates sensitivity to the always thorny issues of traffic flow on Front Street (no vehicle entrance or exit to project off Front Street), provision of adequate parking (developer is proposing to provide 25% more parking than required), design in keeping with the historic district requirements (loading zones and refuse collection at the rear of the project, away from Front Street), and landscaping along Front Street;

4. The Proposed Project will enhance business and property values in Lahaina; and

5. New jobs will be created.

In short, we believe that the Proposed Project will be good for Maui, in general, and Lahaina, in particular.

Please do not hesitate to contact me (242-4555) should you have any questions.

Very truly yours,

JEFFREY T. KUWADA

cc: Terry Lee

First Hawaiian Bank
P.O. Box 1550
Honolulu, Hawaii 96806-1550

'99 May 3 P1:01

April 29, 1999

Mr. John E. Min, Director of Planning
Department of Planning, County of Maui
250 South High Street
Wailuku, Maui, Hawaii 96793

RE: JDI Harbor Village Project: 576 Front Street, Lahaina, Maui, HI
Project TMK: 2/4-6-007: 003, 007, & 010
SMA Application for Harbor Village, Lahaina, Maui

Dear Mr. Min:

This letter is written to express support for the above cited project.

First Hawaiian Bank serves as Co-Trustee of the Matsuko Matsumoto Martial Trust and the Sueichi Matsumoto Trust. We are the property owners of 602 Front Street, Lahaina, Maui with tax map key being 2/4-6-008-047.

Based on the project's conceptual plans and layout, we feel that Harbor Village is a well thoughout project that can only serve to contribute towards the development of Front Street and "Lahaina".

The aforementioned project is long over due and needed for the development of this portion of Front Street. We look forward to the increased parking which will be available by the project, an increase in pedestrian traffic for this area of Front Street resulting from new restaurants and shops, and landscaping and decorum adding to the attractiveness of the area.

Thank you for providing us the opportunity to voice our positive support for this project. Should you have any questions, please feel free to contact the undersigned at (808) 525-6389.

Sincerely,

Howard H. Nikaido, CPM®
Trust Real Estate Administrator

HHN:itm

cc: G. Fukuyama, OIC
Terry Lee, JDI Limited Partners

File: MatsumotoJDITerryLeeHarborVillageSMA

April 23, 1999

'99 JL 26 10:13

John E. Min
Director of Planning
County of Maui
250 S. High St.
Wailuku, HI. 96761

RE: Harbor Village Letter of Support
576 Front St. Lahaina

Dear Sir,

I own an Art Gallery located at 156 Lahainaluna Rd. in Lahaina. As a former tenant of 576 Front Street, I am writing this letter to you to express my support of development of 576 Front St., especially in regard to restaurants.

After operating an Art Gallery and Studio from 576 Front St.for over a year, I had the unique opportunity to evaluate and observe traffic flow and comments from customers visiting my place of business. First and foremost without a doubt, without Pacific O's Restaurant I would literally have no business. For the first part of the year there I enjoyed traffic from the Old Lahaina Luau'. Obviously in wanting to gather market information to see how customers were finding me and to see if advertising was effective, I would ask how they found me. Almost exclusively they had either been to dinner at Pacific O's, or the Luau', or were going to dinner there.

"Bridging the gap" between 505 Front St. and Prison St. helps visitors and retailer alike. Almost everyone mentioned at night they didn't feel very safe walking the rather dark stretch between the two locations, and I noticed walkers crossing the street to stay in the most "lit up" areas.

I am now located directly between David Paul's and Gerard's Restaurants and am definitely enjoying a dramatic increase in business and traffic. The visitors are having fun too, with great dining and art Galleries all in close proximity. Dining and shopping definitely go hand in hand, and I cannot think of one single shopping facility anywhere that does not have restaurants, a testament to an obvious necessary iingredient for success!

With Best Regards,

Jim A. Stallings

Jim A. Stallings
Owner, Stallings Fine Art Gallery

LahainaTown
Action
Committee

'99 MAY 24 P1:02

May 20, 1999

JDI Limited Partners
721 Wainee Street, Ste. 201
Lahaina, HI 96761

Dear Larry and Steve,

The LahainaTown Action Committee Board voted to support your Harbor Village Project at its most recent board meeting. The board recognizes that other organizations in town have raised concerns about parking, drainage, preservation of historical and archeological sites, and sensitivity to the Hawaiian culture.

We trust you will address these concerns before embarking on your project.

Sincerely,

[illegible]
Executive Director

648 Wharf St., Lahaina, HI • Phone: 808-667-9175 • Fax: 808-661-4779 • email: action@maui.net