

**FINAL ENVIRONMENTAL IMPACT STATEMENT**

In support of a

**Special Management Area Permit**

**Hyatt Regency Maui Addition**

HYATT REGENCY MAUI RESORT • KA'ANAPALI • MAUI • HAWAII

TMK: (2) 4-4-013:003, 004, 005 and 008

*Prepared for:*

HMC Maui LLC  
6903 Rockledge Drive, Suite 1500  
Bethesda, MD 20817

*Prepared by:*

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November 2006

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**Hyatt Regency Maui Addition**

*HYATT REGENCY MAUI RESORT • KA'ANAPALI • MAUI • HAWAII*



**November 2006**



Dear Reader:

Attached for your review is a Final Environmental Impact Statement (FEIS) for the Hyatt Regency Maui Addition Project. This document has been prepared pursuant to the EIS law (Hawaii Revised Statutes, Chapter 343) and the EIS rules (Administrative Rules, Title 11, Chapter 200).

**Title of Project:** Hyatt Regency Maui Addition Project

**Location:** Island of Maui  
District of Lahaina

**Type of Action:** Applicant Action

**Tax Map Key Numbers:** (2) 4-4-013:003, 004, 005, and 008

**Applicant:** HMC Maui, LLC  
c/o Chris Hart & Partners, Inc.  
1955 Main Street, Suite 200  
Wailuku, HI, 96793  
Attention: Mr. Matthew Slepik  
Phone: (808) 242-1955  
Fax: (808) 242-1956

**Accepting Authority:** Maui County Planning Commission  
250 South High Street  
Wailuku, HI, 96793  
Contact: Mr. Michael Foley, Director of Planning  
Phone: (808) 270-7735

This Environmental Impact Statement and all ancillary documents were prepared under my direction or supervision and the information submitted fully addresses document content requirements to the best of my knowledge.

Signature

*Michael Foley*

Date:

*2/18/06*

for Michael Foley, Director of Maui Planning Department

*If you no longer need this EIS, please recycle or return it.  
Thank you for your participation in the EIS process!*

## SUMMARY

*Applicant:* HMC Maui LLC

*Accepting Agency:* Maui County Planning Commission

*Properties:* TMK (2) 4-4-13:008 (18.405 acres)  
200 Nohea Kai Drive, Ka'anapali, Lahaina, Maui, Hawaii  
(Existing Hyatt Regency Maui Hotel parking area and landscaped grounds)  
(Proposed timeshare development project)

TMK (2) 4-4-13:0004 (10.809 acres) and TMK (2) 4-4-13:005 (7.354 acres)  
(Existing parking and tennis court facilities)  
(Proposed for parking and tennis court facilities)

TMK (2) 4-4-13:003 (34.386 acres)  
(Existing golf course owned by AMFAC Property Investment Corp.)  
(Existing access easements within a portion of the area)

*Action:* HMC Maui LLC is proposing to develop the northern portion of the existing Hyatt Regency Maui Hotel property (Parcel 8) with a ~~121~~ 131 unit timeshare project. This area is currently maintained as a paved on-grade parking lot and landscaped grounds. Also, the existing tennis court complex and valet parking lot (Parcel 5) will be redeveloped to provide for more parking and fewer tennis courts. The existing gravel employee parking lot (Parcel 4) will be upgraded with an asphalt surface and landscape planting.

No development is proposed for Parcel 3.

The proposed development will consist principally of a twelve (12) story guestroom building. The project will include ~~121~~ 131 units that will be marketed under a timeshare ownership. The units will be one (1), two (2) and three (3) bedroom units and will include a kitchen and laundry facility. ~~Twenty-four (24) units will have a "lock-off" or the ability to separate one (1) bedroom of the unit for use by another guest. The total number of keys is thus 145.~~

Proposed accessory features within the proposed building complex include a lobby/registration area, luggage storage, a fitness facility, a convenience store for guests, storage and administration areas. Parking stalls and support facilities for the pool and outdoor function area are proposed within an underground level of the building. The project will also include a swimming pool.



The project also includes a sales center and a welcome center to be located within the existing Hyatt Regency Maui Hotel.

**Impacts:** The project will result in both beneficial and adverse impacts.

Construction of the project will cause short-term adverse impacts regarding noise, vibration, air quality, and traffic inconveniences. Construction will be phased over an ~~an 60~~ 18 to 20-month period. Noise impacts will be greatest during construction of the building foundation, which are estimated to take eight (8) weeks.

Short-term benefits include benefits to the economy in terms of construction expenditures of \$63.6 million, construction wages of \$35.1 million, create 120 marketing jobs ~~of 120~~, and associated State revenues \$11.0 million.

Long-term adverse impacts include a marginal increase in demand for public services and housing.

Long-term effects include changes to the visual character of the project site, which will have different, and subjective, impacts to the public and adjacent landowners.

Long-term beneficial impacts include an estimated 232 new operations jobs and increased County tax revenues of \$0.5 million per year.

**Mitigation  
Measures:**

Proposed mitigation measures aimed at reducing potential short-term impacts due to construction include:

- Installation and maintenance of dust/silt containment fences around project work areas (air/water quality)
- Watering and/or re-vegetating bared areas (air/water quality)
- Covering truck loads (air/water quality)
- Using non-potable water for dust control and irrigation (water conservation)
- Siting the project away from natural hazards (water quality, coastal processes, flood)
- Siting the project away from sensitive receptors (noise)
- Limiting hours of work (noise)
- Using mufflers on construction equipment (noise)
- Using quieter pile-driving methodologies, including hydraulic pile drivers and pre-drilling

Proposed mitigation measures to reduce potential long-term impacts include:

- Siting the project away from natural hazards (water quality, coastal processes, flood)

- Retaining additional drainage flows on site (water quality)
- Siting the project improvements away from the shoreline (Public visual resources)
- Designing the building to be compatible with the existing Resort skyline (Public visual resources)
- Project massing considerations, strategic building placement, and architectural detailing (Public/Private visual resources)

***Alternatives:***

A number of design alternatives, involving building layout, number of units, and building footprint, were considered. These alternatives included a greater width to the structure (double-loaded hallways), a greater number of total units (up to 310 keys), and development within the shoreline setback. The proposed project represents the preferred alternative, which calls for less density on the site and no work within the shoreline setback.

***Unresolved Issues:***

Unresolved issues are invariably associated with projects in the planning and design stages. Consequentially, the planning process, which includes this Environmental Impact Statement, attempts to identify these issues and to develop appropriate mitigation measures.

- The conceptual plan and detailed design features of the project remain to be finalized and may undergo revision based on responses to public input and to conform to applicable permits and other requirements.
- A number of permits and approvals will be required prior to construction of the project.
- Although recent test trenching of the project sites has discovered no cultural materials or layers, the potential for discovery of cultural materials exists during ground disrupting construction activities
- Confirmations of County utility service availability are not granted before the project submits for building permits.
- Appropriate or applicable Best Management Practices (BMP) to reduce and control the discharge of dust and sediment from the construction activities will be determined during the National Pollutant Discharge Elimination System (NPDES) permit application process.
- The extent of indirect construction impacts cannot be fully predicted.
- Various regional transportation improvements have been proposed and are in varying stages of design, but none have begun construction. These include the State Department of Transportation's Lahaina Bypass and that agency's widening of Honoapiilani Highway to four-lanes within Lahaina Town, the County's extension of Dickenson Street, and the improvement and extension Mill Street within Lahaina Town to act as a parallel roadway to Honoapiilani Highway.

**Required Permits:**

The project requires the following permits and approvals:

State

- National Pollutant Discharge Elimination System
- Noise Permit

County

- Special Management Area Use Permit
- Off-site Parking Approval
- Building Permits
- Grading Permit

Private

- Ka'anapali Resort Design Approval

**Applicable Land Use Controls:**

The following land use designations apply to the project area:

	West Maui Community Plan	State Land Use District	County Zoning
Parcel 8 (Hyatt Regency Maui Hotel)	Hotel <del>Open Space</del>	Urban	H-2 Hotel District
Parcels 4 and 5 (Parking/tennis)	Business	Urban	B-R Resort Commercial District
Parcel 3 (Golf course)	Park (Golf Course) Open Space	Urban	<del>R-3 Residential PK-4 Golf Course and B-R Resort Commercial Districts</del>

The project is compatible with the following restrictions established for the H-2 (High Density) Hotel Zoning

<u>Category</u>	<u>Zoning Restriction</u>	<u>Proposed</u>
Height	12-story	12-story
Lot Coverage	35%	<del>with subdivision (14.27%); 19%</del> <del>without subdivision (24.14%)</del>
FAR	150%=253,780.2	<del>with subdivision (239,174); 236,680</del> <del>without subdivision (1,002,765)</del>

The project is also subject to review under Hawaii's Coastal Zone Management Act (Chapter 205A HRS) and is generally consistent with the goals, objectives, and policies of CZM Program.

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### APPENDICES

- A. Construction Details (Sheets updated from Draft EIS)
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- C. Shoreline Evaluation Report
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- F. Photographic Viewplane Studies
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- H. Archaeological Inventory Survey Report
- I. Cultural Impact Assessment Report
- J. Socio-Economic Impact Assessment
- K. Preliminary Engineering & Drainage Report
- L. Traffic Impact Assessment Report
- M. Existing Shoreline Structures
- N. EISPN Comment & Response Letters
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## I. INTRODUCTION

### A. PURPOSE AND NEED FOR THE REQUEST

The owner/applicant, HMC Maui LLC (applicant), is proposing to further develop the existing Hyatt Regency Maui Resort in Ka'anapali, Maui. The action will include the construction of a new timeshare guestroom building and pool amenity. The project will include supportive elements, such as a temporary sales center and complementing actions, such as the expansion of guest parking facilities, which may require the demolition and possible relocation of the existing tennis facilities. The purpose of the project is to provide additional variety of accommodations at the Hyatt Regency Maui Resort in response to the demand of the existing vacation market.

The Hyatt Regency Maui Resort was originally developed in 1979 on an 18.4 acre site and includes the main hotel, retail shops, restaurants, bar/lounges, a fitness/spa facility, swimming pool, and various other buildings for resort related activities. The main hotel building consists of three towers (approximately 806 guest rooms and suites). The three towers are designated as the Atrium Tower (9-stories), the Lahaina Tower (7-stories), and the Napili Tower (9-stories).

### B. REGULATORY CONTEXT

*Trigger.* This Environmental Impact Statement (EIS) is being done voluntarily to describe and analyze the impacts associated with the proposed project and will be submitted in conjunction with the application for a Special Management Area (SMA) Use Permit. The content and processing of this EIS will be in accordance with HRS Chapter 343, Environmental Assessment Law and HAR Chapter 200, Environmental Impact Statement Rules.

*Funding.* The project will be funded privately. No State or County lands or funds are designated for the action.

*Objectives.* The project is an applicant action rather than a project proposed by a government agency. The objectives of the project are:

- To develop a high-quality visitor accommodations asset on the subject property;
- To enhance the overall quality of the project site;
- To design and develop the project in a manner which minimizes adverse social, economic, and environmental impacts to the degree practical.

**C. IDENTIFICATION OF THE APPLICANT**

**Owner/Applicant:** HMC Maui LLC  
6903 Rockledge Drive, Suite 1500  
Bethesda, MD 20817  
Phone: (240) 744-5316 / Fax: (240) 744-5716  
Contact: Mr. Gerard E. Haberman, Vice President, Development,  
Host Hotels & Resorts

**D. PROJECT DEVELOPMENT TEAM**

**Architecture:** Group 70 International Inc.  
925 Bethel Street, 5th Floor  
Honolulu HI 96813  
Phone (808) 523-5866/ Fax (808) 523-5874  
Contact: Mr. Norman Hong

**Civil Engineering:** Alcon & Associates, Inc.  
716 Umi Street, Suite 250  
Honolulu, Hawaii 96819  
Phone (808) 842-0300/ Fax (808) 847-0444  
Contact: Mr. Dean Alcon, P.E.

**Planning Consultant:** Chris Hart & Partners, Inc.  
Landscape Architecture and Planning  
1955 Main Street  
Wailuku, Maui, Hawaii 96793  
Phone: (808) 242-1955/ Fax (808) 242-1956  
Contact: Mr. Christopher L. Hart

**Project Management/  
Construction Management:** Group Pacific (Hawaii), Inc.  
828 Fort Street Mall, Suite 230  
Honolulu, Hawaii 96813  
Phone: (808) 533-0107 / Fax: (808) 550-8057  
Contact: Mr. Chip Doyle, President

**E. ACCEPTING AGENCY**

**Accepting Agency:** Maui County Planning Commission  
County of Maui  
250 South High Street  
Wailuku HI 96793  
Phone (808) 270-7735  
Contact: Mr. Mike Foley, Director



## II. DESCRIPTION OF THE PROPERTY AND PROPOSED ACTION

### A. HISTORICAL BACKGROUND OF THE PROJECT

The Ka'anapali Beach Resort is located on the west coast of the island of Maui, about three miles north of Lahaina. See Figure 1. The resort is a 1,200-acre planned resort community that was conceived in the early 1950's and commenced in 1958 with the construction of a water system, sewage treatment plant, drainage system and a network of roadways.

The Resort is more than forty years old and currently includes six (6) hotels with over 3,700 rooms, six (6) residential condominium developments, a shopping center/whaling museum, and two (2) 18-hole golf courses. Ka'anapali Beach Resort is Maui County's first and perhaps most successful resort destination area. Over the past fifteen years, many of the Resort owners have sought to upgrade and enhance the image of their properties in response to competition from on-island resort destination areas including Wailea, Makena, and Kapalua, as well as an evolving worldwide visitor industry. Projects within the Ka'anapali resort that have undergone renovations and additions include the Whalers Village Shopping Center, the Ka'anapali Beach Hotel, the Sheraton Maui Hotel, the Westin Hotel, and the Maui Ocean Club (Marriott).

The Hyatt Regency Maui Resort is an 18.4 acre oceanfront parcel (TMK 4-4-13:008) within the Ka'anapali Beach Resort. See Figure 2 and Figure 3. Originally constructed in 1979-1980, the hotel abuts Ka'anapali Beach at Hanaka'o'o Point. The adjacent property to the north is the site of the Maui Ocean Club and abutting the south boundary is the County's Hanaka'o'o Beach Park. See Figure 4. These shoreline parcels are approximately 1500 feet seaward of Honoapiilani Highway and are separated from the roadway by a golf course and parking facilities. The project also involves the Hyatt Resorts existing parking/tennis complex (Parcel 5) and the existing employee parking lot (Parcel 4). In addition, the project will involve a portion of the existing Ka'anapali South Golf Course with respect to access easements (Parcel 3). See Figure 5. Automobile access to these Resort properties from the Honoapiilani Highway is via roads owned and maintained by the resort, namely, Ka'anapali Parkway, and Nohea Kai Drive.

**B. LAND USE DESIGNATIONS**

The project area has the following land use designations:

**Table 1: Land Use Designations**

	Parcel 8 (Hyatt Regency Resort)	Parcel 5 (Hyatt Resort tennis and parking complex)	Parcel 4 (Employee Parking Lot)	Parcel 3 (portion of Ka'anapali South Golf Course)
State Land Use District Classification	Urban	Urban	Urban	Urban
West Maui Community Plan Map Designation	Hotel Open Space	Business	Business	Park (Golf Course) Open Space
County Zoning District	H-2 Hotel	B-R Resort Commercial	B-R Resort Commercial	<u>R-3 Residential</u> <u>PK-4 Park and B-R Resort Commercial</u>
Flood Zones Present	C, B, A2, A3, A4, V12	C	C	C, B, A2
Flood Zones for Project area	C	C	C	C
Special Management Area	Yes	Yes	Yes	Yes
Shoreline Setback	119 feet	N/A	N/A	N/A

Pursuant to Chapter 19.37, Time Sharing Plans, Maui County Code: "Time-share Units, Time-share Plans, and transient vacation rentals are allowed in the Hotel district".

State, County, and Community Land Use maps are included in Figure 6.

## C. DESCRIPTION OF PROPOSED ACTION

### *Project Description and Program*

The focus of the subject action is a redevelopment of the north section of the Hyatt Regency Maui Resort (Parcel 8). The subject area is approximately four (4) acres and is currently developed with on-grade parking and support facilities for the outdoor function area.

The proposed development will consist of a twelve-(12) story guestroom building. See Figure 7. The facility will contain one (1), two (2) and three (3) bedroom units for transient vacation use under a timeshare ownership program. The number of units is ~~121~~ 131. Units will be equipped with kitchen and laundry facilities similar to other timeshare projects on Maui. ~~Twenty-four (24) units will have a "lock-off" or the ability to separate one bedroom of the unit for use by another separate party. The total key count with "lock-offs" is 145.~~ The new addition will have a maximum guest capacity of approximately ~~580~~ 610 visitors.

Elevations, sections, floor plans, and unit plans for the proposed towers and parking facilities are included in Appendix A.

Proposed accessory features within the new guest accommodations building include a lobby and registration area, luggage storage, a fitness facility, a convenience store, storage and administration areas. A new swimming pool will be added *mauka* of the existing outdoor function area. A portion of the required project parking and support facilities for the pool and outdoor function area are proposed within an underground level of the structure.

In addition to the above, the applicant also proposes a sales center and a welcome center to be developed on the site of the existing hotel. These will be temporary structures, to be removed once full operation commences. ~~(See Appendix A, Sheets A-12 & A-13)~~

### **1. Architectural Heritage**

The new timeshare tower will be designed with site-specific cultural influences and respect for environmental character. The architect's are intent on capturing a sense of place and using local architecture as a guide. Place, in this instance, is specific to West Maui and the specific eco-climate of the resort area.

The new Hyatt Vacation Club building consists of a lobby level, 10 residential floors, two (2) stepped back penthouse residential floors, and a basement parking level. The gross construction area is approximately ~~239,273~~ 338,725 square feet including lanais, basement, and exterior walkways.

## **2. Timeshare Building Site Layout**

The current timeshare building layout features two (2) building wings located at 128 degrees to each other. The east wing is located approximately parallel to Nohea Kai Drive and contains most of the public functions of the project including the porte-cochere, lobby, check in counter, and Country Store as well as timeshare units on the 2<sup>nd</sup> through 12<sup>th</sup> floors. The west wing is mostly residential with a Health Club and some Back of House spaces on the ground floor.

The building configuration on the site has been influenced by several major considerations (~~See Appendix A, Sheet A-2~~), each of which is important to the proper functioning of the operation.

- The shoreline setback line was respected. No portion of the building or any minor structure extends beyond the newest shoreline setback line of 119 feet. One of the major benefits of the proposed layout is the very generous setback, which exceeds either the Napili Tower of the Hyatt Regency Hotel or the new Marriott Vacation Club International Tower. The new building will appear much smaller and diminished from the public beachfront.
- The existing Outdoor Venue Area, currently used by the Hyatt Regency Hotel, was retained in its entirety. Currently, this outdoor space is a very popular space for large gatherings organized by the Hyatt Regency Hotel.
- The building footprint allows enough open space for a centralized large pool and deck with ample tropical landscaping. The resort pool facilities with waterfalls, islands, and sunning steps are essential to the timeshare project.
- The entrance on Nohea Kai Drive would feature an entry with dense tropical landscaping and perhaps a water feature to emphasize the resort experience. A proper sense of arrival was important.
- The neighbors' views on both sides were respected. The building was set back behind a self-imposed diagonal line connecting the mauka edge of the Napili Tower and the makai edge of the Maui Marriott. This voluntary line ensures the perpetuation of ocean views from both the Napili Tower of the Hyatt Regency Hotel and the new Maui MVCI Tower. Care was also taken to not orient any surface with large window or lanai openings parallel to neighboring

buildings. In this way, the privacy of residents at all three buildings is not compromised with direct views.

- The distance of 115 to 125 feet to the Napili Tower of the Hyatt Regency Hotel was voluntarily imposed by the developer to maintain a view corridor through the site. The view corridor is also enhanced by the stepping back of the building on the 11<sup>th</sup> and 12<sup>th</sup> floors.
- The ocean view from the timeshare units was also a major consideration in the site configuration. The master bedrooms and living rooms of all the timeshare apartments face out to the ocean.

~~In order to avoid a large parking structure on the site, a~~ A basement parking lot was designed to take up some of the parking requirements of the site. The remaining parking will be relocated to Parcel 5.

**Table 2 – Program Gross Construction Area**

Level	Program	Gross Construction Area
+	Lobby	5,139
	Registration Desk	-688
	Administration Areas and Offices	-923
	Country Store	2,326
	Owners' Lounge	2,134
	Restrooms	-477
	Elevator Lobby	-390
	Luggage Storage and Service Elevator	-660
	Health Club	1,476
	Locker Rooms	1,427
	Back of House	1,590
	Two-bedroom Unit E (1,559 sf x 3)	4,677
	Three-bedroom Unit H	2,599
	Corridors and Vertical Exits	<u>3,502</u>
<b>Subtotal</b>	<b>28,008</b>	
2-10	Two-bedroom Unit A (1,491 x 8)	11,928
	Two-bedroom Unit B	-1,753
	Three-bedroom Unit C	-2,402
	Three-bedroom Unit G	-2,720
	Housekeeping	-694
	Vending	-117
	Corridors and Vertical Circulation	<u>3,278</u>
	<b>Subtotal</b>	<b>22,892 x 9</b>
11-12	Two-bedroom Unit A (1,575 x 7)	11,025
	Two-bedroom Unit B	-1,753
	Three-bedroom Unit D	-3,152
	Housekeeping	-694
	Vending	-117
	Corridors and Vertical Circulation	<u>3,375</u>
<b>Subtotal</b>	<b>20,116 x 2</b>	
Basement	Parking	18,501

	Storage	-1,807
	Restrooms	-689
	Administration	-405
	Laundry	-160
	Elevator Lobby	-384
	Electric Room	-338
	Mechanical Room	-1,542
	Service and Delivery	-389
	Vertical Circulation	-790
	Subtotal	25,005
	<b>Total (Gross Construction Area)</b>	<b>299,273 sf</b>

<u>Level</u>	<u>Program</u>	<u>Gross Construction Area</u>
1	<u>Guest Unit Floor Area</u>	7,054
	<u>Lanai Areas</u>	1,878
	<u>Lobby</u>	7,950
	<u>Guest Circulation</u>	773
	<u>Restrooms</u>	500
	<u>Offices</u>	1,151
	<u>Luggage Storage and Service</u>	475
	<u>Elevator</u>	197
	<u>Utility</u>	582
	<u>Housekeeping/Breakroom</u>	106
	<u>Express Riser Room</u>	137
	<u>Service Delivery</u>	127
	<u>Mechanical Room for Health Club</u>	158
	<u>Trash Chute and BOH circulation</u>	1,904
	<u>Circulation</u>	3,341
	<u>Health Club</u>	2,226
	<u>Country Store and Kitchen</u>	470
	<u>Pool Restrooms</u>	228
	<u>Fire Command Center</u>	2,326
	<u>Porte Cochere</u>	

	<u>Pool Bar</u>	<u>364</u>
	<u>Subtotal</u>	<u>31,947</u>
<u>2</u>	<u>Guest Unit Floor Area</u>	<u>15,497</u>
	<u>Lanai Area</u>	<u>3,565</u>
	<u>Housekeeping</u>	<u>471</u>
	<u>Utilities</u>	<u>100</u>
	<u>Laundry Chute</u>	<u>55</u>
	<u>Vending</u>	<u>91</u>
	<u>Circulation</u>	<u>3,915</u>
	<u>Open Deck</u>	<u>2,614</u>
	<u>Subtotal</u>	<u>26,308</u>
<u>3 thru 10</u>	<u>Guest Unit Floor Area</u>	<u>15,497</u>
	<u>Lanai Area</u>	<u>3,051</u>
	<u>Housekeeping</u>	<u>471</u>
	<u>Utilities</u>	<u>100</u>
	<u>Laundry Chute</u>	<u>55</u>
	<u>Vending</u>	<u>91</u>
	<u>Circulation</u>	<u>3,935</u>
	<u>Subtotal</u>	<u>23,200</u>
<u>x Floors</u>	<u>8</u>	<u>185,600</u>
<u>11 thru 12</u>	<u>Guest Unit Floor Area</u>	<u>12,654</u>
	<u>Lanai Area</u>	<u>2,795</u>
	<u>Housekeeping</u>	<u>471</u>
	<u>Utilities</u>	<u>100</u>
	<u>Laundry Chute</u>	<u>55</u>
	<u>Vending</u>	<u>91</u>
	<u>Circulation</u>	<u>3,942</u>

	<u>Subtotal</u>	<u>20,108</u>
<u>x Floors</u>	<u>2</u>	<u>40,216</u>
<u>Basement</u>	<u>Admin Offices</u>	<u>990</u>
	<u>Engineering</u>	<u>1,226</u>
	<u>Trash Compactor Room</u>	<u>363</u>
	<u>Service Delivery</u>	<u>408</u>
	<u>Main Electrical Room</u>	<u>303</u>
	<u>Mechanical Room</u>	<u>1,437</u>
	<u>Mechanical Fan Rooms</u>	<u>493</u>
	<u>Emergency Generator Room</u>	<u>626</u>
	<u>Laundry Chute Room</u>	<u>147</u>
	<u>BOH/Linen</u>	<u>477</u>
	<u>Circulation</u>	<u>1,687</u>
	<u>Employee Restrooms</u>	<u>437</u>
	<u>Outdoor Function Storage</u>	<u>1,814</u>
	<u>Parking</u>	<u>17,064</u>
	<u>Outdoor Function Restrooms</u>	<u>689</u>
	<u>Pool Equipment Room</u>	<u>228</u>
	<u>Subtotal</u>	<u>28,389</u>
<u>Roof</u>	<u>Main Roof</u>	<u>26,265</u>
-	<u>Total (Gross Construction Area)</u>	<u>338,725</u>

### 3. Floor 1 - The Lobby Level

This timeshare building differs from typical hotel buildings because many of the major public function spaces and back of house spaces typically found in a hotel are not present. The new Hyatt Vacation Club benefits from shared synergies with the existing adjacent Hyatt Regency Hotel. ~~Many of the typical services, such as~~



~~Lock-off units have separate entries from the main unit and can be rented out separately. A small counter with a kitchen sink, a microwave oven, and a below counter refrigerator is also provided to these units. Occupants of the lock-off unit will share common laundry facilities located off the corridor.~~

#### 4. Floors 2-10

Floors 2 through 10 are similar and contain eleven timeshare units and their support spaces per floor. The two-bedroom units are all "shotgun" apartments with the living room and master bedroom oriented toward the ocean and the second bedroom facing the open corridor and golf course. This layout is particularly conducive to tropical climates where pass-through ventilation is essential to a comfortable style. The lanais are also very generously sized at 8' depth by 28' width to encourage an indoor-outdoor lifestyle with outdoor, "alfresco" dining and even outdoor sleeping arrangements. The units have full kitchens, internal washer/dryers, five-fixture bathrooms for the master bedroom, and three-fixture bathrooms for the second bedroom. The bay width is approximately 28' and the depth is approximately 54'. ~~The typical two-bedroom "A" Unit does not have a lock-off unit. The two-bedroom "B" unit located at the center of the building is a derivative of the "A" unit and has a larger but similar floor plan.~~

~~A large~~ Large three-bedroom units anchor the building at both the west ends. The three-bedroom Unit "C" on the east west end of the building features the living room and master bedroom oriented toward the ocean, a second bedroom, and a ~~lock-off unit~~ third bedroom facing the golf course. The units have full kitchens, internal washer/dryers, five-fixture bathrooms for the master bedroom, and three-fixture bathrooms for the second and third bedrooms ~~and four fixture bathrooms in the lock-off unit.~~ The bay width is approximately 28' and the depth is approximately 80'.

~~The three-bedroom Unit "G" on the west end of the building features the living room, master bedroom, and a second bedroom oriented toward the ocean, and a lock-off unit facing the golf course. The units have full kitchens, internal washer/dryers, five fixture bathrooms for the master bedroom, and three fixture bathrooms for the second bedroom and four fixture bathrooms in the lock-off unit. The bay width is approximately 56' and the depth is approximately 64'.~~

~~laundry and room food service will be provided through an underground tunnel connecting to the hotel.~~

The Vacation Club lobby is scaled more as a gracious living room opening out to the ocean view than a large hotel lobby. Timeshare check-ins will occur ~~one~~ twice a week, usually on Saturdays and Sundays at noon, when residents of all ~~145~~ 131 units prepare to leave and new residents arrive. For that reason, the design of the check-in counter and the provision of comfortable sofas and other seating arrangements become important. An owners' lounge is provided for transitional residents with flight times that do not coincide with checkout.

A Health and Wellness Club is located off the lobby and features aerobics facilities, universal exercise machines, stationary bicycles, weights, running machines, and other fitness activities. The Health Club will open out to a patio facing a private garden ~~with a waterfall feature~~. The garden is separated from the public lobby area with hedges, low pohaku walls, and lush landscaping. Club users can relax on the patio with a tropical drink in a relative serene environment while waiting for the flight out or for checking into their timeshare unit. The locker rooms are extensive and allow guests to store valuables in the lockers; and take a shower, and refresh themselves with a massage in the two (2) to three (3) planned treatment rooms.

The Country Store is located at the corner of the east wing of the building. Guest typically will buy fresh and prepared foods and drinks and enjoy a meal with their family in their unit. An extensive exterior terrace lies adjacent to the Country Store. This trellised and landscaped space will provide small dining tables with sun umbrellas and a small outdoor snack bar/barbecue pit. The snack bar will serve sandwiches, salads, hamburgers and other simple grilled foods to complement the offerings in the Country Store.

A small administrative area with the GM's office and several administration stations is located next to the registration desk. Restrooms are located next to the elevator lobby. Luggage storage is situated next to the service elevator.

Three (3) two-bedroom units and one (1) three-bedroom unit occupy the west wing on the lobby level. The two-bedroom units face entirely out to the ocean view ~~with the second bedroom also functioning as a lock-off unit~~. The three-bedroom unit features two (2) bedrooms and a living room facing the ocean ~~with a separate lock-off unit facing the golf course~~. Washer/dryer laundry facilities are provided in each timeshare unit.

Two 1 BR units are located on the eastern end of the building. One unit-type has ocean front views from both the Bedroom and Living Room. The units have full kitchens, internal washer/dryers, and four-fixture bathrooms. Other units face the mountain side. Both units are based on a 28' wide bay.

The Housekeeping Area at the center of the building will have an electrical room, a telephone room, and space for express plumbing and air conditioning risers. The adjacent vending room will also have a washer/dryer for the lock-off units located at the two ends of the building.

#### **5. Floors 11 and 12**

Floors 11 and 12 have nine (9) timeshare units on each floor. The floor plate is set back 28' from each end to allow a more sculptural massing of the building. The two-bedroom units on this floor are similar to the units on the second thru 10<sup>th</sup> floors. The three-bedroom unit Unit D is a derivative of the three-bedroom units G from the levels below.

#### **6. Basement**

The basement level holds ~~53~~ 45 guest parking stalls and several important support functions for the building. A large Storage Room (approximately ~~1807~~ 1,727 sf) with two (2), small cold storage rooms is provided for the existing Outdoor Venue Area. Men's and Women's Restrooms for ~~the new pool area and~~ the existing Outdoor Venue Area are located next to the Storage Room and can be accessed at the west corner of the building. The mechanical, electrical, telephone, and laundry rooms are also located on this level. ~~An underground tunnel links the new Vacation Club building and the existing Hyatt Regency Hotel basement.~~ The basement is connected to the lobby and upper levels of the timeshare building by ~~three (3) passenger elevators,~~ a two (2) service elevators, and two (2) vertical staircases.

#### **7. Garbage Disposal**

Guests will dispose of their trash at a centralized trash collection area in the Housekeeping Area located at the middle of the building. Housekeeping staff will collect the trash every day, take it down the service elevator to the basement level, and wheel it ~~through the underground tunnel~~ to the garbage disposal area ~~at the basement of the Hyatt Regency Hotel~~. Housekeeping will also clean the apartment twice during the week. This should occur once at midweek and again during the

turnover of the unit to the next resident. The applicant is currently considering recycling options as well.

## 8. Laundry

A laundry chute is provided at the east wing of the building next to the exit stair. The laundry will drop to a designated laundry collection room in the basement. From that point, the laundry will be carted ~~through the underground tunnel~~ to the Hyatt Regency Hotel basement laundry facility.

## 9. Elevators

The building is serviced by three (3) passenger elevators and one (1) service elevator and a separate hydraulic service elevator connecting the Lobby and the Basement. In order to reduce the height of the machine room above the last stop, an elevator system that does not require a machine room, such as the Otis Gen 2, is included ~~being considered~~. This type of system will eliminate bulky elevator equipment space on the roof and enable a clean traditional roofline.

## 10. Building Materials

~~This aspect of the architecture will be refined during the schematic design process. However, it is likely that the~~ The construction of the building will be post tensioned concrete slabs supported by poured in place concrete shear walls located 28' on center. The foundation of the building will be determined after the soils report has been completed predrilled piles. This foundation system is the least obtrusive causing a minimum of noise and vibration.

The exterior cladding of the building ~~may~~ will be a combination of architectural finish pre-cast concrete, textured ~~and colored lightweight concrete panels~~, direct applied synthetic stucco, GFRC (Glass Fiber Reinforced Concrete), terracotta ornamentation, and glass windows. The base of the building may be traditional Hawaiian pohaku stone. ~~The vertical trellises which adorn the building~~ Other decorative elements may be include colored concrete, or fiberglass.

The roof of the building will be ~~either clay or concrete tile~~ ~~roof~~ to comply with recent Ka'anapali Operator's Association (KOA) preferences. The gutters and downspouts will be copper or "Zincalum" textured and colored to resemble copper.

The glass of the building may be double glazed low reflection glass with a high acoustic rating to ensure minimal transmission of sound from the Outdoor Venue Area. The window and sliding glass doorframes will be aluminum.

The lanai railings will consist of an aluminum handrail and either glass guardrail panels or vertical aluminum pickets with water jet cut ornamental motifs.

As the schematic design of the building unfolds, building materials, finishes, and colors will be selected and refined.

## 11. Pools

The pool deck of the new project features a tiered water experience with smaller pools terracing down from approximately elevation 16' to elevation 11.5'. The organically shaped pools are shaped by small islands with tropical landscaping. The level changes at each pool tier become opportunities for small waterfalls or infinity edge expressions. Adult spas are located on the islands and can be accessed by natural footbridges. Shallow sunning steps are located on the eastern edge of the pool closest to the ocean. A separate children's pool, with spouts, a waterfall and other interactive elements are located adjacent to the Country Store and snack bar.

Backwash from the pools will be taken to drywells with no discharge to the ocean.

An important consideration of the site design is the provision of an adequate number of sunning chairs for the guests of the timeshare building. ~~310~~ 383 *chaise lounges* are provided at the deck area for Vacation Club guests. A low landscape hedge buffers the pool area from the Outdoor Venue Area. During peak holiday periods, chaises space can be extended into the Outdoor Venue Area. The pool deck design respects the shoreline setback line of 119'. No new outdoor structure is located beyond this line.

## 12. Parking

The Hyatt Regency Maui Hotel currently provides 1213 parking stalls. 43 of these stalls are public stalls for beach access and 243 stalls are leased to the Westin for their employee parking. The remaining 927 stalls are for Hyatt uses, either guest self-parking, valet parking, or employee parking. 812 of the hotel stalls are paved and the remaining 115 stalls are grassed. See Table 3 below:

**Table 3 – Current Parking Analysis**

	Guest Self-Parking (Parcel 8)		Public Beach Access (Parcel 8)		Valet Parking (Parcel 5)	Employee Parking (Parcel 4)	Leased Stalls (Parcel 4)	Total
	Lahaina Lot	Napili Lot	Lahaina Lot	Napili Lot				
Paved Stalls	145	169	23	20	366	132	168	1023
Unpaved Stalls	--		--		--	115	75	190
<b>Total</b>	314		43		366	247	243	<b>1213</b>

The hotel is required to provide 737 stalls by the Maui County Code parking regulations. The hotel currently meets the parking requirement with an excess of 243 paved stalls (not including public beach access stalls).

The parking requirements of the proposed Hyatt Regency Maui Addition are determined by the Maui County Code as follows:

**Table 4 – Project Parking Requirements**

Program Space	Area/Unit	Parking Required	Number
Timeshare Unit	<del>121</del> 131	1 per unit	<del>121</del> 131 Stalls
Lock-off Unit	24	<del>1/3</del> per lock-off unit	<del>8</del> Stalls
Pool	~ 16,000 sf	1 per 600 sf	27 Stalls
Snack Bar	~400 sf	1 per 100 sf	4 Stalls
<b>Total</b>			<del>160</del> 162 Stalls

The parking requirements for the new project will be fulfilled in part by an underground basement parking lot as well as by the addition of new stalls at Parcel 5, the Valet Lot.

The 20 beach access stalls on the Napili Lot will be retained on the site in a new configuration when the proposed project is completed. See Appendix A, Sheet A-14. These stalls will be located in the northwest corner of the site right off Nohea Kai Drive and adjacent to the Maui Marriott property. The parking area will abut the existing beach access walkway. The grade difference of approximately 1'-6" between the parking area and the beach access walkway will be reconciled by a gently sloping (1:14) ramp. Low Hawaiian stone walls will be built to act as guardrails for the ramp. The ramp will be ADA compliant. (~~See Appendix A, Sheet A-15~~)

The balance of the existing stalls (169) will be relocated to Parcel 5.

To fulfill the Hyatt Regency Maui Addition parking requirement of ~~460~~ 162 stalls, ~~53~~ 45 stalls will be located in the basement. The balance of the ~~407~~ 117 required stalls will be located on Parcel 5 alongside of those relocated from the Napili Lot. In total, ~~276~~ 286 new parking stalls will be provided on Parcel 5 to fulfill the parking requirements (169 relocated stalls + ~~107~~ 117 new required stalls = ~~276~~ 286 stalls). This will be accomplished by removing the tennis pavilion and three (3) of the existing five (5) tennis courts. The densely landscaped periphery of Parcel 5 will remain unchanged. The parking lot will remain hidden from the golf course and most critical vantage points.

Per the Maui County Code, two (2) loading stalls will be required.

The present Employee Parking Lot on Parcel 4 holds approximately 300 asphalt paved stalls and approximately 190 unpaved stalls on a compacted gravel and dirt field. The landscaping is sparse especially at the peripheral areas abutting the golf course. The intention is to ~~pave~~ provide a total of 452 stalls, provide dense new landscaping between Golf Hole #1 and the parking area, and to plant ~~a tree at every five (5) car interval~~ trees intermittently within the lot. The rest of the parking lot will remain compacted gravel and dirt field and will be used for temporary construction parking during the construction period. The unpaved area will revert back to employees parking after construction is complete.

The new dense landscaping, the existing sod farm, and landscaping nursery will work together in creating a verdant cover to soften the appearance of the parking area from the hillside residences, the golf course, and highway.

Native and drought tolerant/low water use plants will be utilized to the extent possible on the Parcel 5 Parking lot. Preference will be given to indigenous, native Hawaiian flora where practical. Large canopy trees to be planted on this site include non-native Monkey Pods and Banyans to be reused from the project site. Screening trees include Kou, Kamani, and Hau trees. Shade trees include Madagascar Olive and Autograph trees.

### **13. Zoning**

The zoning of the project site is H-2 Hotel which permits resort hotels and timeshare projects. The minimum lot area is 20,000 square feet and the minimum lot frontage is 100'. The subdivided project site is in compliance with approximately 475' in frontage and 196,237.8 square feet (4.505 Acres) in lot area.

**Allowable Density (FAR)**

The allowable density of H-2 zoned parcels is 150% of the project site. The FAR (Floor Area Ratio) can be calculated as follows: in two ways:

- ~~Total Hyatt Regency Hotel Lot with no subdivision~~
- ~~Subdivided Hyatt Vacation Club (Timeshare Lot)~~

**a. ~~Hyatt Regency Hotel Lot with no Subdivision~~**

The land area of this lot is 18.409 acres x 43,560 sf	=	801,896
Total Allowable FAR: 801,896 x 150%	=	1,202,844
Existing Hyatt Regency Hotel FAR	=	763,591
<u>Proposed New Hyatt Vacation Club FAR</u>	=	<u>239,174</u>
Residual FAR	=	<u>200,079</u>

Therefore, the ~~Hyatt Vacation Club FAR is in compliance in a scenario with no subdivision.~~

**b. ~~Subdivided Hyatt Vacation Club (Timeshare Lot)~~**

The land area of a subdivided lot is 4.505 acres x 43,560	=	196,237.8
<u>Subtract out approximate area of an access easement</u>	<u>=</u>	<u>13,716 -27,051</u>
Land Area applicable to FAR calculation	=	<u>182,521.8</u>
Total Allowable FAR: <del>182,896</del> <u>182,521.8</u> sf x 150%	=	<u>273,782.7</u>
<u>Proposed New Hyatt Vacation Club FAR</u>	<u>=</u>	<u>239,174</u>
Residual FAR	=	<u>34,608.7</u>
		<u>17,100.2</u>

Therefore, the Hyatt Vacation Club FAR is in compliance ~~in a scenario with a subdivided lot.~~



## Lot Coverage

The allowable lot coverage for H-2 zoned properties is 35%.

### a. ~~Hyatt Regency Hotel Lot Coverage with no Subdivision~~

~~Approximate existing Hyatt Regency Lot Coverage Area = 165,582~~  
~~Proposed New Hyatt Vacation Club Lot Coverage Area = 28,008~~  
~~Total Lot Coverage Area = 193,590~~

~~193,590 / 801,896 (Land Area Hotel Lot) = 24.14%~~

### b. ~~Subdivided Hyatt Vacation Club (Timeshare Lot)~~

~~28,008~~ 31,947 / ~~196,237.8~~ 169,187 (Land Area  $\pm$  Subdivided Lot) = 14.27  
19%

Therefore the Hyatt Vacation Lot Coverage is in compliance ~~with both scenarios.~~

## Building Height

The allowable building height for H-2 zoning is 12 stories excluding basements. The proposed building is in compliance with 12 stories and a below grade basement for parking.

## Yards

The front and rear yard requirement is  $\frac{1}{2}$  the height of the building with a minimum of 15 feet. The side yard requirement is 30 feet.

The building height is 128' from grade. The required front and rear yard is therefore  $128 \text{ feet} / 2 = 64 \text{ feet}$ . The building is setback 90 feet from the front property line and at least 200 feet from the property line on the ocean side.

The building is set back 85 feet from the property line abutting the Hyatt Regency Hotel and 30 feet from the property line abutting the Maui Ocean Club.

## 14. Access

The main entry to the project will be along Nohea Kai Drive. The existing entry to the hotel at the Atrium Tower will be enhanced with landscape planting, and Nohea Kai Drive in the vicinity of the new guest accommodation building will be enhanced with landscape planting and a new turn around area and parking control location.

A new vehicular turnaround at the current entrance to the Hyatt Regency Hotel is proposed. The turnaround and the existing road returning back to Nohea Kai Drive will enable vehicles to exit the property without proceeding all the way to the hotel porte cochere.

The new turnaround will also lead to the Parcel 5 (Valet Parking Lot). The entrance to these parking areas will be controlled by new parking control gates.

Parking on Parcel 5 will be either valet or guest self-parking. An ADA compliant garden path will be constructed parallel to Nohea Kai Drive to the northeastern portion of the site closest to Napili Tower. At this point, the relative flatness of the topography will enable a pedestrian street crossing across Nohea Kai Drive to the Hyatt Vacation Club porte cochere. (See Appendix A, Sheet A-2).

The maximum distance for walking pedestrians from the farthest parking stall of Parcel 5 (tennis lot) to the front lobby is approximately 1,280 feet. At a normal walking pace of 3.0-3.5 miles per hour, walking time should be approximately 5 minutes. Recycled glass will be used in the paving material when possible.

Parking on Parcel 4 will mostly be reserved for employee parking and overflow guest parking. ~~Users of this lot can take a "Wiki Wiki" shuttle bus to the beachside buildings. The shuttle bus will proceed along Ka'anapali Parkway and then Nohea Kai Drive to the hotels.~~

The maximum distance for walking pedestrians from the furthest parking stall of Parcel 4 (Employee Lot) to the front lobby is approximately 1,430 feet. At a normal walking pace of 3.0-3.5 miles per hour, walking time should be approximately 5 minutes and 30 seconds.

## 15. Energy Conservation Measures

Resourcefulness in adapting to the environment has been an important consideration during the conceptual design process. The range of energy saving practices being considered includes the following:

### *Building Orientation, Shading, Natural Ventilation*

- The area of un-shaded exterior envelope exposed to the sun was minimized to reduce the cooling load on the building. 95% of the southern face of the building is shaded by lanais at least 8' deep on the typical levels and 11' deep on the PH penthouse levels. In addition, vertical trellises with at least 3' depth are placed on the south face of the building.
- The north face of the building, which receives much less direct sunlight, nevertheless is shielded by a 6' deep corridor and trellises.
- The east face of the building is very narrow and is in the shadow cast by the Napili Tower of the Hyatt regency Hotel during the morning.
- The west face of the building is also very narrow and is partially in shadow from the MVCI Tower in the afternoons.
- The building is single loaded to encourage pass through natural ventilation. Windows and openings are provided at the two ends of the timeshare units or at the corner walls.
- Windows and sliding glass doors will use double glazed glass with a solar heat gain coefficient of approximately .51 to reduce air conditioning loads. The exact type of glass will be determined in design development. Windows may be operational awning types to minimize air loss. Awning windows provide a tighter air seal than either sliding or double hung windows types.
- Acoustic airtight seals may be provided at entry doors on the corridor side to minimize air loss.

### *Energy Efficient Lighting and other Electrical Measures*

- Fluorescent lamps (T-8 and T-5) with electronic ballasts will be used. Compact fluorescent based luminaries and lamps can also be used, where practical.
- Time switches and automated lighting dimming switches will be used where applicable to operate the lighting in specific areas.
- Model Energy Code requirements will be exceeded.

### *Energy Conservation Measures in the Mechanical Systems*

Specific energy conservation measures for the mechanical systems are usually developed later during design development and construction documents. This is when the mechanical system is tailored to the individual needs of the project. However, the following measures may be implemented as typical examples of energy saving practices.

- Domestic hot water for the project may be generated by heat pumps using heat recovered from the air conditioning condenser water system.
- The condenser water system serving all air conditioning units on the project may be a variable flow system, pumping only the amount of water necessary to meet the air conditioning load at any point in time.
- The cooling towers for the project may have variable frequency drives which sequence and vary the fan speed on the towers depending on load requirements of the building and the outdoor ambient conditions.
- Heat recovered from the building air conditioning system may be used for the heating of the swimming pools.
- Preconditioned outside air units may be provided to furnish outside air for ventilation to all timeshare dwelling units. This provides better humidity control for the dwelling units, reduces the size of the dwelling air conditioning units, and prevents the associated inefficiencies with attempting to use the dwelling unit air conditioning units for humidity control. The outside air units include integral heat recovery refrigeration circuits, which provide humidity removal and reheat the air using recovered heat from the incoming outside air.
- Individual, intermittently operated toilet exhaust fans may be provided in each timeshare unit. These fans allow local control of the toilet exhaust and prevent excessive exhaust from the building, reducing make up air conditioning energy requirements.
- A comprehensive building automation system may be specified which will control, monitor, and alarm the mechanical systems and equipment. This system has the ability to log operation of the equipment, schedule operation of multiple units, and monitor equipment for energy usage.

## **16. Functional Relationships**

The proposed addition is consistent with the existing hotel or resort use of the project. The traffic, pedestrian, and service patterns of the existing facilities are

well established and the proposed building addition will function within these established patterns.

Traffic flow and parking patterns have been previously discussed. The service/loading functions and locations will not change from their current locations.

## 17. Phasing

A preliminary construction phasing plan has been devised for the proposed project. See Figure 8. The phases are as follows:

- Phase 1:* Model unit construction (off-site)
- Phase 2:* Employee parking lot and roads (Parcel 4)
- Phase 3:* Golf course parking and accessible stalls (Parcel 5)
- Phase 4:* Sales center and welcome center (Parcel 8)
- Phase 5:* Site and building construction (Parcel 8)

## 18. Cost Estimate

Development of the proposed projects is estimated to cost approximately ~~\$63.6~~ between \$180 million and \$190 million. The final cost may be affected by variations in labor, materials, and shipping costs.

### D. ALTERNATIVES

Alternatives to the proposed action include:

***No-Action Alternative.*** The no-action alternative will maintain the current development envelope of the Hyatt Regency Maui Resort. In lieu of the following build alternatives, the configuration of existing site amenities would be maintained, including parking structures and lots, tennis courts, and landscaped grounds.

Primary benefits of the no action alternative include:

- The adverse, construction-related impacts to neighboring properties related to building new structures would not occur;
- Existing view corridors would remain.

Primary costs and risks of the no action alternative include:

- Elimination of public benefits, including:
  - A larger and more stable visitor occupancy;
  - Economic benefits due to construction, sale, and operation of the timeshare units;
  - Economic benefits to the local economy related to the expenditures from additional timeshare visitors;
  - Economic benefits due to increased State and County revenues and taxes;
  - Additional long-term and short-term employment opportunities.
  
- Undesirable impacts to the owner/operator
  - No-action alternative does not allow the applicant to significantly update the property to meet current visitor market preferences. The existing resort was designed for a different type of visitor market over 25 years ago;
  - It underutilizes extremely valuable property by locating amenities such as parking lots in prime shorefront areas, which is not the highest and best use of the property.

The No-action alternative was rejected for the following reasons:

- It is important to the applicant to respond and adapt to the visitor market, expand its services, maintain market share, and make efficient use of its assets;
- It is believed that construction-related impacts and socio-economic impacts can be mitigated to acceptable levels;
- The applicant finds that proper siting and design of the build option can minimize visual impacts to neighboring properties and retain view corridors in a manner consistent with other sections of the resort.

***Different Actions Alternatives.*** Alternative actions having a significantly different nature include the development of commercial or restaurant facilities, expanded visitor activities, and lower /higher density modes of residential development. The nature of environmental impacts would vary among the types of development.

The proposed alternative was selected as it best met visitor demand, is consistent with H-2 Hotel district zoning, and provided the most attractive benefits to the applicant given the costs of design, permitting, construction, and marketing. Particular attention was paid to the considerable costs of foundation work necessary at the site, which encourages the development of a high rise. The interaction of new and existing uses was also considered and the addition of guest accommodations would most benefit the existing mix of amenities, with particular attention to the (underutilized) on-site commercial and restaurant facilities.

*Design Alteration and Site Plan Alternatives.* A number of different conceptual design and site plan options of the proposed alternative have been developed in the planning of the project. Primary influences in the creation of design Options included design input from the Ka'anapali Operations Association Design Review Committee, consultation with the Hyatt Regency Hotel management representatives and representatives from the adjacent Maui Ocean Club, and the specific site constraints listed below.

In addition to input from these parties, other constraints regarding the design and siting of the proposed build alternatives includes:

- A shoreline setback of 119 feet (calculated by using the average lot depth). Given the applicant's desire to minimize impacts to the shoreline, it was decided that all proposed new building improvements would be constructed outside of the shoreline setback to eliminate the need to apply for a Shoreline Setback Variance;
- Side yard setbacks up to 30 feet (determined by building height);
- Fire-related building codes that specify separation between structures;
- Requirements to replace existing parking and provide additional parking generated by the new development;
- Zoning requirements, which establish a 12-story maximum height and specific maximums for lot coverage and total floor area.

Alternate project plans with a larger number of units and greater density were considered at an earlier stage in the design. Detailed studies were made of the architectural design with the following unit counts:

1. 161 Units with 149 Lock-off Units for a total of 310 keys.
2. 153 Units with 143 Lock-off Units for a total of 296 keys.
3. 139 Units with 129 Lock-off Units for a total of 268 keys.
4. 137 Units with 129 Lock-off Units for a total of 266 keys.
5. 125 Units with 117 Lock-off Units for a total of 242 keys.
6. 121 Units with 24 Lock-off Units for a total of 145 keys.

The present concept shown in this report has 131 units with no lock-off units, for a total of 131 keys.

These larger density concepts were all double loaded versions of the current single loaded layout. The building was generally wider (75' wide versus 60' wide) and therefore, had some important general impacts on the site plan.

- The resort pool and pool deck tended to be somewhat smaller with less space for chaises and site grading, as well as being closer to the shoreline.
- The entry was significantly more crowded with less landscaping and open space at the front approach to the building.
- The most important impacts were the increased traffic and requirement for parking. In some cases, a two (2) level parking structure was shown on the Parcel 8 site off Nohea Kai Drive.

Many of the double loaded designs were quite viable and attractive. The concepts with the fewer number of units were able to step back at the corners more than the concepts with the higher number of units, and thus offered a more attractive massing on the exterior. The designs also explored different locations of the porte-cochere. However, in general, the site was more densely packed and the approach from Nohea Kai Drive was considerably compromised with less landscaping and open area. The massing of these schemes was also slightly larger from certain viewpoints.

The developer opted for a lower density project with more open space and setback from Nohea Kai Drive. The current density with ~~121~~ 131 units and ~~24~~ Lock-offs results in a considerable reduction in density, traffic, and parking.

Marriott Vacation Club International made some suggestions in a recent public presentation of the project:

- Rotating the building clockwise by a few degrees will also create a better view plane for the new MVCI building.
- Moving the building closer to the Hyatt Regency Napili Tower will result in a better view plane for the MVCI Tower.
- Shielding exterior light fixtures will reduce glare for the adjacent property.

The first ~~two~~ measures above ~~have~~ has been explored and ~~have been~~ found generally to be compatible with the goals of the project. ~~The details of this new layout will be explored.~~ The building have been rotated clockwise by several degrees and additionally one 28' bay has been shifted from the west to the east wing. This has created a more balanced layout for the building and allows a wider view corridor from the MVCI Tower. The ~~third~~ second measure, however, will result in a reduced view corridor between the Hyatt Regency Napili Tower and the new Hyatt Vacation Club building. The lighting at the building exterior will be researched more thoroughly and investigated in the later design phases of the project. Every attempt will be made to reduce glare to neighboring properties.



Pursuant to comments received at public briefings, the tower height has been reduced in height from approximately 143' above average grade to 138' above average grade. The has been accomplished by reducing the lobby level floor height, reducing the typical floor to floor height from the 2<sup>nd</sup> thru 9<sup>th</sup> floors by 6", and making the double pitched Hawaiian roof smaller.

During the earlier stage architectural design a twelve-story, double-loaded building was considered. However, this configuration led to an overly-massive building which reduced the pool area considerably. Furthermore, the large number of units facing the mountain side was unsuitable for the upscale market which Hyatt was targeting. These buyers will demand ocean view units.

Shorter building blocks with the same overall number of units were also considered. However, these scenarios resulted in much less open space and also impinged upon the neighboring buildings. The generous tropical pool with the Hawaiian gardens is essential to providing a Hawaiian sense of place to the entire Hyatt Regency complex. The perspective rendering of the pool area from the Napili Tower at the Hyatt Regency Hotel shows that the expansive open space is immensely beneficial to the neighbors.

The preferred alternative, as described in this document, has been selected by the applicant as the preferred option for the following reasons:

- The Option will least impact adjoining properties regarding construction noise, operational noise, and view impacts;
- The Option preserves the greatest amount of view corridor through the subject property;
- The configuration of the option is attractive with respect to unit count and configuration, and is efficient regarding the size of the foundation footprint compared to the unit yield.

*Alternative Locations.* The alternate location analysis entails review of building a similar development at a location different from the subject property located in the Ka'anapali Resort.

Primary benefits of the alternative location alternative include:

- If the project was developed in a non-urban environment, it would avoid certain construction-related impacts to neighboring property owners;
- Existing view corridors at the project site would remain.

Primary costs and risks of the alternative location alternative include:

- Construction of the project in another urban area would simply shift the construction-related impacts to another group;
- Construction of the project in a non-urban area is contrary to current public opinion and planning intent. Opening of a new area to resort development would likely have more significant impacts to recreational resources and the natural environment;
- Construction in alternative area would likely require large investments in regional infrastructure increasing the overall scale of the project. Similarly, a new project would not be able to share the diversity of on-site infrastructure (i.e. heating/cooling systems), which leads to a less efficient physical plant.

Specific alternative (off-site) locations for the project were not considered.

The on-site option was selected by the applicant because the project site was well suited for the proposed development for the following reasons:

- It is underutilized as per the development allocation set by zoning standards;
- It is in close proximity to recreational resources desired by visitors;
- It is built within a master planned resort with infrastructure designed for the higher use;
- The feasibility of developing the project site is inherently related to the applicant owning the subject property;
- Locating the project on the subject property avoids expanding (off-site) resort development to undeveloped areas, or re-zoning lower density urban zones; ~~and efficiently utilizes the resources of the existing hotel.~~
- Locating the project on the subject property efficiently utilizes the resources of the existing hotel, which reduces project scale and impact.

***Postponing the Action.*** Current evaluation and assessment of the project has yielded no information, or lack of, that indicates that the project would be best postponed until further study of costs, benefits, or impacts.

Costs and risks of postponing the project include:

- Costs of developing the project will increase (estimated at between 10% and 15% per year).

## **D. E. REQUIRED PERMITS**

The following permits and approvals are required for the proposed action:

### **State of Hawaii**

The following permits are administered by the Department of Health. Application for these permits will be initiated after the applicant obtains the required Special Management Area Permit.

- National Pollution Distribution Elimination System (NPDES) General Permit
- Construction Noise Permit

### **County of Maui**

The following permits are administered by the Department of Planning and acted upon by the Maui Planning Commission. The application for SMA permit will be made in conjunction with the filing of the Draft EIS.

- Special Management Area (SMA) Use Permit
- Off-site Parking Approval

It is noted that no shoreline work is proposed in the project. There are existing hotel-related structures in the shoreline setback, which is unaffected by the proposed action. These structures are either permitted or existing non-conforming structures. See Figure 4 and Appendix M.

The timeshare project involves the subdivision of Parcel 008 into Lot A (timeshare addition) and Lot B (existing hotel). All existing non-conforming shoreline structures are located within the Lot B. These shoreline structures include:

- Beach walkway
- Napili Gardens outdoor venue
- ~~Kids~~ Children's swimming pool
- Spa and Fitness Facility
- Three (3) massage cabanas
- Massage reservation table
- Two (2) wooden sundecks
- Decorative statue

The following permits are administered by the Department of Public Works and Environmental Management, Development Services Administration. Application for these permits will be initiated after the applicant obtains the required Special Management Area Use Permit.

- Building permits
- Grading permit

**Ka'anapali Resort**

The Ka'anapali Operations Association (KOA) administers the CC&Rs for the properties within the Ka'anapali Resort. Pursuant to requirements of the CC&Rs, the project is required to obtain Design Review Approval by the KOA.

- Project Design Review & Approval

### III. DESCRIPTION OF THE EXISTING ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATIONS MEASURES

#### A. PHYSICAL ENVIRONMENT

##### 1. Land Use

*Existing Conditions.* The Ka'anapali Beach Resort is located on the west coast of the island of Maui, about three (3) miles north of Lahaina. The resort is a 1,200-acre planned resort community that was conceived in the early 1950's and commenced in 1958 with the construction of a water system, sewage treatment plant, drainage system and a network of roadways. Lands within the resort are primarily zoned for residential, resort-commercial, and hotel development. The majority of land fronting Ka'anapali Beach is zoned for high-density hotel development.

Today, the Ka'anapali Beach Resort includes six (6) hotels with over 3,700 rooms, six (6) residential condominium developments, three (3) timeshare facilities, a shopping center/whaling museum, and two (2) 18-hole golf courses.

The property abuts Ka'anapali Beach at Hanaka'ō'ō Point. The adjacent property to the north is operated as the Maui Marriott Hotel and Maui Ocean Club, which is a timeshare ownership project. These parcels are separated approximately 1800 feet from Honoapiilani Highway by a golf course and parking facilities. Access to the properties is via two roads owned and maintained by the resort, Ka'anapali Parkway, and Nohea Kai Drive.

The proposed guest accommodation addition will be constructed on the site of the existing Hyatt Regency Maui Resort that was originally developed in 1979. The property is approximately 18.4 acres in area. The proposed building tower for guest accommodations will be situated on the northern side of the property within an area used for on-grade parking and landscaped grounds. The other parcels affected by the proposed action include a parcel that is currently improved with tennis courts and on-grade paved parking for the Hyatt Regency Maui Resort. Also, one of the parcels is a graveled parking lot for hotel employees. Finally, the proposed action will involve a portion of the existing Ka'anapali South Golf Course due to existing access easements.

Public parking and access ways to Ka'anapali Beach are available at several points along the coastline. Twenty beach access-parking stalls are provided at the project site and are accessed from Nohea Kai Drive.

Ka'anapali Beach is a popular recreational area for visitors and residents. Common activities associated with the beach and ocean include sunning, swimming, snorkeling, outrigger canoe paddling and sailing and other ocean related activities. A surf break responding to southwest swells is located off Hanaka'ō'ō Point fronting the subject property and Ka'anapali Ali'i Condominium. Hanaka'ō'ō Point is a dynamic sandy outcrop, and is often one of the widest portions of the beach.

*Potential Impacts.* The development of additional transient residential units is considered appropriate in terms of planning and zoning.

The project will result in short-term construction impacts including those associated with traffic, air quality, vibration, and noise generation. Long-term impacts include beneficial and adverse impact to the socio-economic environment and visual character of the site. These types of physical environmental impacts and potential mitigation measures are detailed in the following sections.

Public beach parking and public right-of-way corridors will be maintained as part of the proposed project.

## 2. Topography, Geology, and Soils

*Existing Conditions.* The topography within the project site is relatively flat, consisting primarily of parking decks, roads, and tennis courts with elevation between +8.5 and +9.5. Ka'anapali Parkway, the entrance driveway located north of the existing hotel building on the east side of the resort, has the most dramatic slope with an approximate average grade of three percent (3%) sloping down to towards the shoreline. A landscaping berm separates the parking lot from the existing roadway. The landscaping berm is generally at approximately elevation +14 and the road varies from elevation +9.6 to +15.3.

According to the Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii, prepared by the United States Department of Agriculture, Soil Conservation Service, there are four (4) soil classifications found on the project site. The dominant soil type is the Jaucas Sand, 0 to 15 percent slopes

(JaC). The *mauka* areas of the project, including the parking areas, are principally comprised of Kealia Silt Loam (KMW) and Ewa Silty Clay Loam (EaA), while the *makai* portion includes Beaches (BS).

Jaucas Sand is classified as having very slow runoff and a severe wind erosion hazard. Kealia Silt Loam is characterized as having slow to very slow runoff, and severe wind erosion. Ewa Silty Clay Loam is noted as having very slow runoff with slight erosion hazard. The Beaches soil type is characterized as areas consisting mainly of light colored sand derived from coral and seashells.

***Affected Environment - Topography.*** The lobby of the new Timeshare building will be at elevation +17. The slightly higher location of the entrance lobby is to accommodate a basement parking level with the floor located above the water table. (See A-6) The slightly elevated lobby will also permit a better viewpoint of the ocean horizon. The porte cochere and lobby will be reached by a gently sloping two-lane ramp, which diverges, from Nohea Kai Drive. A landscaping buffer will be provided between the Drive and the porte-cochere.

On the ocean side of the project, the grade will be filled up to elevation +16.5 to provide a step-less transition between the lobby and the exterior of the building. The pool will gradually terrace down to El. 11 and eventually to the same level as the Outdoor Venue space. The building up of the grade to a higher level fulfills two objectives. The first objective is to completely hide the parking lot under the building and the second objective is to provide better views of the ocean.

On the northwestern part of the site at the location of the 20 beach access parking stalls, the grade remains low at approximately elevation +9.9. This allows the beach access parking stalls to be visible from the road and also facilitates a more gradual transition to the basement parking ramp. In general, the proposed development will require minimal changes to the existing topography. Based upon samples taken at the adjacent property, it is anticipated that underlying soils are composed of sandy soils loose to dense sand and gravel strata overlaying a hard basalt formation at approximately 140 to 180 feet below the surface. Due to the salt water table, the foundations will be of concrete construction. No substantial alterations to existing grade levels are required and thus no substantial impacts are anticipated.

**Potential Impacts and Mitigation Measures.** Project construction carries the potential for vibration impacts to surrounding properties. Pre-drilled piles has been chosen as the foundation for the Hyatt Grand Vacation Tower building. This

is the least obtrusive piling technique resulting in less noise and vibration. The same technique was used for the Marriott Ocean Club on the adjacent land parcel. No complaints from or damages to adjacent property owners were registered during that piling process.

### 3. Climate and Air Quality

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

*Affected Environment - Climate.* The proposed project represents a minimal increase in the amount of developed land in the Ka'anapali Resort area. As such, there are no substantial impacts to climate anticipated from the new timeshare tower and associated improvements.

*Affected Environment - Air Quality.* Construction of the project will entail demolition, earth moving activities, construction, and landscape planting. These activities could impact air quality due to the release of fugitive dust, particulate matter, and equipment exhaust.

Long-term impacts to air-quality are not anticipated as the project site will be landscape planted, preventing wind erosion of the native and introduced soils. Secondly, with exception of small cooking facilities, the action does not entail the construction of point sources for air emissions.

*Mitigation Measures - Air Quality.* The applicant will utilize mitigation measures to contain dust and project runoff during the construction period. The anticipated method of containment will be to enclose the project area with a combination dust/silt fence. Additional measures will include periodic project watering for dust control, promptly vegetating bared areas where practical, and controlling dust from equipment by covering truckloads.

The applicant will incorporate the following mitigation measures:

- A best-management-practices (BMP) plan will be developed in conjunction with the project's grading plans, which will detail the physical protective



measures used at the project site, the locations of such measures, and other intermittent requirements such as project watering. Prior to construction the BMP plan will be reviewed by the County Engineering Division of the Land Use and Codes Division of the Department of Public Works and Environmental Protection, and the State Clean Water Branch (as part of the NPDES general permit)

- The construction contract will specify that it is the responsibility of the contractor to provide for the cleaning of any construction related dust impacts.

#### 4. Noise Characteristics

*Existing Conditions.* Noise sources in the vicinity reflect the urban resort development of a coastal area. Urban sources of noise include mechanical sources generated by automobile and aircraft traffic, and human generated noise from the use of recreational or commercial facilities. Wind and surf are the primary natural background sources of noise for the region.

The most sensitive receptors (due to their proximity) include the guests of the Maui Ocean Club and the Ka'anapali Ali'i Condominium, as well as those of the Hyatt Regency Resort itself. Other receptors include users of Ka'anapali Beach, the Hanaka'o'o Cemetery/Beach Park, and the surrounding waters.

*Applicable Studies.* An Environmental Noise Assessment Study was prepared for the project by D.L. Adams and Associates; it is included in Appendix B. The study measured existing sound levels in the project area and anticipated noise levels during construction and upon project completion. No long-term acoustical impacts were anticipated with the completion of construction, however it was noted that construction activities would likely generate noises above standard levels established in the State's laws on Community Noise Control. The applicant would need to obtain a noise permit for construction activities that typically exceed the standard levels (jackhammers, pile drivers, saws, etc).

*Affected Environment - Construction.* Project implementation will require such construction-related activities as excavation, grading, and pile driving. Typically, earth-moving equipment, such as bulldozers, produces the greatest noise levels.

Both long and short-term measurements were taken of the existing acoustical environment. Long-term measurements consisted of continuous ambient noises, while the short-term measurements included traffic counts. Both measurements were conducted between January 16 and January 17, 2006.

**Mitigation Measures - Construction.** General acoustic mitigation measures could include:

- Restricting hours of construction.
- Siting the construction preparation areas behind the superstructures of the proposed buildings to better shield adjacent developments.
- Pre-drilling foundation to mitigate the noise impacts resulting from pile-driving.

If construction noise levels exceed the State of Hawaii's maximum permissible property line noise levels, a construction noise permit must be obtained from the State Department of Health. In order to obtain this permit, the contractor may be required to incorporate mitigation measures, conduct noise monitoring, and coordinate with the community.

**Affected Environment - Operations.** The project will result in the addition of 145 guest units, including the 24 "lock-off" units. The guestroom building will occupy an area currently used for hotel parking. The change from parking uses to guest uses may result in increased noises from the project area. However, given its location in the midst of other resort and relatively limited scale, no substantive adverse impacts to noise characteristics are anticipated to result from normal operations.

The new building will include stationary equipment, such as rooftop cooling towers and condensing units, which will generate noise. Such stationary equipment must comply with the State's noise rules, which limits levels during both the day- and night-time.

Vehicular traffic noises in the area are expected to marginally increase by the year 2010 without project implementation. Noises generated by the new vehicular traffic at the timeshare addition are negligible.

**Mitigation Measures – Operations.** The Noise Report recommends consideration of design elements to mitigate noise impacts from stationary equipment, such as using acoustical treatments for equipment rooms and locating machinery away from neighbors and residential units.

The estimated noise impacts from operational traffic are negligible and no mitigation measures are recommended.

## 5. Coastal Processes and Marine Resources

**Existing Conditions.** The subject property is located on Ka'anapali (Hanaka'o'o) Beach and in the vicinity of Hanaka'o'o Point, which is on Maui's west shore.

Nearshore waters are classified as open coastal "A", according to the Water Quality Standards Map prepared by the State Office of Environmental Planning and Hawaii Department of Health.

**Applicable Studies.** A Shoreline Evaluation of Ka'anapali Beach was prepared by Sea Engineering, Inc. as part of a 2000 environmental document for the adjacent Marriott Ocean Club; a copy of the report is attached as Appendix C. As noted above, the project area is located near the center of Hanaka'o'o Beach. The north and middle sectors of Hanaka'o'o Beach are dynamic, responding to the seasonally varying wave climate. In the summer, the sand moves from Hanaka'o'o Point to the north due to the influence of the prevailing south swell. The pattern reverses in the winter when the north pacific swell is present. While the seasonal changes at Hanaka'o'o Point are pronounced, the vegetation line is relatively stable. The study included an analysis of historical vegetation lines, showing a range of fluctuation of 25 feet over the 50 years of data.

The University of Hawaii's School of Earth Science and Ocean & Earth Science and Technology (SOEST) has prepared a series of coastal erosion studies for the Maui Planning Department. In the study for the Ka'anapali region, the project area was calculated to have an "annual erosion hazard rate" (AEHR) between .5 and 1.5 ft/year. A copy of the UH map is included as Appendix D.

**Affected Environment:** Impacts to coastal resources are typically classified as actions that impede natural coastal processes (including to wave or wind action), actions that affect the beach and near shore area, or locating structures where they would be affected by coastal processes. Such impacts to coastal processes are not anticipated for the following reasons:

- The action entails construction-related activities in a developed area not located at the shoreline.
- The proposed improvements that could be of concern due to coastal erosion will be located landward of qualified "hazard areas" including:
  - a) The FEMA tsunami hazard area
  - b) The 30-year erosion hazard area included in the SOEST study

- c) The (proposed) County [shoreline history-based] Shoreline Setback using 50-year +20-foot distance based on the SOEST AEHR (from the shoreline to approximately 45-95' inland)
- d) The existing County [lot-depth-based] Shoreline Setback Area (from the shoreline to 112' inland)
- The proposed improvements are located considerably landward of the previous shoreline retreats identified in the Shoreline Evaluation.

*Potential Impacts and Mitigation Measures.* The applicant has planned to minimize the possibility of impacts to coastal processes through planning the location of the proposed development adequately landward of the dynamic portions of the beach and shoreline.

Mitigation measures aimed at protecting marine resources focus on containing dust and project runoff during the construction period. The anticipated method of containment will be to enclose the project area with a combination dust/silt fence. Additional measures could include project watering for dust control, promptly vegetating bared areas, and controlling dust from equipment by covering truckloads. (These measures will be detailed in the project's BMP plan as described in the previous section on air quality)

The applicant is currently exploring options regarding the disposition of sand excavated during project implementation, and will coordinate with the County regarding possible stockpiling and reuse of the sand.

## 6. Natural Hazards

*Existing Conditions.* According to community-panels number 150003 0153 C and 15003 0161 C of the Flood Insurance Rate Map, dated September 17, 1997, the majority of the Hyatt Regency resort site is located in Zone C, which is an area exposed to minimal flooding. *Makai* portions of the project site are situated within Zones A4 and V12. Zone A4 is an area of 100-year flood where base flood elevation has been determined. Zone V12 is an area where 100-year coastal flooding occurs.

*Affected Environment - Sea Levels.* Empirical evidence indicates that since 1900, the sea level has been rising at a rate ranging from 1 mm to 3 mm per year. The causes of this long term or eustatic sea level rise may be attributed to land movement, changes in the terrestrial water storage (water in the earth), glacial melting in Greenland and Antarctica, and other climactic effects. Some scientists

assert that the increase in sea level has accelerated slightly over the last 25 years, however the evidence is somewhat inconsistent and subject to interpretation. A more rapid acceleration may occur if the glaciers and ice caps in Antarctica and Greenland begin to melt rapidly. However, most researchers agree that this scenario is unlikely because these areas are located in the permafrost zone where the average temperature is minus 32 degrees centigrade. Even a 4 degree centigrade increase in temperature will leave the zone well below the melting point of ice.

Therefore, based on the preponderance of the evidence, the worse case scenario is 3 mm rise in sea level per year. On this premise, the sea level will rise 150 mm or 5.9 inches over a 50 year span. Presently, the lowest point of the proposed tower building is located 60 inches above sea level. Precautions have been taken to ensure that all mechanical, electrical, and life safety systems are located above the present sea level and projected future sea level. Furthermore, no habitable spaces are located in the basement level.

*Affect Environment – Other.* The proposed structure is not located in an area of unstable soils or recent volcanic activity. All development on Maui occurs within areas with the potential for volcanic activity from Haleakala on the eastern side of the island. However, Haleakala has no been active since the late 18<sup>th</sup> century and no activity has been discerned more recently. Similarly, all development on Maui near to the coast has the potential to experience earthquakes, tsunami, and flooding. The project site is not unusually exposed to these hazards and the structure will comply with all building codes, including those relating to flood area.

*Potential Impacts and Mitigation Measures.* Potential flood and tsunami-related impacts are avoided by locating the proposed improvements away from the nearshore area (where the V and A zones are present).

The project will be designed in accordance with current structural requirements of the Uniform Building Code to mitigate against seismic damage.

## 7. Terrestrial Biota

*Existing Conditions.* The project area is heavily landscaped with introduced flora. Typical animal life in this urban coastal setting includes avifauna including the common myna, several species of dove, cardinal, house finch, and house

sparrow. Mammals common to this area include cats, dogs, rodents, and mongoose.

One (1) endangered avian species, the *alae ke'oke'o* or coot, has been identified at the drainage channel located above the hotel site, which serves as a water hazard for the resort golf course. The indigenous, though not endangered *'auku'u*, or black-crowned night heron, was also identified at this channel. Endangered species that inhabit coastal waters include several species of whale, porpoise, seal, and turtle. Seals and turtles can use the shoreline area for resting, sunning and reproductive activities, although the frequency of such visits to Ka'anapali Beach is low.

**Applicable Studies.** A Biological Resources Survey was conducted for the project by Robert Hobdy, Environmental Consultant. A copy of the report is included as Appendix E. According to the survey, the native species of fauna found at the project sites are the result of landscaping efforts of the resort. None of the plants observed on the property is a threatened and endangered species, or a species of concern. The survey concludes that the proposed project is not expected to have a significant negative impact on the vegetation on the site, or in the general region.

The survey also notes that the existing drainage channel has enhanced habitat opportunities for the endangered and indigenous avian species identified. The *alae ke'oke'o* appears to be thriving in this habitat. As a result, no adverse impacts to fauna are anticipated from the proposed project.

**Potential Mitigation Measures.** Where practical, trees, shrubs, and ground covers will be retained and incorporated into the landscaping of the project.

The project's construction contract will specify that if any marine-based endangered species come to occupy the shoreline area during construction activities, construction in that area will halt and the Aquatic Resources Division of the Department of Land and Natural Resources will be contacted for proper treatment of the area.

## 8. Visual Resources

**Existing Conditions.** The publicly accessible vantages that overlook the project include the ocean, the shoreline (including Hanaka'ō'ō Beach and Beach Park), and Honoapiilani Highway. Semi-public vantages include private roadways

within the Ka'anapali Resort including Nohea Kai Drive and Ka'anapali Parkway. Neighboring private development includes the Marriott Hotel and Ocean Club to the north. The Ka'anapali Vista subdivision is located approximately ½ mile east (landward) of the property, across the Resort's golf course and Honoapiilani Highway.

*Affected Environment - Shoreline Area.* New building improvements will be constructed outside of the 119 foot shoreline setback. As a result, the project will not affect the existing character of the shoreline and beach area.

*Affected Environment - View Corridors.* Mauka view corridors from the beach and shoreline area will be reduced due to the construction of the proposed 12-story building. The nature of the impact is similar to the obstructions from the existing nearby developments, including the 11-story Ka'anapali Ali'i Condominium, the existing 10-story Marriott building, and the 8 to 12-story structures of the Hyatt Regency Maui Resort, as well as the recently approved 12-story Marriot vacation club project. The proposed building will be set back further from the shoreline than the existing Napili Tower and the adjacent Maui Ocean Club timeshare project under construction. See Appendix F for photographic viewplane studies.

As discussed in Section II-D, Alternatives, the applicant has been in discussion with its adjacent neighbor and is considering methods for further mitigating impacts to heir visual resources.

The quality of view corridors from coastal vantages along Honoapiilani Highway are marginal along the south portion of the Ka'anapali Resort (where the Hyatt Regency Maui Resort property is located). The poor quality of views along this section of coastal highway is due to the low elevation of the highway, the large distance from the shoreline (approximately 2000 feet), and the screening of the shoreline by existing Resort development enhanced by mature resort landscape planting. Therefore, any obstructions due to the project are primarily obstructions of existing development and the sky, rather than the coastline or ocean.

Aesthetic perception of the proposed buildings within the Ka'anapali skyline is a subjective judgment. The applicant feels that the proposed 12-story building will harmoniously complement the Ka'anapali Resort skyline due to compatible building heights and similar building spacing. Representatives of the Ka'anapali Vista residential neighborhood located above Honoapiilani Highway and Fairway No. 16 of the Kaanapali South Golf Course have expressed concerns that the

proposed building will affect their ocean views, contribute to the perception of crowding within the Ka'anapali Resort, and consequently, decrease its desirability as a resort destination. Simulated and existing views from the Highway are included in Appendix F.

Similar to the coastal views along Honoapiilani Highway, vantages along the private roadways within the resort are obstructed from ocean views by existing development and landscape planting. Simulated views from Ka'anapali Parkway and KeKa'a Drive (as recommended by the Ka'anapali Operations Association (KOA) are also included in Appendix F.

*Applicable Studies.* Scenic resources in the project area are described in the Maui Coastal Scenic Resources Study. Discussion of the study is included in Section IV-F of this assessment. Selections from the Study are included in Appendix G.

The study inventories valuable *mauka/makai* view corridors in the Ka'anapali region in sections 4.4 & 8.1.6. In the Ka'anapali region, important visual corridors from the Highway are identified as occurring over Hanaka'o'o Beach Park and over the Ka'anapali Resort north of KeKa'a Point. No important corridors are noted over the southern region of the Ka'anapali Resort where the project is located. A reasonable justification for this distinction is that the views over Hanaka'o'o Beach Park and northern Ka'anapali Region include views of the coast, ocean, and outer islands, while the views over the southern section are currently obscured by development and landscape planting

The study also identifies valuable coastal views and landforms along the shoreline. The shoreline between Hanaka'o'o Point and Wahikuli Park/Flemming Road is identified as a noteworthy coastal landform. A distinctive coastal view is identified from Wahikuli Park to Hanaka'o'o Point (shown in Figure 5B). The majority of the subject property is obstructed by the existing 8 to 12-story structures at the Hyatt Regency Maui Resort from the Wahikuli Park vantage.

The West Maui Community Plan (WMCP) also provides guidance on visual resources. While the plan does not identify specific view corridors, it does recognize specific areas that should be protected as "open space". The proposed action will not affect open space areas specifically identified in WMCP, including:

- Agricultural lands and gulches;



- The open spaces and stretches of shoreline between the south boundary of the district and Puamana and from Kapalua to Nakalele Point;
- The expansive landscape of agricultural and natural open space areas against the backdrop of the West Maui Mountains;
- Any gulches listed on page 23 of the plan to be “integrated into the open space system”;
- Natural coastal areas along major roadways.

***Applicable Guidance and Regulation.*** Hawaii’s Environmental Review Law (Chapter 343 Hawaii Revised Statutes [HRS]) and the associated rules (Chapter 11-200 Hawaii Administrative Rules [HAR]) provide little discussion regarding the evaluation of visual resources. Section §11-200-12 of the rules, however, establishes criteria for determining if an impact is “significant”; criteria #12 regards views:

§11-200-12 Significance criteria.

- (a) In considering the significance of potential environmental effects, agencies shall consider the sum of effects on the quality of the environment, and shall evaluate the overall and cumulative effects of an action.
- (b) In determining whether an action may have a significant effect on the environment, the agency shall consider every phase of a proposed action, the expected consequences, both primary and secondary, and the cumulative as well as the short-term and long-term effects of the action. In most instances, an action shall be determined to have a significant effect on the environment if it:
  - (12) Substantially affects scenic vistas and viewplanes identified in county or state plans or studies.

As evaluated above, the action will generally not affect or significantly impact any valuable scenic resources specifically identified in either the Maui Coastal Scenic Resources Study or the West Maui Community Plan.

***Potential Mitigation Measures.*** Mitigation measures that could reduce the visual impacts of the project by de-emphasizing the mass of the proposed improvements include:

- Provide increased building setbacks;
- Provide increased building separation;
- Reduce building height;
- Reduce building width;

- Incorporating landscape planting around structures to break up the lower visual mass.

It should be noted that many of the potential mitigation measures would result in a lessening of view impacts to one viewplane by increasing impacts to another. Thus, moving the building closer to the existing Napili Tower might reduce impacts to the neighboring Maui Vacation Club International, but would also likely increase impacts from *mauka* properties by massing removing that separation.

Design alternatives, as discussed in Section II, would have resulted in greater impacts by producing a more massive structure. The preferred alternative is a slimmer structure, which has been oriented on-site to minimized impacts to neighboring properties.

The project has been designed to be consistent with to respect to mass and spacing with other developments in the resort, in order to compliment the Ka'anapali Resort sky line in a compatible fashion.

## 9. Archaeological and Historic Resources

**Existing Conditions.** Prior to disturbances by agricultural and resort development, the Ka'anapali Beach sand dunes were utilized for human burials. A discovery of burials was documented during the construction of the Ka'anapali Ali'i residential condominium just north of the Marriott. The site contained a maximum of 6 individuals and was found approximately 100 meters inland from the shoreline. The record concluded that the burials were of commoners dated from between 1700 and 1800 (Dobyns & Allen-Wheeler, 1982). Recent work in the Marriott Resort's courtyard in July 2000 revealed another burial site. Otherwise, there are no known historic resources on the subject property.

**Applicable Studies.** Scientific Consultant Services (SCS) prepared an Archaeological Assessment of the project site in March 2006. This assessment is included as Appendix H. With input from the State Historic Preservation Division (SHPD) of the State Department of Land and Natural Resources (DLNR), SCS selected eleven backhoe-trenching areas spread throughout the project site. The excavations consisted mainly of fill imported into the area during the resorts initial development in the 1950's. No cultural remains were identified. Distinct sediment coloration present in several layers of one trench

may indicate cultural occupation; the area of this trench is not proposed for any work.

**Potential Impacts and Mitigation Measures.** While recent subsurface investigation has yielded no cultural findings, there is potential for sub-surface discovery during construction activities, particularly given the findings at adjacent and nearby properties. Prior to construction, a construction-monitoring plan will be submitted to the SHPD for review and approval. The plan will specify that if cultural materials are discovered during construction, work in that area will stop, and SHPD and the Maui Island Burial Council will be informed and consulted for proper treatment.

#### 10. Hawaiian-Cultural Resources

**Existing Conditions.** The project area is located in the *ahupua'a* of Hanaka'o'o, "the digging stick bay", which is located in the larger *moku* (district) of Lahaina. Agricultural development in this area is thought to have begun early in the Expansion Period, approximately AD 1200-1400. The subject parcel is completely developed and there are no known natural or cultural resources present on-site. Pu'u Keka'a is regarded as having been an area of intense cultivation when it was the capital of the chieftain Kaka'alaneo. Later, it was the burial place for Kekaulike's elder son, Kauhi'aimoku-a-kama. The Pu'u was also considered a soul-leaping place; Kahekili jumped from the point to prove his descent from the gods and right to rule the island.

During the earlier 20<sup>th</sup> century, Pioneer Mill used the Black Rock as landing place for boats; processed sugar was taken to the landing to be shipped. This landing was abandoned before World War II.

The property is in the near vicinity of Pu'u Keka'a, also known as Kekaa Point and Black Rock, a location associated with mythological and religious occurrences, as well as with various noble figures. It is noted that the proposed project does not impact Pu'u Keka'a.

**Applicable Studies.** Scientific Consultant Services (SCS prepared a Cultural Impact Assessment for the project in February 2006; it is included as Appendix I. The assessment's findings state that based upon personal interviews, community response, archival research, and the findings of previous archaeological investigation and construction/development along the Ka'anapali coast, it is reasonable to conclude that the exercise of native Hawaiian rights related to

gathering, access, or other customary activities will not be affected and there will be no adverse effect upon any ethnic practices of beliefs.

Based upon comments received pertaining to the Draft EIS, additional community members were solicited for information. No additional information regarding the project site was received.

*Affected Environment.* Based upon the Cultural Impact Assessment's finding that there are no cultural activities occurring on the project site, there is no affected environment. Modern accesses to and along the shoreline will be maintained.

## B. SOCIO-ECONOMIC ENVIRONMENT

*Applicable Studies.* SMS Research prepared a Socio-Economic Impact Assessment for the proposed project; it is included as Appendix J. The following descriptions of socio-economic impacts include summarized sections, calculations, and discussions from the Assessment. The project has been slightly modified from that analyzed in the report, such as reducing the units count from 145 to 131. These modifications will not have substantive affect on the conclusions of the report. Because of this, the figures given in the report, such as unit count, have been left as stated

### 1. Employment and Incomes

*Existing Environment.* The State of Hawaii has a very strong economy at present, having rebounded from a severe economic stagnation in the 1990's. As of January 2006, the State's unemployment rate was 2.2%, as was Maui County's; the national average for this period was 5.1%.

*Affected Environment - Construction.* Construction of the proposed project is expected to begin in 2007. The direct workforce will include some 374 person-years of employment, i.e., some 224 full-time jobs per year, on average. On-site jobs will average about 177.

Additionally, the project will support 544 person-years of indirect and induced workers. The total direct, indirect, and induced employment associated with project construction comes to 917 person-years of employment over the entire construction period. Approximately 781 person-years would be located on Maui (i.e., all the direct construction work, and 75% of indirect and induced work.)

Workforce income associated with the project's construction will amount to \$18.0 million in direct wages (on average, \$11.9 million per year), and \$18.0 million in indirect and induced wages. The total direct, indirect, and induced income associated with construction will be approximately \$35.0 million.

***Affected Environment - Operations.*** Direct operations employment associated with a time-share property can be estimated in three ways:

- Jobs involved in maintaining the property itself (front desk, room service, housekeeping, landscaping, pool services, administration);
- Other jobs, either at the resort or elsewhere on Maui, supported by spending by visitors staying at the property; and
- Marketing jobs associated with selling the time-share units.

The amount of direct employment jobs are anticipated to range from 209 in 2007 to 352 in the peak year 2011. It is estimated that a significant proportion of the jobs up to the peak period will be marketing related. About 87 new on-site jobs are included in this figure. Once the marketing activity ends, direct jobs will stabilize at about 232 full-time jobs, supporting an additional 182 indirect and induced jobs. SMS estimates the total Maui workforce in these direct, indirect and induced jobs, once the marketing activity ends, will be approximately 368 jobs.

## **2. Population and Housing**

***Visitor Population - Existing Environment.*** The County of Maui has seen continual population increases since the 1970's. As of April 1, 2000, Maui County had an estimated resident population of 128,241. This represents an approximate increase of 27.6% over the resident population from April 1, 1990. The Lahaina region, in which the proposed project is located, saw proportional increases; the resident population of 17,967 in 2004 represented a 23% increase over the previous decade's numbers.

The *de facto* population includes visitors who are not residents. These visitors make up a large percentage of the people physically present in Maui County due to its status as a tourist destination. The *de facto* population in 2004 was 168,544.

The housing market has also been on the rise on Maui, with historically high home prices. The median home sales price in February 2006 was \$699,000.00, which represents an approximately 21.5% increase from the same period in the previous year. Sales of condominiums have been similar, with a median sales

price in February 2006 of \$443,962.00 representing an approximately 25.5 percent increase over the same period in the previous year.

West Maui remains an important part of the island's economic and visitor industry. Employment in that region was estimated at 28.4% of the island's wage and salary jobs in 2000 while the regional population only represented 15.3% of the island's resident population.

The proposed 145 new units (the 24 "lock-off" units being considered as separate units) are estimated to accommodate a maximum of 585 people. Current estimates project an increase in the island's visitor population of 1.6% annually, resulting in an increase of approximately 700 new visitors on Maui daily each year. The increased capacity from the proposed project is in line with island-wide estimates.

**Resident Population.** With new jobs created on Maui, workers can support their families. When the operations workforce stabilizes, the total population on Maui supported by operations-related jobs associated with the project will number about 700 (including project-related workers) in about 240 households.

**Housing Demand.** New jobs translate into new housing demand over time. Not all the direct, indirect, and induced workers associated with the project in 2008 stay on Maui over the long term. It is estimated that long-term demand for 39 to 78 new households in the Maui housing market due to the project. This demand is likely to include some early demand from in-migrants in the period 2006-2010, but the larger share of demand would spread over the period 2010-2020.

**Housing Supply.** Housing impacts of West Maui employment are spread over the entire island. This fact reflects an ongoing housing problem to which long-planned housing projects in West Maui may respond in the coming years.

Based on historical permitted construction of residential units and assumption detailed in the Socio-Economic Study, the average annual new resident construction could be about 723 units per year.

The housing demand estimates suggest that some 39 to 78 new project-related households would need homes. Even if as many as half of these needed homes in the same year, the new demand – 20 to 139 households – would be small in relation to new construction and to ongoing housing sales and rentals.

In this context, it is noted that the Maui County Council has recently passed a residential workforce housing policy ordinance. The project will be subject to some form of workforce housing assessment. ~~is currently in the process of creating a new "residential workforce policy" aimed at creating affordable and available housing for Maui's residents. The draft legislation is will be reviewed and commented upon by the three (3) Planning Commissions before being returned to the Council for final revisions. Such legislation could be enacted in 2006 or 2007.~~

~~If passed, the proposed legislation would be applicable to the timeshare addition project. The applicant may then be required to provide up to 44 affordable units or a commensurate cash contribution.~~

### 3. Fiscal Impacts

Fiscal impacts consist of the new revenues accruing to local government due to a project, offset by new costs also associated with the project. The applicant finds that no major new commitment of County and State funds is needed to support the project. Accordingly, the following deals only with new revenues associated with construction, marketing, and increased property values.

*State of Hawaii.* Development of the project involves investment in construction and in marketing the new units in the project. Spending from these activities is anticipated to create new revenues amounting to \$11.0 million for the State of Hawaii through 2011 (2002 dollars). Revenues are derived from excise taxes, corporate taxes, and personal income taxes.

*County of Maui.* The County would gain revenues from increased property values at the site. Estimates based on a factored County valuation of the existing Hyatt Regency Maui Resort property show annual new taxes of about \$0.5 million, and a cumulative impact of \$6.5 million through 2020.

### 4. Police Protection

*Existing Conditions.* The Maui Police Department has a station at the Lahaina Civic Center, about a mile from the project site. Approximately 40 officers are assigned to cover the entire West Maui area, with one covering a beat including Ka'anapali and part of Honokowai.

In the resort, hotels attempt to lessen the demand for police services by warning guests to lock cars and lanai doors, and provide security on their properties.

*Potential Impact.* West Maui has a population of about 18,000 residents and, on average, 23,000 visitors. The additional visitor population attributable to the proposed addition to the Hyatt Regency (approximately 580 people at full capacity) and additional employees in direct contact with those visitors (at most 230 workers) amount to a service population increase of 1.9%.

Hawaii's police departments face manpower shortages due to budget limits and the challenge of recruiting. If the Maui Police Department is to maintain or increase the ratio of officers to its service population, it will need to increase the number of policemen over the coming years. The share of that increase attributable to the proposed project would be about 30% of an officer's time. (That estimate is calculated as follows: 15 officers/41,000 persons in West Maui x 810 additional persons = 0.296.)

While anticipated demand is quantified in terms of service populations and government staff, the project's share of such costs has not been expressed in monetary terms. It should be clear, however, that the additional government costs ascribable to the project are appreciably smaller than the government revenues estimated in the analysis of fiscal impacts.

#### 5. Fire Protection

*Existing Conditions.* The Department of Fire Control, County of Maui maintains a station at the Lahaina Civic Center, about a mile from the project site. The Lahaina Station and Napili Station together serve the entire West Maui area, with two engines and a ladder truck.

*Potential Impacts.* The project will be built to current fire codes, and so will be less likely to involve fire hazards than older structures. Plans will need to be approved by the Prevention Bureau of the Fire Department. If the project is built to current codes it should not represent an added impact on the Fire Department's resources.

#### 6. Medical and Emergency Service

*Existing Conditions.* Maui is served by Maui Memorial Hospital in Wailuku. It has approximately 200 beds; a new expansion is under development to increase

Hyatt Regency Maui Addition



that bed capacity to 231. West Maui is more immediately served by doctors and clinics located in the district. Emergency services are provided by American Medical Response, which operates out of the Lahaina Civic Center.

Many West Maui residents view the current situation as unacceptable, and are pressing for the creation of an acute care hospital in their region.

*Potential Impacts.* Medical services are provided on an island-wide basis, not just for the district. The increased population associated with the project amounts to less than 0.5% of the de facto population of Maui Island. While the ongoing growth in population in West Maui may, sooner or later, make creation of a new emergency clinic or hospital in the region necessary, the share of demand from the proposed project is very small.

## 7. Education

*Existing and Anticipated Future Conditions.* Schooling on Maui is provided by the Hawaii State Department of Education and private schools. In the Lahaina District, public schools are located in Lahaina: King Kamehameha III and Princess Nahienaena Elementary Schools (through grade five), Lahaina Intermediate (grades six through eight) and Lahainaluna School (grades nine through twelve). Lahainaluna is the only public high school that can take boarders. These DOE schools are, according to current School Status and Improvement Reports, achieving satisfactory results, with enrollment slightly lessened from that of previous years. In sum, while facilities improvements are probably desirable, they are not critical for the core work of instruction at these schools.

Private schools in the district consist of Sacred Hearts School in Lahaina (grades K through twelve) and preschools. The Kamehameha Schools' Maui Campus is located outside the district, in Upcountry Maui, but draws students from all parts of Maui. The Maui Preparatory Academy has recently opened to serve grades 6 through 8, with plans to expand into elementary and high school classes in the coming years. School sites have been included in the plans for large proposed housing areas, and these schools would likely be built in response to new demand as the number of residents increases.

*Potential Impacts.* The Hyatt Addition project will create lodgings for transients, not residents, and hence will not include students in local schools. No direct impact is expected.

New spending by visitors will create jobs and hence support the growth of population and households on Maui. A total of 770 persons (including workers) will in time be supported by operations and operations-related jobs associated with spending by visitors staying at the proposed project.

Combining data from the DOE with 2000 Census figures for Maui County, we can estimate average school enrollment among residents. For every 100 residents in 2000, there were:

- 7.95 students in Kindergarten through grade five;
- 3.72 students in grades six through eight; and
- 4.76 students in grades nine through twelve.

For the 770 persons supported by direct, indirect and induced operations jobs on Maui as of 2011, this suggests a total DOE school enrollment of 126 students. Those students would be spread throughout Maui, since they are supported by jobs at locations throughout the island (and Maui workers, especially West Maui workers, need not live near their place of work).

While Maui County, following projections provided by DBEDT, anticipates continuing population growth, the State Department of Education has recently emphasized that the public school population is growing only in a few areas (DOE, 2002). Leeward Oahu and Maui Districts have seen major growth since 1990. On Maui, the DOE has responded with new school construction, in Upcountry, South Maui, and Central Maui.

The new school population associated with the project will increase over the next few years, as part of the overall continuing growth to be expected on Maui. It will be located in or near residential areas throughout the island, not one particular area. In light of these factors, the impact is expected to be small on any one school, and would not create significant new demand for services.

## 8. Recreation

**Existing Conditions.** Public recreation in West Maui is available in the ocean, reached through beach areas such as Ka'anapali and State and County beach parks. Also, Maui County provides recreational facilities at the Lahaina Civic Center (gymnasium, tennis courts) and sports fields in Lahaina. The County operates some 130 parks and recreational facilities on Maui, Molokai and Lanai.

At Ka'anapali, beaches are accessible to the public. For resort guests, beaches, nearby open areas and pools are major recreation sites.

**Potential Impacts.** The project will increase the maximum visitor population capacity at the Hyatt Regency by some 580 persons while adding to the on-site recreational resources through such amenities as the new swimming pool.

Visitors staying at the new timeshare building and residents supported by jobs associated with the project will use State and County park facilities on Maui. The numbers involved are small relative to both the current user populations and available facilities.

#### 9. Impacts to Adjacent Properties

**Potential Impacts.** The major likely impacts consist of construction-period irritants, largely felt in the immediate area around the project site, and long-term economic growth for the resort and West Maui. The immediate neighborhood consists of the Ka'anapali Ali'i, the Maui Ocean Club and its facility. These properties will be nearest to the construction and hence will be most affected by noise, vibration, dust and traffic associated with construction activities. The extent of direct construction impacts cannot be fully predicted.

News of the project has occasioned response from some owners of the *mauka* Ka'anapali Vista neighborhood, who have expressed concern about the impact to traffic and to their viewplane.

**Mitigation of Construction-Related Impacts.** Potential mitigation measures include:

- Construction-related dust, vibration, noise, and traffic impact mitigation measures, as identified in Section III of this report.
- Limiting hours of construction, consistent with Department of Health rules for noise permits.
- Siting of buildings to increase building separation, lessening direct construction impacts.
- Scheduling construction to low-visitor periods in order to lessen impacts during peak occupancy seasons.

***Project Design in Consideration of Private Views from Adjacent Developments.***

Although impacts to private views have been carefully evaluated in the pre-consultation and design phases of the proposed action, inclusion of these impacts are intended to be evaluated in the context of the following criteria:

- Impacts from private vantage points are not impacts to the public. Consideration has been given to the publicly-identified viewplanes.
- The potential for view obstructions from the proposed development has been a foreseeable impact during the development and purchase of neighboring residential projects. The proposed development is consistent with the Maui County zoning regulations relative to lot coverage, developable floor area, height and setbacks that have existed since planning and initial development of the Ka'anapali Resort more than forty years ago.
- Ka'anapali is a master-planned resort; the section of shoreline area which includes the subject property has been designated for high-density hotel development.

**10. Impacts to the Resort**

Anticipated construction-period impacts to the Hyatt Regency Resort consist of (a) noise from construction-related activities and equipment and (b) traffic obstruction due to large vehicles and problems with parking. The first appears unavoidable, although it can be limited in hours and season. The latter can be controlled through construction timing and provision of parking on-site for construction vehicles and workers, as planned.

An impact of the project is the encouragement it gives to the accommodation of the resort to time-share operations. Without such luxury properties as those that have given Wailea prominence, Ka'anapali risked becoming a less desirable resort. The move to hotel-backed time-shares brings high occupancies and draws on Ka'anapali's strength, i.e., the presence of major hotel brands which will assure quality of lodgings. This move is in-line with other developments in the area.

Time-share visitors stay longer than others, on average, yet spend comparable amounts per person per day. With longer stays, they will tend to visit other parts of the Ka'anapali resort and of Maui Island, so that the increased visitor count will affect attractions, restaurants and stores throughout Ka'anapali and West Maui. Again, the increased visitor count will result in increased demand for golf at the Ka'anapali courses and, to an extent, elsewhere.

## 11. Impacts to the Region

Neighbor Island time-share visitors are affluent and stay longer than other US Mainland visitors. They are likely to spend more time away from their lodgings, so their spending is spread over a larger area. The proposed project (along with other, area time-share projects) will contribute to the West Maui and Maui Island economies, supporting increasing numbers of visitor-related jobs.

With continuing prosperity at Ka'anapali and growth in the local workforce, pressure for more resident housing in West Maui and for improved road access into and out of the region will also continue. The share of that pressure attributable to the project is, however, very small, since these are longstanding issues of concern to the region.

### C. INFRASTRUCTURE

Alcon & Associates, Inc., a civil engineering firm, has prepared a Preliminary Engineering and Drainage Report for the project. The report addresses the existing infrastructure, proposed modifications, and supporting calculations where applicable. The following descriptions of existing infrastructure and potential impacts are based on the summarized sections, calculations, and discussions from the Report. A copy of the Preliminary Engineering and Drainage Report is included in this document as Appendix K.

#### 1. Domestic Water

*Existing Conditions.* Ka'anapali Resort is served by a private water system owned and operated by Aqua Source Company. The source of potable water for the private water system is four wells with an aggregate design capacity of 3.7 MGD. The current pumping rate of the wells is around 2.9 MGD.

The estimated water consumption for the existing hotel property, including parcels 4, 5, and 8 is approximately 500,000 gallons per day (GDP). This includes water used both for domestic consumption and irrigation purposes. The Hyatt Regency has a long-standing agreement with Aqua Source for the provision of water without any specific allocation.

*Potential Impacts.* The proposed project will result in an additional water demand of approximately 6 percent or 30,000 GDP. Aqua Source Company has confirmed that they will provide water for the project. In addition, the applicant is currently investigating water conservation measures to be introduced at both the

existing hotel and the timeshare addition, to reduce overall water demand. These measures include the use of treated, non-potable water for irrigation and a laundry water recycling system. The applicant is currently exploring various possibilities relating to water source. The preferred option would involve securing a new agreement with Aqua Source Company to ensure provision of the additional water required; alternately, additional water conservation measures may be introduced at the existing hotel to reduce overall water use and result in a zero-sum increase over current demand.

Fire flow for hotel-zoned districts is 2,000 gpm. The existing source, storage and transmission system can readily provide this fire flow rate. Moreover, since the timeshare units will be equipped with fire sprinklers and the building will be of Type 1 non-combustible construction, the fire flow demand is expected to be less than 2,000 gpm after all the appropriate credits (basis for reduction) are applied.

**Potential Mitigation Measures:** The County Department of Water Supply has provided the following potential mitigation measures aimed at water conservation:

- Use brackish and/or reclaimed water for non-potable water uses, such as dust control and irrigation during and after construction.
- Utilize low-flow fixtures and devices, including faucets, showerheads, urinals, water closets and hose bibs, water conserving washing machines and ice-makers.
- Maintain fixtures to prevent leaks.
- Prevent over-watering by automated systems: provide rain-sensors on all automated irrigation controllers.
- Look for opportunities to conserve water: use brooms instead of hoses, use hand-operated spray nozzles, check for leaks.

## 2. Wastewater System

**Existing Conditions.** A 12-inch gravity sewer line on Nohea Kai Drive collects wastewater from hotels on the *makai* (west) side of this road and directs it into a pump station located in the vicinity of the project site. This pump station conveys wastewater to the County's 21-inch gravity transmission line on Honoapiilani Highway.) A pump station near the intersection of Honoapiilani Highway and Ka'anapali Parkway and a series of force mains and gravity interceptors then transport wastewater from Ka'anapali Resort and Lahaina Town to the Lahaina

Wastewater Reclamation Facility (LWRF) south of Honokowai Gulch for treatment and processing.

Using a peaking factor of 2, the County's Division of Wastewater Reclamation (CDWR) estimates that the pump station and transmission system in Ka'anapali is presently operating at roughly 67% of capacity. Daily flow through the LWRF in June, 2002, was 6.38 MGD. The plant capacity was up sized in 1995 from 6.7 to 9.0 MGD. The average daily flow capacity of the facility is now 9.0 MGD, and the plant has a design peak flow capacity of 19.8 MGD to accommodate higher wet weather flows.

*Potential Impacts and Mitigation Measures.* An estimate of wastewater generation was made by assuming that 80% of the potable water used ends up in the wastewater stream. The CDWR uses a value of 250 gpd for hotel rooms without laundry facilities. At the more conservative rate, the project is expected to increase by 225 GPD per unit or 32,600 GPD in total.

Based on recent information obtained from the CDWR, the existing pump station and force main in Ka'anapali Resort as well as the County's transmission and Wastewater Reclamation Facility in Lahaina all have ample reserve capacity to handle the additional wastewater that will be generated by the proposed project.

### 3. Drainage

*Existing Conditions.* Stormwater runoff at the project site is currently accommodated by a combination of underground detention systems, storm drain connections to offsite drainage systems and sheetflow to an offsite waterway. The runoff generated under a 50-year/1-hour storm, as measured in cubic feet per second (cfs) are as follows:

<i>Parcel 004:</i>	25.3 cfs
<i>Parcel 005:</i>	24.4 cfs
<i>Parcel 008:</i>	12.2 cfs
<b>Total:</b>	<b>61.9 cfs</b>

Of this total, 8.5 cfs discharges into an offsite drainage system, 3.7 cfs is handled by an underground detention system, and 49.7 cfs flows into an adjacent waterway.

**Potential Impacts and Mitigation Measures.** The existing drainage patterns onsite shall be maintained and there will be no net increase in runoff volume leaving the site when the project is completed. The volume of surface runoff generated by the various parcels will increase by approximately 10 percent due to increased impermeable surfaces. This additional runoff will be accommodated by new underground detention systems. New catch basins and storm drain systems will be installed to minimize surface ponding and to direct storm runoff into the underground detention systems.

The proposed drainage improvements will capture any additional 10 percent of runoff beyond that resulting from the proposed addition.

#### 4. Solid Waste

**Existing Conditions.** The Hyatt Regency Maui Hotel has a recycling program that includes glass, plastics, cardboard, grease, food waste, and paper products. All recyclable products are collected and brought to the hotel loading dock for pick-up by a contracted private disposal firm. Non-recyclable solid waste is also collected by contracted private firms and is then transported to the County's solid waste transfer station at Olowalu or directly to the County's landfill site in Puunene in Central Maui.

**Potential Impacts and Mitigation Measures.** Construction solid waste will be handled in accordance with the County's solid waste policy, recycling materials that may be reusable whenever feasible.

The proposed project will involve the demolition of the existing tennis courts, and on-grade parking areas. An estimated 50 cubic yards of concrete and a like amount of CMU block will be removed from the project site as parking stalls on Parcel 8 are replaced by the proposed timeshare addition.

In future discussions with the general contractor, the applicant will request that certain materials from demolition, such as steel members and re-bars will be shipped to Oahu for re-cycling. Other construction materials such as concrete and asphalt may be crushed and re-used for fill material, where feasible, either on-site or by being sent to the relevant facility. Green waste from grading and grubbing activities will also be disposed of at the County's Olowalu facility. As discussed in Section II.A.5, the applicant will coordinate with the County regarding the disposition of sand excavated during project implementation.



The applicant will consider options to extend the current hotel recycling program to the timeshare addition.

**5. Electrical and Telephone Systems**

*Existing Conditions.* Electrical and telephone distribution systems in Ka'anapali Resort have all been constructed underground. The Hyatt Regency Maui Addition project will be served off the underground distribution system on Nohea Kai Drive.

*Potential Impacts and Mitigation Measures.* According to the system engineering staff at MECO, the utility has adequate capacity to handle the additional load that will be created by the proposed timeshare units.

**D. TRANSPORTATION**

~~Existing Conditions.~~ Access to and egress from the project is via three driveways along Nohea Kai Drive, a two-way divided roadway. The roadway is not striped for four lanes but there is sufficient width to do so in the future. Nohea Kai Drive intersects with the Resort's main thoroughfare, Ka'anapali Parkway. This roadway is also a two-way divided roadway that is not striped and has room for four lanes. Both roadways are privately owned. The intersection of Ka'anapali Parkway at Nohea Kai Drive is unsignalized. Ka'anapali Parkway intersects with Honoapiilani Highway, a State Highway which provides primary access to the central isthmus of the island, where the primary airport is located.

*Existing Conditions.* Phillip Rowell and Associates has prepared a Traffic Impact Assessment (TIAR) for the project, included as Appendix L. The methodology of the analysis included measurement of existing traffic generated from the project, background traffic levels, and extrapolating of future traffic conditions with and without the project (with the future design year of 2010).

The traffic impact study area for this study is consistent with the study area for other traffic impact studies in Kaanapali and recent direction from the County of Maui Department of Public Works. The study intersections are listed in the following table:

Number	Intersection	Right-of-Way Control	Jurisdiction
1	Honoapiilani Highway at Kaanapali Parkway	Signalized	State
2	Kaanapali Parkway at Nohea Kai Drive	Unsignalized	Private
3	Kaanapali Parkway at Kekaa Drive	Unsignalized	Private
4	Kekaa Drive at Kualapa Loop	Unsignalized	Private
5	Kekaa Drive at Maui Eldorado	Unsignalized	Private
6	Honoapiilani Highway at Maui Eldorado	Unsignalized	State
7	Honoapiilani Highway at Puukolli Road	Signalized	State

**Nohea Kai Drive**

Access to and egress from the project is via Nohea Kai Drive. Nohea Kai Drive is a two-lane divided roadway. The roadway is not striped for four lanes, but there is sufficient width to do so in the future. The TIAR assumes that Nohea Kai Drive would operate as a two-way, two-lane divided roadway.

**Kaanapali Parkway**

Kaanapali Parkway is also a two-lane divided roadway. It is not striped for two lanes in each direction. However, there is sufficient width for two lanes in each direction and traffic operates accordingly. Therefore, the TIAR assumes that this roadway is a four-lane divided roadway. The intersection of Kaanapali Parkway at Nohea Kai Drive is unsignalized.

~~During the morning peak hour, all intersections and traffic movements operate at Level of Service (LOS) D or better. LOS D or better is typically considered acceptable for peak hour conditions in urban areas. During the afternoon peak hour, the intersection of Honoapiilani Highway at Ka'anapali Parkway operates at LOS F. The eastbound left, the northbound left and the southbound through movement operates at LOS F and has a high volume-to-capacity ratio. The westbound approach operates at LOS E as the delay is long. However, the volume-to-capacity ratio is only 0.26, which implies that the poor level of service is the result of having to wait for the traffic signal to go through the cycle before this movement receives a green light to move. For the unsignalized intersections, all movements operate at LOS C, or better, except the left turn movement from westbound Nohea Kai Drive to northbound Ka'anapali Parkway, which operates at LOS D during the afternoon peak hour.~~

~~Applicable Studies. Phillip Rowell and Associates has prepared a Traffic Impact Assessment for the project; it is included as Appendix L. The methodology of the analysis included measurement of existing traffic generated from the project, background traffic levels, and extrapolating of future traffic conditions with and without the project (with the future design year of 2010).~~

~~Affected Environment Operation-related Traffic Impacts. The TIAR analyzed traffic impacts from the stabilized (post-construction) operations of the timeshare addition at~~

Year 2010. It estimates that during the morning peak hour, all movements at the intersection of Honoapiilani Highway and Ka'anapali Parkway will operate at LOS C, or better. During the afternoon peak hour, the intersection will operate at LOS E, both without and with project generated traffic. There is no change on the level of service of any traffic movement as a result of project generated traffic, which represents only 2% of the morning peak hour traffic and 1.5% of the afternoon peak hour traffic at this intersection.

The intersection of Ka'anapali Parkway at Nohea Kai Drive will operate at LOS C, or better during the morning peak hour. During the afternoon peak hour, left turns from eastbound Nohea Kai Drive to northbound Ka'anapali Parkway will operate at LOS E, without and with the project. The report suggests that mitigation should be considered to improve this future condition.

The existing levels of service at the study intersections are summarized in Tables 5 and 7 of the TIAR. The results shown in table 5 are the volume-to-capacity ratios, delays, and levels of service of all the controlled movements of the signalized intersections. For unsignalized intersections, Table 7 shows the control delays and level of service of each movement. Volume-to-capacity ratios are not calculated for unsignalized intersections.

**Table 5 Existing (2005) Levels-of-Service - Signalized Intersections**

Intersection and Movement	AM Peak Hour			PM Peak Hour		
	V/C <sup>1)</sup>	Delay <sup>2)</sup>	LOS <sup>3)</sup>	V/C <sup>1)</sup>	Delay <sup>2)</sup>	LOS <sup>3)</sup>
<b>Honoapiilani Hwy at Kaanapali Pkwy</b>	<b>0.65</b>	<b>20.6</b>	<b>C</b>	<b>1.23</b>	<b>98.2</b>	<b>F</b>
Eastbound Left:	0.65	32.1	C	1.27	184.7	F
Eastbound Thru:	0.02	19.9	B	0.01	35.4	D
Eastbound Right:	0.20	21.4	C	0.76	51.0	D
Westbound Left, Thru & Right:	0.09	20.3	C	0.26	62.3	E
Northbound Left:	0.62	31.0	C	1.13	122.0	F
Northbound Thru:	0.55	14.0	B	0.73	21.0	C
Northbound Right:	0.00	9.3	A	0.05	11.1	B
Southbound Left:	0.15	30.5	C	0.52	71.6	E
Southbound Thru:	0.67	19.7	B	1.23	145.0	F
Southbound Right:	0.05	13.1	B	0.10	22.7	C
<b>Honoapiilani Hwy at Puukoli Road</b>	<b>0.76</b>	<b>18.5</b>	<b>B</b>	<b>0.67</b>	<b>21.3</b>	<b>C</b>
Eastbound Left & Thru:	0.33	34.9	C	0.23	33.4	C
Eastbound Right:	0.09	31.1	C	0.31	35.1	D
Westbound Left & Thru:	0.33	35.1	D	0.51	39.2	D
Westbound Right:	0.10	31.6	C	0.13	32.1	C
Northbound Left:	0.32	38.9	D	0.50	43.4	D
Northbound Thru:	0.48	13.8	B	0.67	17.2	B
Northbound Right:	0.07	10.4	B	0.07	10.3	B
Southbound Left:	0.34	41.5	D	0.37	42.2	D
Southbound Thru:	0.58	16.3	B	0.69	18.7	B
Southbound Right:	0.04	11.1	B	0.04	11.1	B

NOTES:

1. V/C denotes ratio of volume to capacity.
2. Delay is in seconds per vehicle.
3. LOS denotes Level-of-Service calculated using the operations method described in *Highway Capacity Manual*. LOS is based on delay.

**Table 7 Existing (2005) Levels-of-Service Analysis for Unsignalized Intersections<sup>(1)</sup>**

Intersection and Movement	AM Peak Hour		PM Peak Hour	
	Delay <sup>1</sup>	LOS <sup>2</sup>	Delay <sup>1</sup>	LOS <sup>2</sup>
<b>Kaanapali Pkwy at Nohea Kai Drive</b>				
Northbound Left:	8.6	A	11.1	B
Eastbound Left:	16.6	C	30.6	D
Eastbound Right:	10.2	B	14.7	B
<b>Kaanapali Pkwy at Kekaa Drive</b>				
Northbound Left:	7.5	A	7.8	A
Southbound Left:	7.5	A	7.9	A
Westbound Left, Thru & Right:	11.6	B	16.5	C
Eastbound Left, Thru & Right:	10.7	B	9.4	A
<b>Kekaa Drive at Kualapa Loop</b>				
Southbound Left:	7.4	A	7.3	A
Westbound Left & Right:	10.1	B	9.4	A
<b>Kekaa Drive at Maui Eldorado</b>				
Northbound Left, Thru & Right:	7.3	A	7.3	A
Southbound Left, Thru & Right:	7.4	A	7.5	A
Westbound Left, Thru & Right:	11.5	B	17.6	C
Eastbound Left, Thru & Right:	9.5	A	11.2	B
<b>Honoapiilani Hwy at Maui Eldorado</b>				
Northbound Left:	16.6	C	16.5	C
Eastbound Right:	20.1	C	21.1	C

NOTES:  
 (1) Delay in seconds per vehicle.  
 (2) LOS denotes Level-of-Service calculated using the operations method described in Highway Capacity Manual. Level-of-Service is based on delay.

**Conclusions of the Level of Service Analysis for Existing Conditions**

1. During the morning peak hour, all intersections and traffic movements operate at level of service D or better. Level of service D or better is typically considered acceptable for peak hour conditions in urban areas.
2. During the peak afternoon hour, the intersection of Honoapiilani Highway at Kaanapali Parkway operates at level of service F. The eastbound left, the northbound left and the southbound through movement operates at level of service F and has a high volume-to-capacity ratio. The westbound approach operates at Level of service E, as the delay is long. However, the volume-to-capacity ratio is only 0.26, which implies that the poor level of service is the result of having to wait for the traffic signal to go through the cycle before this movement receives a green light to move.
3. During the afternoon peak hour, the intersection of Honoapiilani Highway at Puukolii Road operates at a level of service C and all movements operate at a level of service D or better.
4. For the unsignalized intersections, all movements operate at level of service C or better, except the left turn movement from westbound Nohea Kai Drive to northbound Kaanapali Parkway, which operates at level of service D during the afternoon peak hour.

Potential Impacts and Mitigation Measures

An analysis was undertaken to estimate the amount of project-generated traffic at various intersections. Generally, the process involved the determination of weekday peak-hour trips that would be generated by the proposed project, distribution and assignment of these trips on the approach and departure routes, and finally, determination of the levels of service at affected intersections and driveways subsequent to implementation of the project.

An analysis of the changes in traffic volumes at the study intersections along Honoapiilani Highway is summarized in Table 11 of the TIAR. The largest changes are at the intersection of Honoapiilani Highway at Kaanapali Parkway, where the morning and afternoon increases are 2.0% and 1.5%, respectively. This compares to increases of 21.5% and 16.9%, respectively, as a result of background growth and traffic generated by related development projects.

An analysis of the project's pro rata share of the increase in traffic volumes between 2005 and 2010 is summarized in Table 12 of the TIAR. The project's share of traffic growth along Honoapiilani Highway ranges from 3.0% to 10.3%, with the largest increase at the intersection of Honoapiilani Highway at Kaanapali Parkway. The conclusion of this analysis is that traffic growth as a result of background growth and traffic generated by related projects is significantly greater than traffic growth as a result of project generated traffic.

**Table 11 Analysis of Total Intersection Approach Volumes Along Honoapiilani Highway <sup>(1)</sup>**

Intersection	Period	Existing	2010 Background	2010 Background Plus Project	Percent Growth from Background Growth <sup>(2)</sup>	Percent Growth from Project Traffic <sup>(3)</sup>
Honoapiilani Hwy at Kaanapali Pkwy	AM	2930	3580	3632	21.5%	2.0%
	PM	4329	5080	5136	16.9%	1.5%
Honoapiilani Highway at Maui Eldorado	AM	2830	3280	3306	24.7%	0.8%
	PM	3081	3825	3848	24.1%	0.6%
Honoapiilani Hwy at Puukohii Road	AM	2370	2950	2976	24.5%	0.6%
	PM	3160	3850	3873	21.8%	0.6%
Averages	AM	2843	3283	3305	23.5%	1.3%
	PM	3523	4245	4286	20.5%	1.0%

Notes:  
 (1) Volumes shown are total intersection approach volumes or projections.  
 (2) Background growth compared to existing volumes.  
 (3) Growth from project traffic compared to background plus project traffic projections.

**Table 12 Analysis of Growth of Total Intersection Approach Volumes <sup>(1)</sup>**

Intersection	Period	Existing	2010 Background	Background Plus Project	Background Growth <sup>(2)</sup>		Project Trips <sup>(3)</sup>	
					Volume	% of 2005 to 2010 Growth	Volume <sup>(4)</sup>	% of 2005 to 2010 Growth
Honoapiilani Hwy at: Kaanapali Pkwy	AM	2930	3590	3632	630	89.7%	72	10.3%
	PM	4328	5090	5136	731	90.6%	78	9.4%
Honoapiilani Highway at Maui Eldorado	AM	2830	3290	3306	650	88.2%	28	3.8%
	PM	3081	3825	3848	744	97.0%	23	3.0%
Honoapiilani Hwy at: Puukolli Road	AM	2370	2950	2976	590	95.7%	28	4.3%
	PM	3160	3850	3873	690	96.8%	23	3.2%
Averages	AM	2843	3283	3305	620	93.7%	42	6.3%
	PM	3523	4245	4286	722	94.6%	41	5.4%

- Notes:
- (1) Volumes shown are total intersection approach volumes or projections.
  - (2) Background versus existing.
  - (3) Background plus project versus background.
  - (4) Project generated traffic

~~Operation-related Potential Mitigation Measures. The applicant has committed to a variety of measures, not only to mitigate traffic impacts resulting from the proposed development, but to lessen the total traffic generated by the Hyatt properties. These measures include increased mass transportation services for both guests and employees; establishing programs to encourage the use of shuttle services for the guests from the airport to the resort properties, participation in and support for Lahaina Bypass Now, and contributions to a traffic impact fund to be administered by the County of Maui.~~

~~The TIAR suggests that mitigation is required at the intersection of Ka'anapali Parkway and Nohea Kai Drive to mitigate an expected LOS E during the afternoon peak hour. It should be noted that this intersection would operate at LOS E without and with the project. This implies that background growth and traffic from related projects increases the traffic volumes and delays such that LOS E is the result. The proposed project contributes additional traffic that further aggravates the long delays. Suggested mitigation measures include signalization of the intersection or the provision of a traffic roundabout.~~

~~It is further recommended that the intersection of Nohea Kai Drive and the proposed project entrance way be converted to an All Way STOP sign controlled intersection to address the safety of pedestrians as well as to control the speed of vehicles approaching the intersection.~~

**Results of the Level of Service Analysis**

The level of service analysis of the signalized intersections was performed for background and background-plus-project conditions and then compared. The

incremental difference of the volume-to-capacity ratios and delays between the two conditions is the impact of the project. The existing highway right-of-way controls and intersection configurations will be maintained.

The results of the level of service analysis of the signalized intersections are summarized in Table 13 of the TIAR. The results for three intersections are shown. Shown are the volume-to-capacity ratios, average vehicle delays and levels of service.

The results of the level of service analysis of the unsignalized intersections are summarized in Table 14 of the TIAR. Shown are the average vehicle delays and levels of service of the controlled lane groups. Overall delays and levels of service are not calculated for unsignalized intersections.

Table 13 2010 Levels-of-Service - Signalized Intersections

Intersection and Movement	AM Peak Hour								PM Peak Hour							
	Without Project			With Project			Changes		Without Project			With Project			Changes	
	VC <sup>1</sup>	Delay <sup>2</sup>	LOS <sup>3</sup>	VC	Delay	LOS	Delay	LOS	VC <sup>1</sup>	Delay <sup>2</sup>	LOS <sup>3</sup>	VC	Delay	LOS	Delay	LOS
<b>Monopikani Hwy at Kaanapali Pkwy</b>	3.78	25.6	C	0.90	25.9	C	3.02	3.2	1.01	68.2	E	1.03	69.1	E	0.02	0.9
Eastbound Left	3.65	32.4	C	0.59	33.9	C	3.04	1.5	0.90	55.7	E	3.54	76.1	E	0.04	5.4
Eastbound Thru	3.02	19.5	B	0.32	19.9	B	3.00	3.0	0.31	35.3	D	3.01	35.3	D	0.00	0.0
Eastbound Right	3.23	21.7	C	0.25	21.9	C	3.02	3.2	0.58	44.5	D	3.02	46.0	D	0.04	1.1
Westbound Left, Thru & Right	3.05	20.1	C	0.35	20.1	C	3.00	3.0	0.17	59.7	E	3.17	59.7	E	0.00	0.0
Northbound Left	3.63	31.1	C	0.59	32.5	C	3.05	1.4	0.57	59.3	E	3.90	62.9	E	0.03	3.5
Northbound Thru	3.67	16.0	B	0.67	16.0	B	3.00	3.0	3.68	19.8	B	3.68	19.8	B	0.00	0.0
Northbound Right	3.01	9.3	A	0.31	9.3	A	3.00	3.0	0.33	11.0	B	3.03	11.0	B	0.00	0.0
Southbound Left	3.15	30.5	C	0.15	30.5	C	3.00	3.0	0.39	65.7	E	0.39	65.7	E	0.00	0.0
Southbound Thru	3.93	32.3	C	0.93	32.3	C	3.00	3.0	1.17	119.7	F	1.17	119.7	F	0.00	0.0
Southbound Right	3.12	13.6	B	0.15	13.3	B	3.02	3.2	0.10	22.8	C	3.11	22.9	C	0.01	0.1
<b>Monopikani Hwy at Puukohi Road</b>	3.77	20.5	C	0.77	21.1	C	3.00	3.2	3.98	27.0	C	3.58	27.3	C	0.00	0.3
Eastbound Left & Thru	3.22	34.8	C	0.32	34.9	C	3.00	3.0	0.23	33.4	C	0.23	33.4	C	0.00	0.0
Eastbound Right	3.06	31.1	C	0.36	31.1	C	3.00	3.0	0.32	35.2	D	0.32	35.2	D	0.00	0.0
Westbound Left & Thru	3.34	35.2	C	0.34	35.2	C	3.00	3.0	0.52	39.5	D	0.52	39.5	D	0.00	0.0
Westbound Right	3.09	31.6	C	0.39	31.6	C	3.00	3.0	0.13	32.1	C	0.13	32.1	C	0.00	0.0
Northbound Left	3.32	38.7	D	0.32	38.7	D	3.00	3.0	0.50	43.4	D	0.50	43.4	D	0.00	0.0
Northbound Thru	3.57	15.3	B	0.59	15.4	B	3.01	3.1	3.94	22.5	C	3.85	22.9	C	0.01	0.4
Northbound Right	3.08	10.4	B	0.38	10.4	B	3.00	3.0	0.37	10.3	B	3.07	10.3	B	0.00	0.0
Southbound Left	3.35	41.8	D	0.35	41.9	D	3.00	3.0	0.39	42.5	D	0.39	42.5	D	0.00	0.0
Southbound Thru	3.79	21.6	C	0.80	21.9	C	3.01	3.3	0.91	26.4	C	0.92	26.9	C	0.01	0.4
Southbound Right	3.04	11.1	B	0.34	11.1	B	3.00	3.0	0.35	11.1	B	0.35	11.1	B	0.00	0.0

NOTES  
1 VC denotes ratio of volume to capacity  
2 Delay is in seconds per vehicle  
3 LOS denotes level of service calculated using the operational method described in Highway Capacity Manual. LOS is based on delay.

**Table 14 2010 Levels-of-Service Analysis for Unsignalized Intersections**

Intersection and Movement	AM Peak Hour				PM Peak Hour			
	Without Project		With Project		Without Project		With Project	
	Delay <sup>1</sup>	LOS <sup>2</sup>	Delay	LOS	Delay	LOS	Delay	LOS
<b>Kaanapali Pkwy at Nohea Kai Drive</b>								
Northbound Left	8.7	A	8.9	A	12.2	B	12.8	B
Eastbound Left	17.0	C	19.3	C	37.4	E	44.2	E
Eastbound Right	10.4	B	10.8	B	18.4	C	18.4	C
<b>Kaanapali Pkwy at Kekaa Drive</b>								
Northbound Left	7.5	A	7.5	A	7.7	A	7.5	A
Southbound Left	7.6	A	7.6	A	7.9	A	7.9	A
Westbound Left, Thru & Right	12.1	B	12.2	B	18.5	C	18.8	C
Eastbound Left, Thru & Right	10.7	B	10.7	B	9.1	A	9.1	A
<b>Kekaa Drive at Kualapa Loop</b>								
Southbound Left	7.5	A	7.5	A	7.4	A	7.4	A
Westbound Left & Right	11.1	B	11.1	B	10.2	B	10.2	B
<b>Kekaa Drive at Maui Eidorado</b>								
Northbound Left, Thru & Right	7.3	A	7.3	A	7.3	A	7.3	A
Southbound Left, Thru & Right	7.4	A	7.4	A	7.6	A	7.6	A
Westbound Left, Thru & Right	12.3	B	12.3	B	19.8	C	20.0	C
Eastbound Left, Thru & Right	9.6	A	9.6	A	11.4	B	11.4	B
<b>Honoapiilani Hwy at Maui Eidorado</b>								
Northbound Left	24.7	C	25.2	D	24.8	C	24.7	C
Eastbound Right	33.8	D	34.3	D	38.4	E	38.7	E

NOTES:  
 (1) Delay in seconds per vehicle.  
 (2) LOS denotes Level-of-Service calculated using the operations method described in Highway Capacity Manual. Level-of-Service is based on delay.

## **Conclusions of Level of Service Analysis**

### **Honoapiilani Highway at Kaanapali Parkway**

1. During the morning peak hour, all movements will operate at level of service C or better.
2. During the afternoon peak hour, the intersection will operate level of service E, without and with project generated traffic. There is no change in the level of service of any traffic movement as a result of project generated traffic.

### **Honoapiilani Highway at Puukoolii Road**

3. The intersection will operate at level of service C, during the morning and afternoon peak hours, without and with project generated traffic. All movements will operate at level of service D or better.

### **Kaanapali Parkway at Nohea Kai Drive**

4. The intersection of Kaanapali Parkway at Nohea Kai Drive will operate at level of service C or better during the morning peak hour.



5. During the afternoon peak hour, left turns from eastbound Nohea Kai Drive to northbound Kaanapali Parkway will operate at level of service E, without and with the project. The TIAR recommends that mitigation should be considered to improve this condition.

**Kaanapali Parkway at Kekaa Drive**

6. All movements at the intersection of Kaanapali Parkway at Kekaa Drive will operate at level of service B or better during the morning peak hour, and level of service C or better during the afternoon peak hour.

**Kekaa Drive at Kualapa Loop**

7. All movements will operate at Level of service B or better during both peak periods without and with project-generated traffic.

**Kekaa Drive at Maui Eldorado**

8. All movements at the intersection of Kekaa Drive and the Maui Eldorado entrance will operate at level of service B or better during the morning peak hour, and level of service C or better during the afternoon peak hour.

**Honoapiilani Highway at Maui Eldorado**

9. During the morning peak hour, all movements will operate at level of service D or better, which is an acceptable level of service. During the afternoon peak hour, the right turns onto southbound Honoapiilani Highway will operate at level of service E. The average vehicle delay is 36.4 second without the project and 36.7 seconds with the project. An average vehicle delay of 35.0 seconds or less is level of service D. Therefore, the average vehicle delays are only slightly above the delay that would represent an acceptable level of service. This means that the level of service E would be for only a very short time period during the peak hour. The traffic consultant has been advised that level of service E would be tolerated for short periods during the peak hour if the overall intersection will operate on an acceptable level of service. Level of service E is considered acceptable under certain circumstances.

~~At the Ka'anapali Parkway and Honoapiilani Highway intersection, the project's pro rata share of traffic growth between 2005 and 2010 is 10.3% of the projected increase during the morning peak hour volume and 9.4% of the projected increase of the afternoon peak hour volume. These percentages represent of project's share of improving the intersection as described in the Maui Long Range Land Transportation Plan. As the projected traffic conditions are the basis of the level of service analysis and other development projects in~~

the area represent a much larger percentage of the anticipated traffic growth, the proposed project should only be liable for its pro rata share on improving the intersection.

At the design year (2007) most intersections in the project area will operate at acceptable service levels. Problem traffic movements include left and right turns onto Ka'anapali Parkway from Nohea Kai Drive. Left turns from this intersection will operate at a level of service "D" in the AM peak hour and "F" in the PM peak hour. Right turns from the intersection will operate at level of service "B" in the AM peak hour and "D" in the PM peak hour. 2007 traffic levels accounted for general 1.6% annual growth along the roadways, an (estimated) 100 unit expansion of the Hyatt Regency (also located on Nohea Kai Drive), and additional growth of traffic on Ka'anapali Parkway due to residential and commercial projects in the Resort that are under construction or have received developmental approval.

The study estimates that the project will add 20 trips to the AM peak hour traffic and 1 trip in the PM peak hour traffic on the adjacent street (Nohea Kai Drive). This amount of traffic is marginal, and below the threshold identified by the Institute of Transportation Engineers (100 trips) as the point where a traffic impact study should be prepared. Maui County has not established a threshold value. According to the modeling used in the analysis, the increase due to project related traffic will not affect the level of service of any traffic movement at the intersection of Nohea Kai and Ka'anapali Parkway. Even less traffic due to the project would be anticipated at the Ka'anapali Parkway/Honoapiilani Highway intersection.

#### Proposed Mitigation Measures

Based on the findings of the level of service analysis, the TIAR recommends the following mitigation. The following descriptions are limited to measures and programs that are feasible for the developer to implement.

##### A. Honoapiilani Highway at Kaanapali Parkway

No specific mitigation measure has been recommended, as the project's share of total traffic at the intersection of Honoapiilani Highway at Kaanapali Parkway is small. The TIAR determines that project generated traffic will increase peak hour traffic volumes at this intersection 2.0% during the morning peak hour and 1.5% during the afternoon peak hour.

As shown in Table 11, the project's pro rata share of traffic growth between 2005 and 2010 is 10.3% of the projected increase in traffic volume during the morning peak hour

and 9.4% of the projected increase during the afternoon peak hour. These percentages represent the project's share of improving the intersection as described in the Maui Long Range Land Transportation Plan. As the projected traffic conditions are the basis of the level of service analysis and other development projects in the area represent a much larger share percentage of anticipated traffic growth, the proposed project should only be liable for its pro rata share of improving the intersection.

### B. Kaanapali Parkway at Nohea Kai Drive

As noted in the previous section, mitigation is required at the intersection of Kaanapali Parkway at Nohea Kai Drive to mitigate an expected level of service E during the afternoon peak hour. It should be noted that this intersection will operate at level of service E without and with the project. This implies that background growth and traffic from related projects increases traffic volumes and delays such that level of service E is the result.

Three potential mitigation measures were assessed and the results are summarized in the following paragraphs:

#### 1. All-Way Stop

Conversion of the intersection to an all-way STOP sign controlled intersection would result in lower levels of service than for the unmitigated conditions. The morning level of service would decrease from level of service E to level of service F.

#### 2. Signalization

The peak hour warrants for a traffic signal are satisfied for both morning and afternoon peak hour conditions without the project. The warrants will also be satisfied for peak hour conditions with the project. As a signalized intersection, all movements will operate at level of service C or better, during morning and afternoon peak hours. However, the phasing of the traffic signal would need to be coordinated with the traffic signal at the intersection of Honapiilani Highway at Kaanapali Parkway to insure that queues do not extend into the intersection with Honoapiilani Highway.

#### 3. Roundabout

An analysis of the intersection as a roundabout was performed. This analysis concluded that the intersection would have a volume-to-capacity ratio of 0.43 during the morning weekday peak hour. This implies that the intersection would operate at a level of service

A or B if converted to a roundabout. During the afternoon peak hour, the intersection would operate at level of service C as a roundabout. The conclusion is that a roundabout at the intersection is a viable mitigation measure.

#### 4. Summary and Conclusions

The conclusion of the analysis of the mitigation measures is that signalization or conversion to a roundabout are the only viable alternatives. Signalization will create challenges relative to coordination with the existing traffic signal at the intersection with Honoapiilani Highway. Traffic signals would also be out of character with the resort development.

Conversion from a STOP sign-controlled intersection to a roundabout is viable as the intersection would operate a level of service C or better during both peak periods. A roundabout would also address the speeding issue along Kaanapali Parkway, provide better guidance for drivers who are unfamiliar with the area, and provide opportunities to provide direction to incoming vehicles.

~~Affected Environment—Construction Related Impacts.—Construction of the project is anticipated to occur between 2005 and 2008. During this period, traffic in the general area will increase due to the arrival of construction personnel, the transportation of construction equipment and vehicles, the delivery of construction materials, and the off-site recycling or disposal of construction wastes.—Construction vehicles and delivery vehicles in particular may be oversized and slow moving, providing an inconvenience to local traffic movement.—Additional concerns may include damage to local roadways from construction vehicles and the occupation of available parking by construction workers.~~

~~Construction related Potential Mitigation Measures. Potential mitigation of traffic related impacts might include:~~

~~Restricting the deliveries during peak traffic hours to limit the inconvenience to motorists.~~

~~Restricting on-street parking of construction vehicles.~~

~~Requiring the project contractor to repair any damage caused to local roadways.~~

~~Requiring the project contractor to locate part or all of the construction-related parking facilities off-site, and provide shuttle services from the parking area to the project site for construction workers.~~

~~Scheduling the arrival and departure of construction workers to avoid peak traffic periods where practical.~~

~~Selected mitigation measures for construction-related traffic impacts will include:~~

~~The project contract will specify that the contractor is to repair any damage caused to local roadways.~~

~~The following measures will be incorporated into the project contract upon establishing their feasibility with the selected contractor.~~

~~Restricting vehicle traffic to off-peak hours the deliveries during peak traffic hours.~~

~~Restricting on-street parking of construction vehicles.~~

~~Requiring the project contractor to locate part or all of the construction-related parking facilities off-site, and provide shuttle services from the parking area to the project site for construction workers.~~

~~Scheduling the arrival and departure of construction workers to avoid peak traffic periods where practical.~~

#### **Traffic Demand Management Mitigation Strategies**

The following mitigation is also considered in order to address adverse conditions observed during traffic surveys and reconnaissance.

##### **1. Develop a Construction Traffic Management Plan**

During the traffic surveys, it was observed that a significant percentage of the morning peak hour traffic is comprised of construction-related traffic. Little can be done about the projects that are already under construction, but the proposed project should develop a plan that will minimize the number of vehicles added to the peak hour traffic stream. Measures that should be considered are the use of shuttle buses to move construction workers to and from the construction area, scheduling material deliveries for off-peak periods, scheduling multiple deliveries for a single trip, etc. The objective of the construction traffic management plan is to add the minimum number of vehicles to the peak hour traffic flows.

##### **2. Implement an Employee Rideshare Program**

A ridesharing program should be developed and implemented for Hyatt employees, both existing and future employees of the timeshare project. The recent West Maui Commuter Needs Survey determined that of the employees who drive to work during the peak hour, 57% drove alone. The significance of this is that the majority of the employees who commute during the peak hour are good candidates for a ridesharing program. The goal of the program should be to divert 100 employees, or 25% of the total employees, to a ridesharing program. As the estimated number of peak hour trips for the project is 81 during the afternoon peak hour, meeting this goal would result in a net decrease in peak hour trips as a result of the ridesharing program.

As envisioned, shuttle buses or vans, provided by the resort, would pick up employees and deliver them to work in the morning and return them home in the afternoon. Employees should be encouraged to participate by educating them about the cost savings (fuel, insurance, etc.), eliminating free parking and possibly offering cash bonuses. This program would be most effective if implemented resort-wide.

### **3. Provide Rental Car Facilities On-Site**

Currently, guests pick up a rental car and then drive to the resort. This can be changed by encouraging guests to ride a shuttle bus to and from the airport and picking up their rental cars at the resort. Rental cars can also be delivered to the hotel. The shuttle bus service should be free, to encourage as many guests as possible to participate.

### **4. Provide Free Bicycles to Hotel Guests**

Several hotels provide free bicycles for hotel guests. Hyatt should participate in the plan by providing bicycles for guests and encouraging them to use them, especially for short trips within the resort. Hyatt should also work with other hotels in the resort to implement this program resort-wide.

~~Regional Mitigation Measures. Because the applicant operates the existing Hyatt Regency Maui Hotel in addition to the proposed timeshare tower, there is opportunity to effect wider-ranging, regional traffic improvements.~~

### **5. Traffic Impact Fees**

The County of Maui enacted impact fees for traffic and roadway improvements in West Maui in 1988 (Chapter 14.62), but has not approved a fee structure and no impact fees have been collected to this date. The County commissioned the preparation of a traffic fee report, which was recently finalized. The applicant will contribute traffic impact fees in accordance with the recommendations of that document: \$5,462 per unit, or approximately \$715,000.

#### **Other Traffic Issues**

##### **1. Safety at the Intersection of Honoapiilani Highway at Kaanapali Parkway**

Several comment letters noted recent fatal accidents at the intersection of Honoapiilani Highway at Kaanapali Parkway. It is the policy of the State DOT not to provide accident report, so it is not possible to determine the contributing factors to these accidents.

It is standard practice to provide a short all-red clearance interval at the end of each traffic signal phase. This all-red phase is typically 0.5 second. It is suggested that a

longer all-red phase be used. This longer all-red phase will have to be determined considering the adverse effect of the level of service versus safety needs of the intersection.

## **2. Regional Traffic Impact**

The proposed project will obviously have an impact on the regional transportation system and all project traffic will approach via Honoapiilani Highway, which is a State facility. As previously noted, project-generated traffic represents only 2.0% of the morning peak hour traffic and 1.5% of the afternoon peak hour traffic at the intersection of Honoapiilani Highway and Kaanapali Parkway. The project's share of traffic at locations further away from this intersection will be less because traffic dissipated further from the project site.

## **3. Pedestrian Activity Across Nohea Kai Drive at the Project Entrance**

An analysis of pedestrian and vehicular activity at the project's entrance along Nohea Kai Drive concluded that a maximum 100 to 125 pedestrians may cross Nohea Kai Drive at the entrance to the parking lot and project's porte cochere. It is recommended that this intersection be converted to an all-way STOP sign controlled intersection to address the safety of these pedestrians as well as to control the speed of vehicles approaching the intersection.

## **E. RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF HUMANITY'S THE ENVIRONMENT AND MAINTENANCE OF LONG-TERM PRODUCTIVITY**

*Short-Term Uses.* The proposed project will involve short-term uses of the environment during the construction phase. These uses will have both positive and negative impacts. Construction activities associated with the proposed project will create some temporary adverse impacts, including disruptions of traffic patterns, increased noise, and fugitive dust impacts in the vicinity of the project site.

In the short-term, the project will also confer some positive benefits in the local area. Direct economic benefits will result from construction expenditures both through purchase of material from local suppliers and through the employment of local labor. Indirect economic impacts may include benefits to local retail businesses resulting from construction activities.

Development will remove at least some of the existing tennis courts and on-grade parking facilities. Potential uses of the land would not be curtailed, since the proposed transient residential facilities are considered appropriate uses in terms of planning and zoning.

**Long-Term Productivity.** Long-term productivity of the site should be enhanced by the proposed project. The development involves a long-term commitment of the land for the proposed uses. Once raised to a higher density use, it is unlikely that the land will revert to a lower intensity of usage in the foreseeable future. Similarly, this will likely preclude other alternative development options for the project area.

Primary long-term effects are increased availability of timeshare units for visitors from the evolving worldwide vacation club industry, increased open space along the shoreline of the subject property, and increased patronage of visitor related businesses such as restaurants, retail shops, and activities due to the additional visitor population.

In addition, secondary long-term benefits can be expected from the additional tax base created by the additional employment and services provided by the construction, sale, and operation of the project.

No consequences of the action are anticipated to pose long-term risks to health and safety.

**F. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES**

In the short-term construction of the proposed development will require an irreversible and irretrievable commitment of a number of resources, including land, capital, construction materials, manpower, energy, and water. Financial, material and manpower resources will also be irretrievably committed to the planning and design of the improvements.

Land committed to this project is already urbanized; therefore, the proposed action represents an intensified use of existing land resources rather than a commitment of any new land resources. However, in the long-term, project development will commit the land to a higher density residential use, which is unlikely to revert to a lower intensity use in the foreseeable future. Potential uses of the land will not be curtailed, as the proposed transient residential use is considered appropriate in terms of planning and zoning.

Operation of the project when completed will also require irretrievable and irreversible commitments of labor, material and resources (electricity, water, gas). Energy resources for the island are generally created from non-renewable sources.

Short-term and long-term environmental and socio-economic impacts are anticipated due to redevelopment of the site. Construction will, in the short-term, generate unavoidable fugitive dust, noise, vibration, and traffic inconveniences for surrounding Resort users.



In the long-term, a change in the visual landscape (including the narrowing of view corridors) is unavoidable, since existing on-grade parking and tennis courts will be replaced by the new, twelve-story structure. The project will also cause some changes the nature of traffic flow to and from the project. While the degree of these impacts is considered minimal from the public perspective, the potential impacts and potential short-term and long-term mitigation measures for the project have been included in Section III of this report.

**G. PROBABLE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED**

Adverse impacts can be defined as short-term and long-term effects relative to the construction and implementation of a specific use. Short-term impacts are usually construction-related which will occur during the course of construction and cease upon completion of the project. Long-term impacts generally result from the implementation of the proposed project.

*Short-Term Effects.* Unavoidable short-term impacts include those related to noise, vibration, air quality, and traffic inconveniences.

Audible construction noise will probably be unavoidable during the entire project construction period. Short-term increases in noise levels will result from construction activities, vehicles and equipment. The use of muffled equipment as well as adherence to State Department of Health regulation on noise mitigation will minimize construction and traffic-related noise.

Construction-related air quality impacts could result from site preparation and earth moving activities, the movement of construction vehicles on unpaved areas of the site, and the construction of structures. The construction contractor is responsible for complying with State Department of Health fugitive dust regulations that prohibit visible dust emissions at property boundaries. Nevertheless, the presence of nearby building suggests that open-air areas and naturally ventilated structures could be impacted by fugitive dust in spite of compliance with these regulations. Also, the temporary increase in construction-related traffic traveling to and from the project site will increase vehicular emissions and cause some traffic inconveniences in the area.

*Long-Term Effects.* Unavoidable long-term impacts resulting from the project include beneficial and adverse changes to visual and socio-economic environment.

Potential negative effects include reduction of certain view corridors from public and private vantages. The proposed project's design incorporates massing considerations,

strategic building placement, and architectural detailing to minimize its visual impact from adjacent residential developments. Other effects that are possibly adverse include greater demands for housing and public services.

Reasons to proceed despite unavoidable effects include:

- Beneficial effects from the project to the socio-economic environment including fiscal benefits to the County and State, increased job opportunities, greater stability of the visitor industry, and increased visitor spending in the economy.
- The development and analysis of design alternatives in the planning of the action will reduce potential impacts
- Objectives and benefits identified in Government Plans and Studies are attained through the action which offset the adverse environmental effects of the project, including:
  - To use the land within the County for the social and economic benefit of all the County's residents. (Maui General Plan)
  - To develop a visitor industry that will enhance the social and economic lifestyles of Maui County's residents. (Maui General Plan)
  - The success of an urban community relates to the stability of its economy.... With the dependence on the visitor industry and the ever-present uncertainties facing agriculture, it is recognized that the economic base is potentially vulnerable and must be nurtured in a reasonable manner to insure stable employment opportunities for residents and their descendants...It is therefore important to maintain a stable economic base by encouraging the upgrading of existing visitor facilities.... (West Maui Community Plan)
  - Promote a diversified economic base, which offers long-term employment to West Maui residents, and maintains overall stability in economic activity.... (West Maui Community Plan)
  - Maintain a stable and viable visitor industry (West Maui Community Plan)
  - Encourage the renovation and improvement of existing visitor facilities without a substantial increase in the room count (West Maui Community Plan)
  - Provide public or private facilities and improvements important to the State's economy in suitable locations... (SMA Objectives and Guidelines: #5 Economic Uses)
  - Concentrate coastal dependent development in appropriate areas... (SMA Objectives and Guidelines: #5 Economic Uses)
  - Direct the location and expansion of coastal dependent developments to areas presently designated and used for such development and permit reasonable

long-term growth at such areas... (SMA Objectives and Guidelines: #5 Economic Uses)

#### H. SUMMARY OF UNRESOLVED ISSUES

Unresolved issues are invariably associated with projects in the planning and design stages. Consequently, the planning process, which includes this Environmental Impact Statement, attempts to identify these issues and to develop appropriate mitigative measures. This document is thus intended as a method for helping to resolve some of these issues.

*Project Plan and Design.* The conceptual plan and detailed design features of the project remain to be finalized and may undergo revision based on responses to public input and to conform to applicable permits and other requirements. The project development team will continue to consult and coordinate with the accepting agency, applicable agencies, and affected parties during the course of the planning process until the project plans are finalized.

At this point in review, it is noted that design alterations may differentiate the level of impacts to private parties (e.g. as in the case with views from private vantage points from adjacent developments), however such changes are anticipated to be minimal. Further design alterations are not anticipated to result in significantly different impacts to the public. Pursuant to Chapter 11-200-12, HAR, an impact is considered significant if it substantially affects scenic vistas and viewplanes identified in county or state plans or studies. As noted in the assessment of visual resources, no identified resources will be substantially affected by the action, and therefore, further changes to the project plan and design should not change the analysis of the assessment.

*Permits and Approvals.* A number of permits and approvals will be required prior to construction of the project. A list of required permits and approvals is included in Section II of this assessment. It is standard procedure with these permitting processes to initiate Environmental Impact Review as the first stage of approval.

*Archaeological/Historic Resources.* Although recent test trenching of the project sites has discovered no cultural materials or layers, the potential for discovery of cultural materials exists during ground disrupting construction activities. To mitigate against unknown/potential impacts to cultural resources, a construction-monitoring plan has been ~~will be~~ submitted to the Department of Land and Natural Resources, Historic Preservation Division for review and it has been approved ~~approval prior to construction~~. The discovery of cultural materials during ground disrupting construction activities could

result in changes to the site plan, depending upon the nature and significance of the materials.

*Utilities.* Although applicable private/public utility capacities have been verified as part of the preliminary engineering report, certain confirmations of County service availability are not granted before the project submits for building permits. Provision of water has been confirmed by the private water source provider.

*Water Quality.* Appropriate or applicable Best Management Practices (BMP) to reduce and control the discharge of dust and sediment from the construction activities will be determined during the National Pollutant Discharge Elimination System (NPDES) permit application process administered by the State Department of Health, and grading permit application process administered by the County of Maui. The Environmental Impact Review process traditionally precedes these permits when both processes are required.

*Extent of Construction-Related Impacts.* The EIS describes direct construction impacts (such as noise, vibration, dust, and traffic) to the extent practical, and provides potential mitigation measures where applicable, including measures selected by the applicant.

*Regional Traffic Improvements.* Various West Maui regional transportation improvements have been proposed and are in varying stages of design, but none have begun construction and any estimates of completion are preliminary. These improvements include the State Department of Transportation's Lahaina Bypass and that agency's widening of Honoapiilani Highway to four-lanes within Lahaina Town, the County's extension of Keawe Street, and the improvement and extension Mill Street within Lahaina Town to act as a parallel roadway to Honoapiilani Highway.

Phase 1A of the Lahaina Bypass is preliminarily estimated to be constructed in 2009. The County's Keawe Street extension would connect with these segment and follow immediately upon its completion. The widening of Honoapiilani Highway within Lahaina Town was the subject of a Draft Environmental Assessment published June 8, 2006. The State anticipates finalizing the Environmental Assessment early in 2007 and implementing the improvements sometime in 2008. The Mill Street extension is still in the design phases and there are no estimates for it's completion.

Through various efforts, the project will mitigate most of its traffic impacts without any of these improvements being implemented. Some of the regional traffic improvements discussed above are anticipated to be implemented prior to the project's opening in in 2009; should any of these improvements be constructed, a further improvement to regional traffic flows is anticipated.

## IV. 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 project area includes lands within the Urban District. Development entitlements within the Urban District are delegated to the respective County Governments.

### B. MAUI COUNTY GENERAL PLAN

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. The proposed action is applicable to the following objectives and policies of the General Plan:

**Category:** Land Use.

**Objective:** To use the land within the County for the social and economic benefit of all the County's residents.

**Category:** Economic Activity.

**Objective:** To provide an economic climate which will encourage controlled expansion and diversification of the County's economic base.

**Policy:** Maintain a diversified economic environment compatible with acceptable and consistent employment.

**Category:** Visitor Industry

**Objective:** To encourage exceptional and continuing quality in the development of visitor industry facilities.

**Policy:** Limit visitor industry development to those areas identified in the appropriate community plans, and to the development of projects within those areas which are in conformance with the goals and objectives of those plans.

**Policy:** Encourage enhancement of existing visitor facilities without substantial increases in room count.

**Policy:** Encourage the preservation of open beach space by maximizing the use of lands presently designated by community plans for visitor facility use and discourage rezoning of other lands for such use.

*Objective:* To develop a visitor industry which will enhance the social and economic lifestyles of Maui County's residents.

**C. 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 that contains 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 property is located within the West Maui Community Plan region. The Community Plan was recently amended by ordinance No. 2646 on March 25, 1998. The Community Plan designations for the subject property are as follow:

- Parcel 8 (Hotel site)                      ~~Hotel, Open Space~~
- Parcels 4 and 5 (Parking/tennis)      Business
- Parcel 3 (Golf course)                  Park (Golf Course), Open Space

The plan contains a section that identifies "Major Problems and Opportunities of the Region". The following portions of this section are directly applicable:

**Problems:** Threats to the environment and the potential loss of opens space:  
*As the region develops, the importance of open space, especially along the shoreline, increases. Existing areas of open space, including agricultural lands and gulches, should be viewed as a resource which should be protected and enhanced. There is also a need to protect view corridors and scenic vistas and design landscape buffers along the major roadways in such a manner as to provide periodic views of the mountains and ocean.*

Growth, Long term stabilization of the economy:  
*The tourist industry provides a strong economic base. Yet, the industry is subject to seasonal fluctuations, increasing competition and uncertainties in national and international economic conditions. There is need to stabilize the economy of the region and to protect and improve the visitor experience.*

**Opportunities:** Natural Environment  
*The natural environment is a major asset of the region –the open spaces and stretches of shoreline between the south boundary of*

*the district and Puamana and from Kapalua to Nakalele Point, the expansive landscape of agricultural and natural open space areas against the backdrop of the West Maui Mountains, the warm climate, abundant water resources, nice sandy beaches and clean ocean environment...*

*The marine and nearshore environment and open space areas are important assets of the region that should be protected and preserved for the long-term...*

**Stability of the Economic Base:**

*The success of an urban community relates to the stability of its economy....With the dependence on the visitor industry and the ever-present uncertainties facing agriculture, it is recognized that the economic base is potentially vulnerable and must be nurtured in a reasonable manner to insure stable employment opportunities for residents and their descendants.*

*It is therefore important to maintain a stable economic base by encouraging the upgrading of existing visitor facilities....*

The proposed action is applicable to the following goals, objectives, and policies set forth by the West Maui Community Plan:

**Category: Land Use.**

**Objective:** Preserve and enhance the mountain and coastal scenic vistas and the open space areas of the region.

**Category: Environment.**

**Objective:** Preserve agricultural lands and open space with particular emphasis on natural coastal areas along major roadways.

**Objective:** Promote the planting of trees and other landscape planting to enhance streetscapes and the built environment

**Objective:** Protect the shoreline and beaches by preserving waterfront land as open space wherever possible. This protection shall be based on a study and analysis of the rate of shoreline retreat plus a coastal hazard buffer zone...

**Category: Economic Activity.**

**Objective:** 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: a) visitor accommodations ...

**Objective:** Maintain a stable and viable visitor industry.

a) Limit visitor facilities to the existing planned resorts of Ka'anapali and Kapalua as designated on the land use map and coordinate future growth with the development of adequate infrastructure capacity and housing for employees.

b) Encourage the renovation and improvement of existing visitor facilities without a substantial increase in the room count...

**Category:** **Urban Design.**

**Goal:** An attractive and functionally integrated urban environment that enhances neighborhood character, promotes quality design and the resort destinations of Ka'anapali and Kapalua,...

**Objective:** Maintain a high level of design quality for West Maui resort destination areas.

The land use map for the project area is included in Figure 6.

**Analysis - Open Space & Views.** The action will occur in areas designated for Hotel development by the West Maui Community Plan. The action will not affect open space areas specifically identified in plan, including:

- Agricultural lands and gulches;
- The open spaces and stretches of shoreline between the south boundary of the district and Puamana and from Kapalua to Nakalele Point;
- The expansive landscape of agricultural and natural open space areas against the backdrop of the West Maui Mountains;
- Any gulches listed on page 23 of the plan to be "integrated into the open space system";
- Natural coastal areas along major roadways.

As documented in the EIS section on visual resources, the project will be visible from the nearest coastal highway, but due to existing development and landscape planting, will not significantly block any existing views of the coast or ocean. The project will partially block views from the beach towards the mountains along its north corridor.

Because the project has the potential to block (primarily) mountain views, it is potentially in conflict with one of the plan's most general objectives, which states: "Preserve and enhance the mountain and coastal scenic vistas and the open space areas of the region". Such general objectives should be taken in context of the County's land-use designations and zoning of the particular area, in this case, the entire coastline is zoned for high density (12-story) Hotel development. The nature of high-rise development makes the



blocking of some views inevitable. The applicant has decided to proceed with the project with the following reasons:

- No resources specifically identified in the West Maui Community Plan or Maui Scenic Coastal Resources Study will be affected.
- Planning of the project has included measures and design alternatives that reduce and minimize the blocking of public views. Such measures have included narrowing of the building and increasing side and shoreline setbacks.
- The nature of potential obstructions is similar to existing obstruction by resort development.
- All proposed building additions, including the new swimming pool, will be located outside of the shoreline setback.

*Analysis - Development.* The primary need for the project is to allow the applicant to create a new type of accommodation, which meets the demands of the changing visitor market. Visitors in applicant's vacation program desire to stay on island for longer periods and tend to travel in larger parties. The method of operation (timeshare) has demonstrated exceptionally stable visitor occupancy, even in periods of economic and world crisis. These factors indicate that the action will lead to greater economic stability (and less seasonality) of the visitor industry and upgrade visitor facilities without significantly increasing room count as encouraged by the Plan. The action is consistent with the land use designation of the Plan, and will occur in areas specifically allowed by the Plan (Ka'anapali).

#### **D. MAUI COUNTY ZONING**

The following is a summary of zoning designations applicable to the project area:

- |                                    |  |
|------------------------------------|--|
| • Parcel 8 (Hotel site)            | H-2 Hotel District                           |
| • Parcels 4 and 5 (Parking/tennis) | B-R Resort Commercial District               |
| • Parcel 3 (Golf course)           | <u>PK-4 and B-R R-3 Residential District</u> |

The Hyatt Regency Maui Resort property is zoned H-2 (High Density) Hotel District with building height limits established at 12 stories. The definition of this district is "a high density multiple-family area bordering business districts and ocean fronts". Timeshare use is permitted in the Hotel Districts.

Building density constraints under the H-2 Hotel Zoning include limits to building height, limits to the amount of covered space in relation to lot size ("lot coverage"), and a limit to the amount of floor space in relation to lot size ("floor to area ratio" or "FAR"). The

proposed development is consistent with these density requirements as indicated in the following table:

<u>Category</u>	<u>Zoning Restriction</u>	<u>Proposed</u>
Height	12-story	12-story
Lot Coverage	35%	<del>with subdivision (14.27%); 19%</del> <del>without subdivision (24.14%)</del>
FAR	150%= <u>253,780.2</u>	<del>with subdivision (239,174); 236,680</del> <del>without subdivision (1,002,765)</del>

In addition, H-2 Hotel Zoning establishes minimum front, side, and rear building setbacks. The proposed alternative meets or exceeds the minimum setback requirements.

Pursuant to Chapter 19.37, Time Sharing Plans, Maui County Code: "Time-share Units, Time-share Plans, and transient vacation rentals are allowed in the Hotel district".

#### E. SPECIAL MANAGEMENT AREA OBJECTIVES AND POLICIES

Chapter 205A, HRS, requires that any "development" within the Special Management Area obtain a SMA permit. Since the project will be constructed within the SMA, a SMA use permit is required for the proposed project. Special Management Area use permits are administered by the Maui Planning Department and acted upon by the Maui Planning Commission.

Coastal Zone Management objectives and policies (section 205A-2 HRS) and the Special Management Area Rules for the Maui Planning Commission (Chapter 202) have been developed to preserve, protect, and where possible, to restore the natural resources of the coastal zone of Hawaii. The project's potential direct or indirect impacts on the coastal zone within the context of these objectives, policies, and guidelines is described below:

##### 1. Recreational Resources

*Objective:* Provide coastal recreational resources accessible to the public.

*Policies:*

- (A) Improve coordination and funding of coastal recreational planning and management; and
- (B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:

- (i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;
- (ii) Requiring replacement of coastal resources having significant recreational value, including but not limited to surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or require reasonable monetary compensation to the state for recreation when replacement is not feasible or desirable;
- (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;
- (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
- (v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having standards and conservation of natural resources;
- (vi) 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;
- (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing;
- (viii) Encourage reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of Section 46-6, HRS.

**Analysis.** Public lateral access along the coastal walkway and *maukal/makai* access along the two beach right-of-ways will be maintained.

## 2. Historical/Cultural Resources

*Objective:* Protect, preserve and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

*Policies:*

- (a) Identify and analyze significant archeological resources;

- (b) Maximize information retention through preservation of remains and artifacts or salvage operations; and
- (c) Support state goals for protection, restoration, interpretation, and display of historic structures.

**Analysis.** As documented in Section III-9 of this report, recent subsurface investigation has yielded no cultural findings in the soils of the project area. There is, however, potential for sub-surface discovery during construction activities. In order to better protect and preserve historic resources, a construction-monitoring plan will be submitted to the SHPD for review and approval prior to construction activities. If cultural materials are discovered during construction, SHPD and the Maui Island Burial Council will be informed and consulted for proper treatment.

### 3. Scenic and Open Space Resources

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

*Policies:*

- (a) Identify valued scenic resources in the coastal zone management area;
- (b) Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms 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 that are not coastal dependent to locate in inland areas.

**Analysis.** As described in the following section, valuable scenic resources in the project area are identified in the Maui Coastal Scenic Resources Study. The project does not significantly affect any visual resource or corridor identified in the Study. Additionally, the project does not affect any scenic resource or open space identified specifically in the West Maui Community Plan.

The State's Coastal Zone Management (CZM) Program specifies guidelines for an authority granting a permit to a project located in the CZM's Special Management Area (SMA) jurisdiction with respect to coastal views.

§205A-26 Special management area guidelines. In implementing this part, the authority shall adopt the following guidelines for the review of developments proposed in the special management area:

(3) The authority shall seek to minimize, where reasonable:

(D) Any development which would substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast; ...

As documented in Section III of the EIS, views from the coastal highway adjacent to the project are marginal due to unfavorable topographic conditions and the degree of existing development along the shoreline. While the project will be visible from the State Highway nearest the coast (Honoapiilani Highway), views of the coast and ocean are currently obstructed by existing high-rise development and landscape planting. Thus, the proposed project would not substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast. Views from the Highway are included in Appendix F.

#### 4. Coastal Ecosystems

*Objective:* Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

*Policies:*

- (a) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
- (b) Improve the technical basis for natural resource management;
- (c) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;
- (d) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
- (e) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and non-point source water pollution control measures.

**Analysis.** No direct impacts to the coastal or marine environment are anticipated as the project is located inland within a built urban environment. Drainage patterns and quantities will generally remain the same, and thus no change in drainage-related indirect impacts is anticipated.

**5. Economic Use**

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

*Policies:*

- (a) Concentrate coastal dependent development in appropriate areas;
- (b) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area;
- (c) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such development and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:
  - (i) Use of presently designated locations is not feasible;
  - (ii) Adverse environmental impacts are minimized; and
  - (iii) The development is important to the State's economy.

**Analysis.** The project area is designated for high-density hotel within the Ka'anapali master planned resort. Existing Resort infrastructure is designed to accommodate the higher density planned for the property. Potential uses of the land will not be curtailed, as the proposed transient residential use is considered appropriate in terms of planning and zoning. By locating the improvements at the project site, the project concentrates coastal dependent development in appropriate areas.

**6. Coastal Hazards**

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

*Policies:*

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

**Analysis.** Potential flood and tsunami-related impacts are avoided by locating the proposed improvements away from the near shore area (where the V and A zones are present).

## 7. Managing Development

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

*Policies:*

- (a) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
- (b) Facilitate timely processing of applications 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 public to facilitate public participation in the planning and review process.

**Analysis.** Assessment and evaluation of the project will entail the following processes:

- Environmental Impact Review (Chapter 343 HRS Review)
- Special Management Area Assessment and Permitting

Where applicable, the evaluation and permitting processes will be combined under joint applications for the action. Each process entails a form of public participation, which is detailed in the following section.

The project was presented to neighborhood stakeholders early in the conceptual phase. Records of pre-consultation and subsequent design and review are included in Section V of this report.

## 8. Public Participation

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

*Policies:*

- (a) Promote public involvement in coastal zone management processes;
- (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 issues, developments, and government activities; and
- (c) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.

**Analysis.** Prior to project approval, it is anticipated that the following public notification and hearing requirements are applicable:

#### **SMA Permit**

A public hearing is required before the Maui County Planning Commission.

1. *Thirty days prior to the public hearing, the Department of Planning must publish a notice of public hearing in a newspaper published twice weekly in the County of Maui.*
2. Applicant is required to send notification of hearing and location map by registered or certified mail to all recorded owners and lessees within 500 feet of the property not less than 30 days prior to the hearing. The Applicant must also send notice to all persons who have requested in writing to be notified of proceedings.
3. Within 10 days of the Department of Planning's acceptance of the application, the Applicant must publish the notice of application and legible map once in a newspaper published twice weekly in the County.

#### **Environmental Impact Statement Review Process**

Public involvement in the EIS review process involves the following steps:

1. The Draft Environmental Impact Statement will be made available in a nearby Public Library.
2. The State Office of Environmental Quality Control (OEQC) will publish a notice of availability regarding public review of the Draft EIS in the Environmental Notice bulletin.
3. The DEIS are subject to review and comment by the Maui Planning Commission at a public meeting.
4. There is a 45 day public comment period.
5. The Maui Planning Commission is the accepting authority for the FEIS. This document will be reviewed by the Commission at a public meeting.
6. OEQC publishes notice of acceptance of the Final EIS



The project was presented to neighborhood stakeholders early in the conceptual phase. Records of pre-consultation and subsequent design and review are included in Section V of this report.

**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, minimize interference with natural shoreline processes, and 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.

**Analysis.** As documented in section III of the EIS, impacts to the beach and coastal processes will be reduced, since the proposed improvements are located considerably landward of the previous shoreline retreats identified in the Shoreline Evaluation. The proposed building structures, including the new swimming pool, will be located outside of the 119-foot shoreline setback area.

**10. Marine Resources**

*Objective:* Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

*Policies:*

- (a) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
- (b) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;
- (c) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;
- (d) 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 ocean and coastal resources; and
- (e) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources. [L 1977, c 188, pt of §3; am L 1993, c 258, §1; am L 1994, c 3, §1; am L 1995, c 104, §5; am L 2001, c 169, §3]

**Analysis.** No direct impacts to the coastal or marine environment are anticipated as the project is located inland within a built urban environment. Drainage patterns and quantities will generally remain the same, and thus no change in drainage-related indirect impacts is anticipated

The project will include mitigation measures aimed at protecting marine resources by containing dust and project runoff during the construction period. The anticipated method of containment will be to enclose the project area with a combination dust/silt fence. Additional measures could include project watering for dust control, promptly vegetating bared areas, and controlling dust from equipment by covering truckloads. A best-management-practices (BMP) plan will be developed in conjunction with the project's grading plans, which will detail the physical protective measures used at the project site, the locations of such measures, and other intermittent requirements such as project watering. Prior to construction the BMP plan will be reviewed by the County engineering division of the Development Services Administration of the Department of Public Works and Environmental Management, and the State Clean Water Branch (as part of the NPDES general permit).

In addition to the foregoing objectives and policies, SMA permit review criteria pursuant to Act 244 (2005) provides that:

*No special management area use permit or special management area minor permit shall be granted for structures that allow artificial light from floodlights, uplights, or spotlights used for decorative or aesthetic purposes when the light:*

- (a) *Directly illuminates the shoreline and ocean waters; or*  
(b) *Is directed to travel across property boundaries toward the shoreline and ocean waters.*

**Analysis.** The proposed project will not directly illuminate the shoreline or ocean waters, nor cause light to be directed across property boundaries in that direction.

F. MAUI COASTAL SCENIC RESOURCES STUDY

The project area is described in the County's coastal scenic resources study, which was funded in part by the Coastal Zone Management Act. The report, entitled Maui Coastal Scenic Resources Study was prepared by Environmental Planning Associates Inc. in August 1990 for the Maui Planning Department as a tool for evaluating CZM development proposals. The format of identification is descriptive and by map. Selections from the Study are included in Appendix F.

Section 4 of the study provides an inventory of coastal scenic resources by region. The study describes the resources of the Lahaina region in a text format as follows:

*The Lahaina area is predominantly urban makai and agricultural mauka until Ka'anapali. At the entrance to Ka'anapali, a golf course with a water feature provides visual relief. Continuing north, the area remains mostly urban resort, with some visual relief provided makai by the golf course, and occasional mauka views of sugar cane and pineapple fields fronting the west Maui Mountains. Where the ocean is visible, there are beautiful vistas of the islands of Lanai and Molokai, many boats moored offshore, and occasional whales breaching or spouting in season.*

Resources in the inventory are also identified through a map and table. The study identifies important coastal landmarks, coastal and *mauka* views, important open spaces, and sites of natural beauty. Resources proximal to the project site include:

- Coastal Land Forms, including: Hanaka`ō`ō Point, Mala Wharf
- Coastal Views, including: views to Ka'anapali and Hanaka`ō`ō Park, views across the golf course north of the 2nd entrance to Ka'anapali
- *Mauka* Views before and after Ka'anapali
- Open Spaces, including: Hanaka`ō`ō Beach Park and Ka'anapali Golf Course just north of the 2nd entrance to Ka'anapali
- Sites of Natural Beauty including the beach from Black Rock to the old Ka'anapali Airstrip

The Maui Coastal Scenic Resources Study does not identify any valuable *mauka/makai* view corridors through the project site, or open spaces or landmarks on the subject property.

Section 5 of the study includes recommendations for development. Section 5.2 lists "General Recommendations"; the following are applicable to the project.

- 2. Apply this study to the proposed SMA development projects as follows:
  - A. Investigate developments on a specific property from the point of view of existing scenic resources, and take into account the preservation and protection of these resources.

- B. Review the Principles of Design and Guidelines in Chapter 6, and apply them to the development proposal in question.
- 3. Design buildings to run *mauka-makai* where buildings built parallel to the highway would block coastal views.
  - 5. Locate new utility lines underground where they impact visual resources
  - 6. Plant open parking facilities with canopy trees to produce shaded parking areas. Landscape parking perimeters to enhance the visual image along the street.
  - Preserve the shoreline sand dune formations.

Section 5.4 lists specific recommendations for the region "Lahaina to Kapalua"; however none of the recommendations apply to the Ka'anapali Resort.

Guidelines for development are included in section 6 of the Study. Some guidelines that are applicable to the action include:

- Developments should be designed to avoid "walling off" ocean or mountain views. The recommended approach is to restrict the degree of visual obstruction in urban and rural areas. (Sect 6-9)
- No structure should be permitted to block or substantially obscure significant coastal or mountain vistas from places or points of common public view. (Sect 6-10)
- Landscape features should be designed to enhance the view corridor and to facilitate visual access to both coastal and mountain features. This should be accomplished by height limitations, building size/scale, set-back requirements, landscaping, plan configurations and other measures which respect the integrity of the view and the sense of place in its relationship to the ocean and mountains. Abrupt differences in scale, changes in level, color or shape should be avoided. (Sect 6-11)
- Landscaping should connect the structure to the environment which it occupies (6-12)
- Utility lines should be placed underground whenever possible (6-13)
- Give emphasis to pedestrian oriented scenic views in shoreline areas. This method mobility affords the greatest appreciation of coastal resources. It does not preclude the provision of attractive vistas from the highway, but a casual walk along the beach side pathway is often more personally rewarding than experiencing the same view from a moving vehicle (6-14)

**Analysis.** Attributes of the project that may be considered to be in conflict with the general recommendations and guidelines of the Study include:

- The high-rise improvements of the project will obscure portions of the *mauka-makai* view corridors existing along the north and south extents of the subject property.
- Some of the design options orient the aspect of the building more parallel with the shoreline, rather than *mauka/makai*.

Attributes of the project that may be considered in compliance with the recommendations and guidelines of the Study include:

- The project will not affect any of the coastal resources specifically identified in the inventory section of the Study.
- The development is consistent with the scale, proportion, and spacing of current high-rise development in the region.
- The project will utilize landscape planting to soften the impact of manmade structures.
- Project utilities are underground.

In overall consideration of the Study, the project will incorporate many of the recommendations and design guidelines, it is noted that some inconsistencies with the Study will exist due to the inevitable nature of high-rise development to block views. The applicant has decided to proceed with the project with the following reasons:

- No resources identified in the inventory section of the study will be affected.
- Views toward the ocean from Honoapiilani Highway do not include views of the ocean or coastline due to the low elevation of the highway, the distance to the shoreline, and existing mature landscaping along the shoreline. Views blocked by the proposed development are essentially only views of the sky.
- Views from the beach towards the mountain will be obstructed. Views over the north corridor (from Hanaka`ō`ō Point) include views of the West Maui Mountains. Views over the south corridor are currently obscured by existing development and landscaping. The nature of potential obstructions is similar to existing obstruction by resort development.
- The project is set back further inland than existing development along the shoreline.
- The plan was developed to assist in the enforcement of the CZM program. CZM objectives and policies must be considered (by law) along with the needs for economic development (§205A-4 HRS). Consideration of economic development includes public plans designed to control growth and preserve open areas. This includes county zoning, which specifies the area for urban development, specifically high-rise development, and community plans, which specify the subject property for Hotel use.
- The project is an infill development in a planned development with adequate infrastructure. This is consistent with the General Plan policy, which states "Encourage the preservation of open beach space by maximizing the use of lands presently designated by community plans for visitor facility use and discourage rezoning of other lands for such use."

**G. OEQC GUIDELINES FOR SUSTAINABLE BUILDING DESIGN**

The Office of Environmental Quality Control has developed guidelines for sustainable building design, and it has encouraged preparers of environmental reviews under the authority of HRS 343 to include reference to how a project may address the guidelines within project assessment documents. These guidelines do not constitute rules or law, but provided to encourage the design and planning of buildings built to minimize energy use, expense, waste, and impact on the environment.

The project is in the early phase of conceptual design, so many of the guidelines will not be applicable until the project advances to the design phase. The project design goals are consistent, however, with the following guidelines which are appropriate to the permitting and conceptual design phase:

**II. Site Selection & Site Design**

*A. Site Selection*

3. Select a site with short connections to existing municipal infrastructure (sewer lines, water, waste water treatment plant, roads, gas, electricity, telephone, data communication lines and services). Select a site close to mass transportation, bicycle routes and pedestrian access.

*B. Site Preparation and Design*

6. Minimize the disruption of site drainage patterns. Provide erosion and dust controls, positive site drainage, and siltation basins as required to protect the site during and after construction, especially, in the event of a major storm.

7. Minimize the area required for the building footprint. Consolidate utility and infrastructure in common corridors to minimize site degradation, and cost, improve efficiency, and reduce impermeable surfaces.

**V. Water Use**

*A. Building Water*

1. Install water conserving, low flow fixtures as required by the Uniform Plumbing Code.

**VI. Landscape and Irrigation**

1. Incorporate water efficient landscaping (xeriscaping) using the following principles:

*C. Appropriate Plant Selection*

1. Use drought tolerant and/or slow growing hardy grasses, native and indigenous plants, shrubs, ground covers, trees, appropriate for local conditions, to minimize the need for irrigation.

**VII. Building Materials & Solid Waste Management**

*A. Material Selection and Design*

1. Use durable products.

*B. Solid Waste Management, Recycling and Diversion Plan*

1. Prepare a job-site recycling plan and post it at the job-site office.

## V. CONSULTATION AND REVIEW

### A. EARLY CONSULTATIONS

The applicants met with the following State & County agencies, neighboring property managers, and property associations to discuss the project in its early development stage. The meetings allowed the parties to provide initial feedback, comments, and concerns about the project, and consequently, the applicant has modified the development plan and preferred alternative based upon these consultations.

Listed below are the primary meeting dates, parties that met with representatives of the project team, and general topics of each meeting.

#### **County Agencies**

*Maui Planning Department, August 25, ~~2006~~ 2005.*

Attending Members of the Planning Department:

Mr. Mike Foley, Director  
Mr. Clayton Yoshida, Senior Staff Planner  
Ms. Kivette Caigoy, Staff Planner

#### *General Topics:*

Distinguishing "Timeshare" from "Hotel"  
Affordable Housing  
Parking requirements  
Traffic Impact Fees  
Project Traffic Study  
Proposed EISPN Distribution

*Maui Planning Department, November 8, ~~2006~~ 2005.*

Attending Members of the Planning Department:

Mr. Mike Foley, Director  
Mr. Clayton Yoshida, Senior Staff Planner

#### *General Topics:*

Plan revisions  
Environmental review  
Content of the Environmental Impact Statement  
Traffic Impact Fees  
Parking requirements



*Urban Design Review Board, November 15, ~~2006~~ 2005.*

*General Topics:*

Parking requirements  
Public beach parking  
Architectural elements  
View analysis  
Ecological impact-mitigation  
Photographic analysis

**Private Parties**

*Ka'anapali Vista Residents (Residential Subdivision across Honoapi'ilani Highway),  
March 20, 2006*

*General Topics:*

Traffic Impacts  
Visual Impacts

**B. EISPN DISTRIBUTION & COMMENTS**

The project's Environmental Impact Statement Preparation Notice (EISPN) was published in the Office of Environmental Quality Control's (OEQC) bi-monthly letter entitled the "Environmental Notice" dated January 8, 2006. Distribution of the EISPN, written comments received during the EISPN 30-day comment period, and response letters (where applicable) are included in Appendix M of this report.

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Chris Hart & Partners, Inc., March 2003. *Final Environmental Impact Statement: Maui Ocean Club*

County of Maui, Office of Economic Development. 2005. *Maui County Data Book*. Wailuku, Maui.

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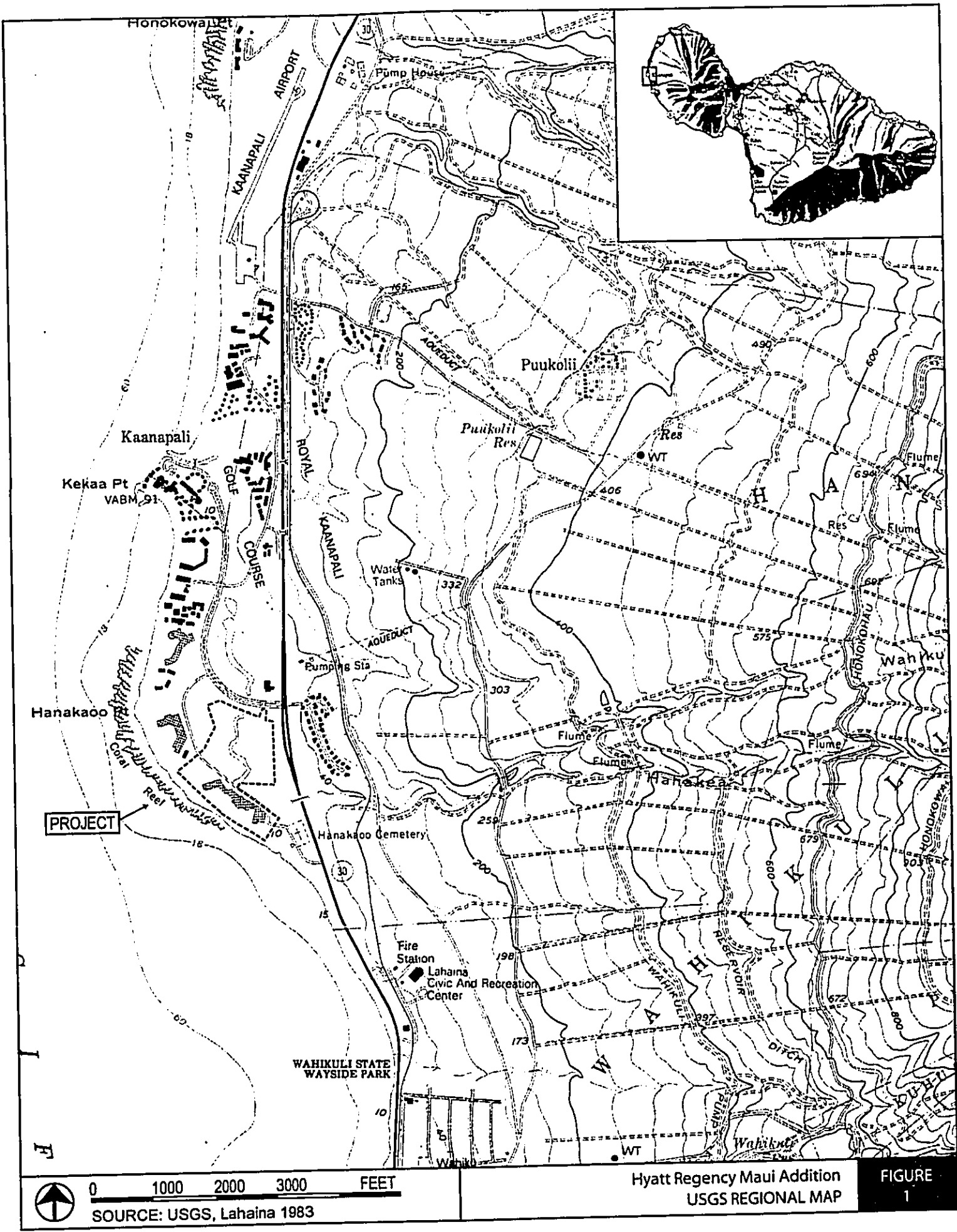
Ezekiela Kalua, County of Maui, Mayor's Office, personal communication.

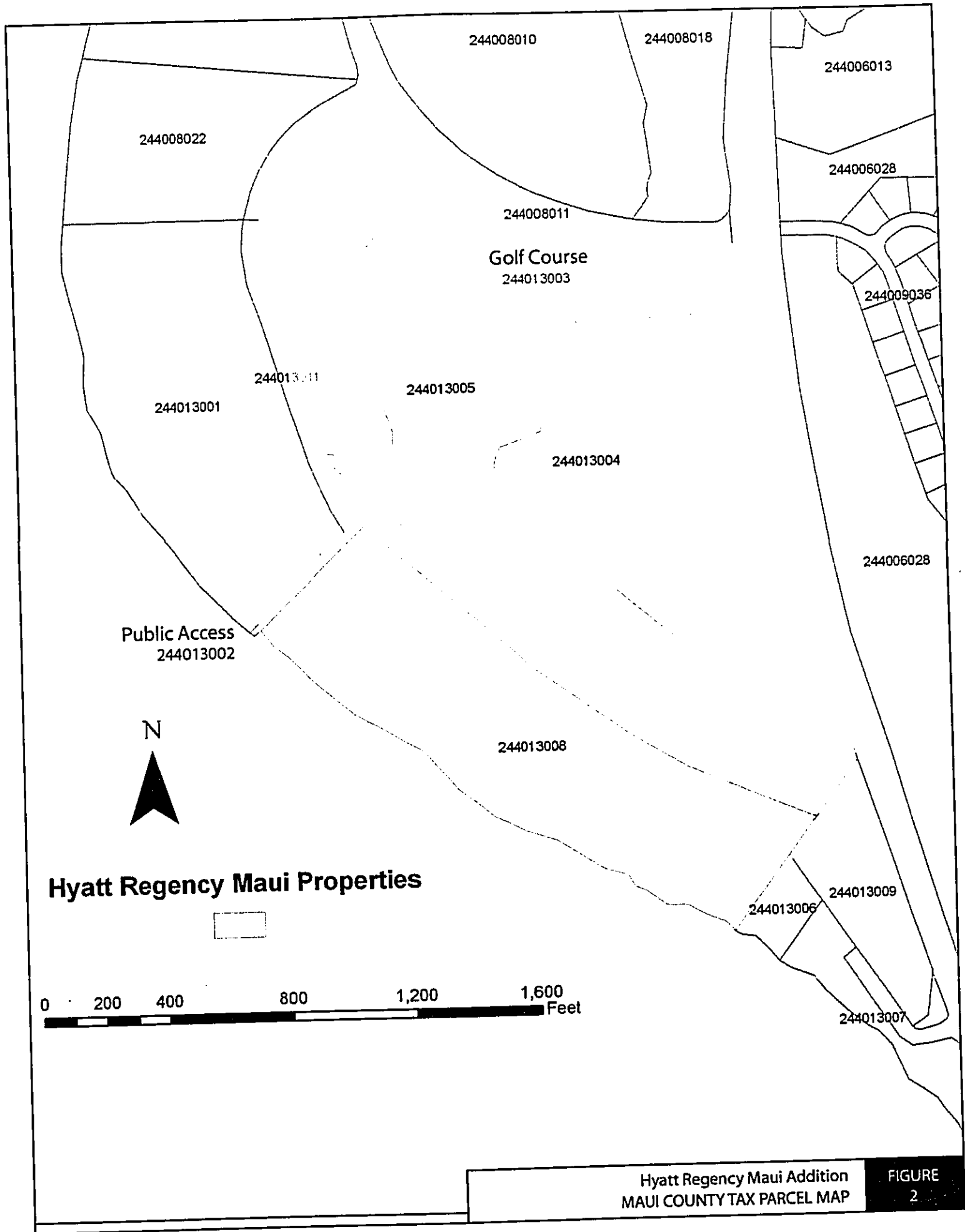
Leilani Pulmano, Lahaina Bypass Now, personal communication.

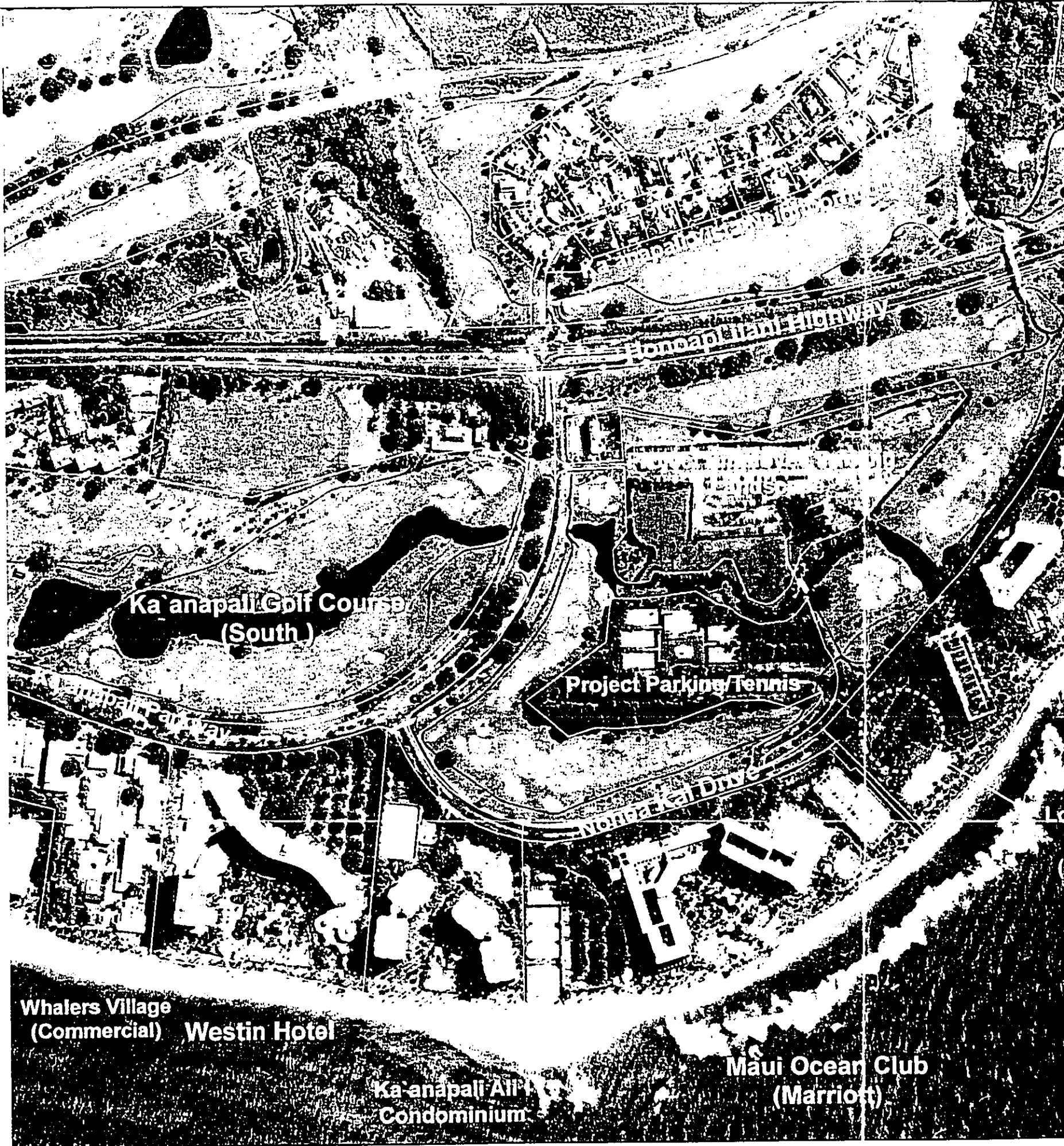
Office of Environmental Planning / Hawaii Department of Health. October 1987. *Water Quality Standards Map of the Island of Maui*.

Rory Frampton, Lahaina Bypass Now, personal communication.









**Ka'anapali Golf Course  
(South)**

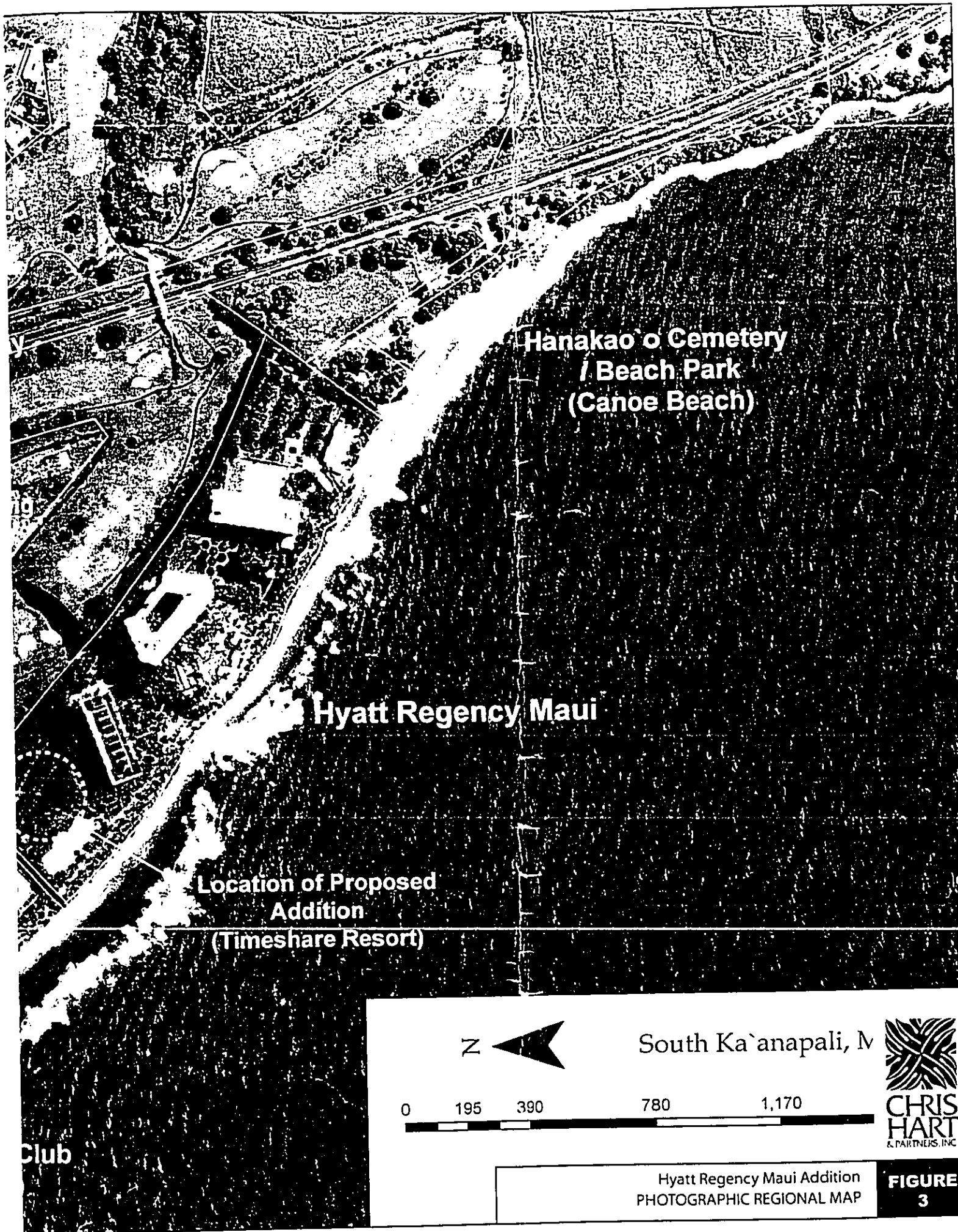
**Project Parking/Tennis**

**Whalers Village  
(Commercial) Westin Hotel**

**Ka'anapali Ail  
Condominium**

**Maui Ocean Club  
(Marriott)**





Club

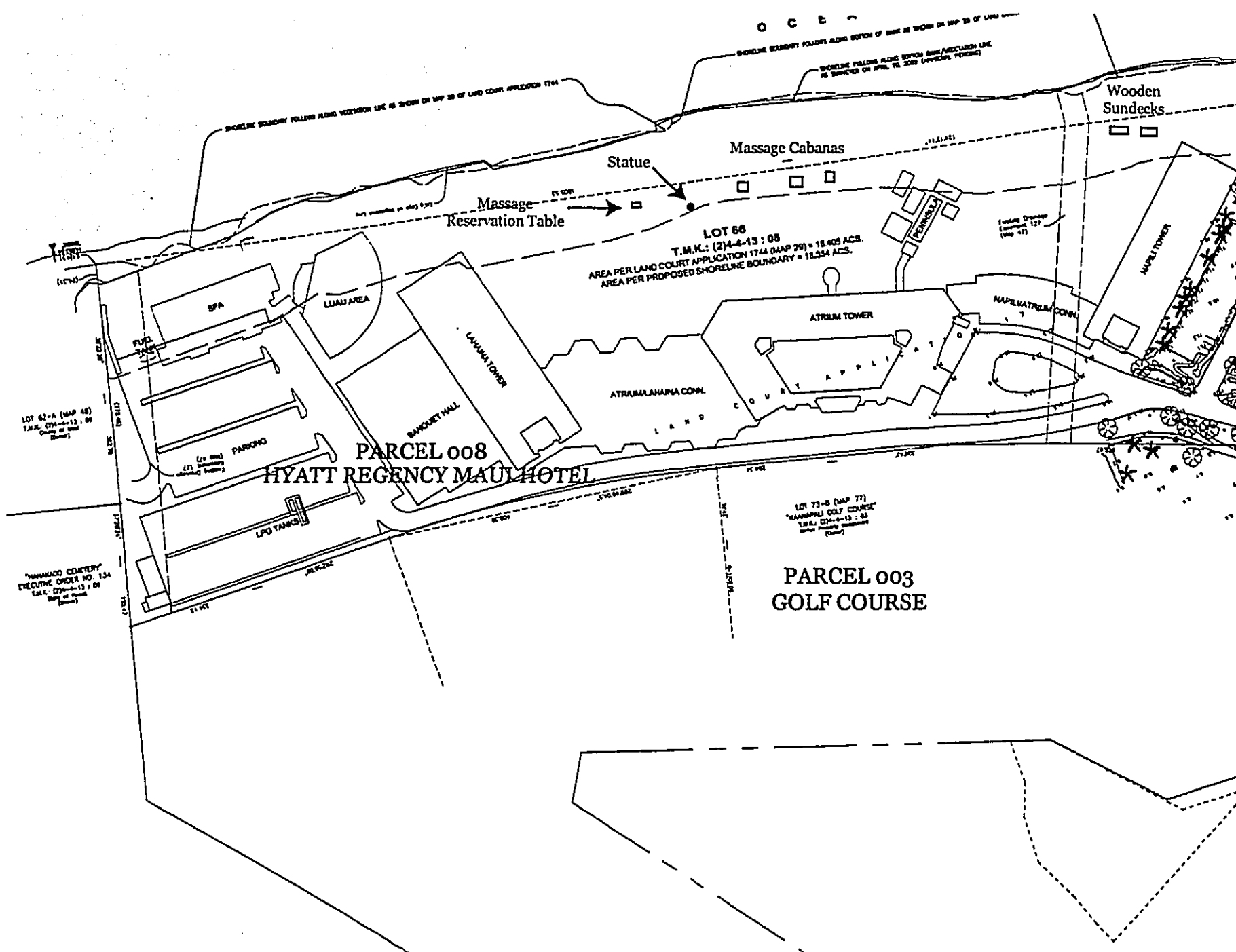
South Ka'anapali, M



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Hyatt Regency Maui Addition  
PHOTOGRAPHIC REGIONAL MAP

**FIGURE**  
3



Maui Marriott/Maui Ocean Club Proposed Timeshare Improvements SMA Draft Siteplan Mey 02

### Existing Overall Site Plan

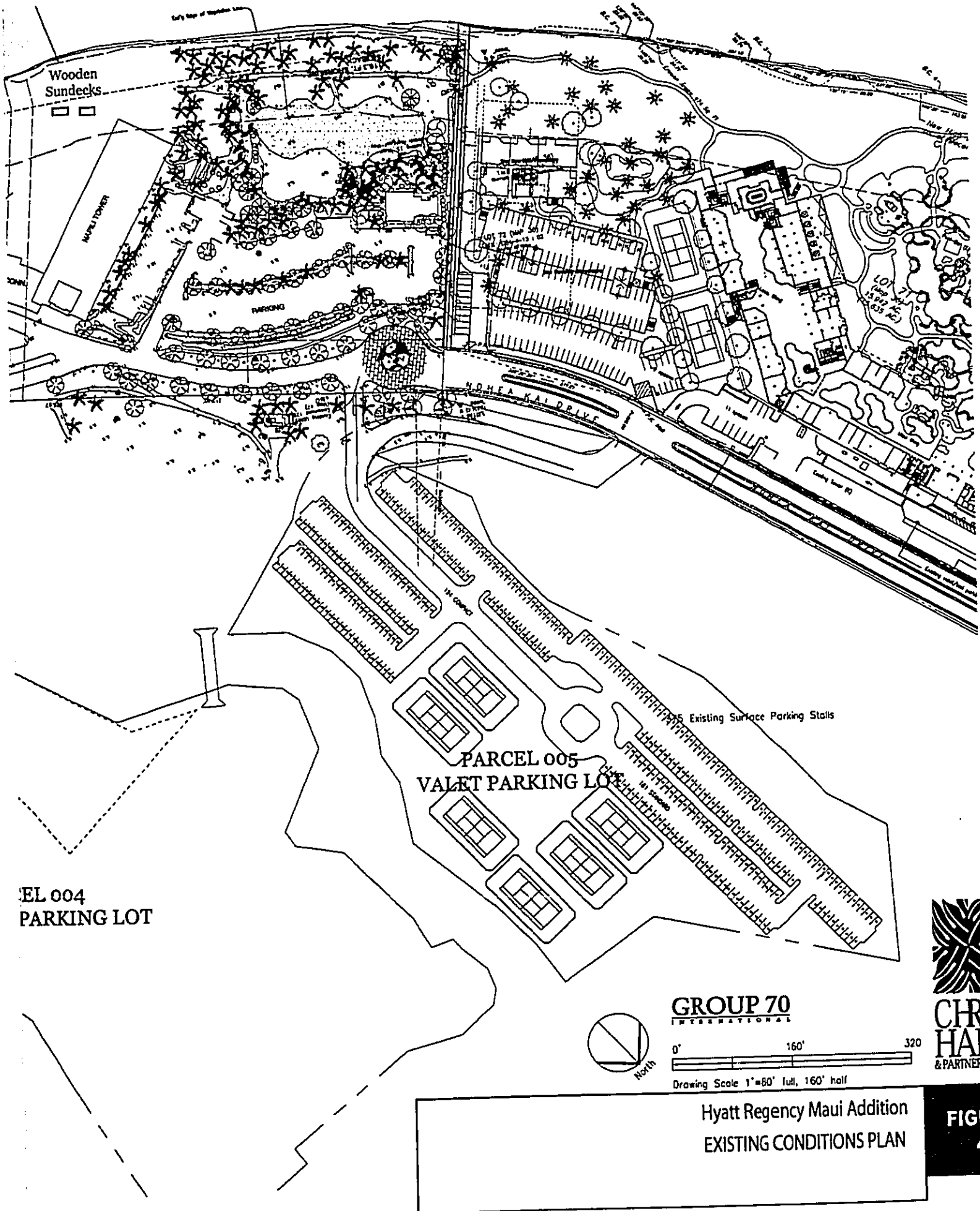
Base Map Sources: Warren S Unemori Engineering Inc Drawing Base, ~24 July 02 Update

Pre SMA/Concept Draft

**Hyatt Maui Timeshare Concept**

**Hyatt Regency Maui**

**PARCEL 004  
EMPLOYEE PARKING LOT**



EL 004  
PARKING LOT

PARCEL 005  
VALET PARKING LOT

Existing Surface Parking Stalls

**GROUP 70**  
INTERNATIONAL

**CHRIS HART**  
& PARTNERS, INC.



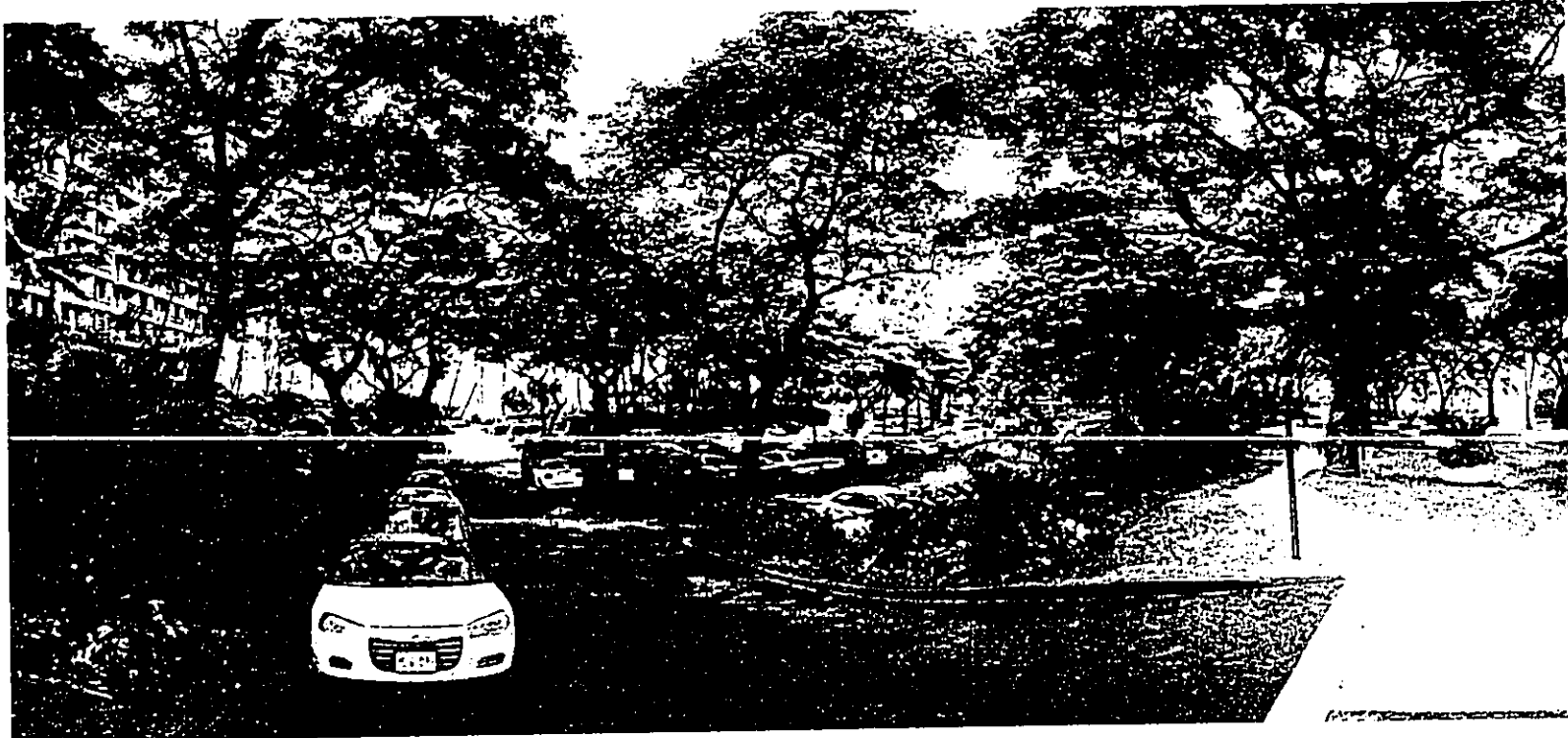
0' 160' 320'  
Drawing Scale 1"=60' full, 160' half

Hyatt Regency Maui Addition  
EXISTING CONDITIONS PLAN

**FIGURE**  
**4**



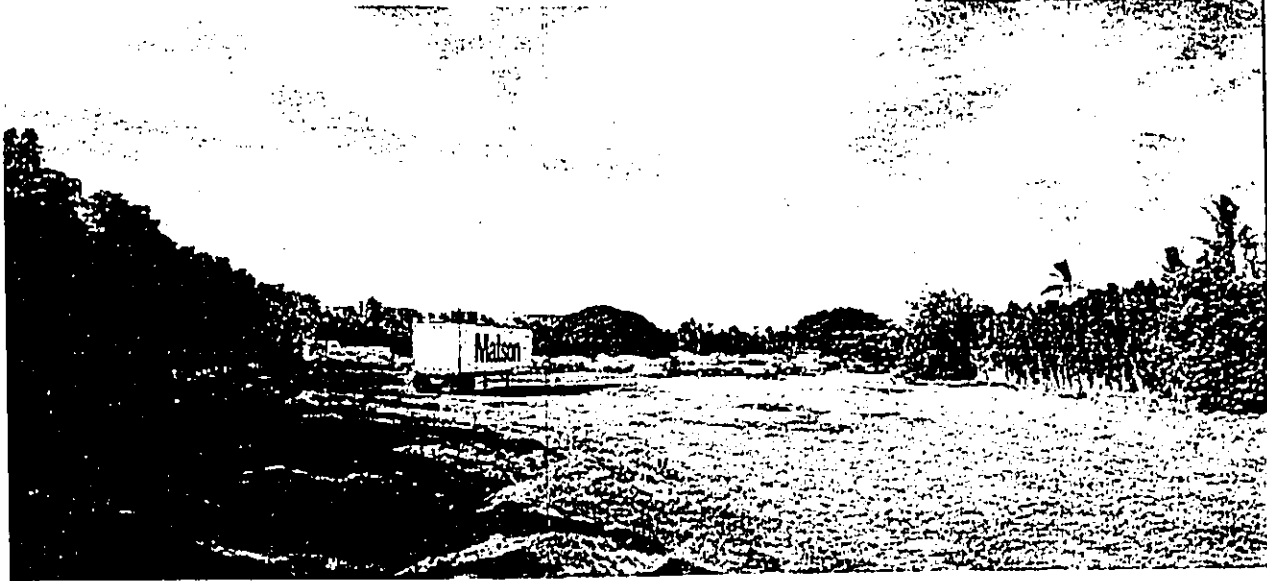
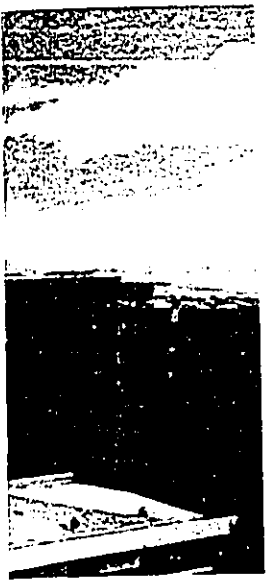
View of Parcel 5 (existing off-site parking and tennis facilities) from the roof of the Marriott. The mature shade trees (monkeypod) obscure the development from the shore front. Ka'anapali (South) Golf Course in the foreground, West Maui Mountains in the background. The project will expand parking within parcel 5.



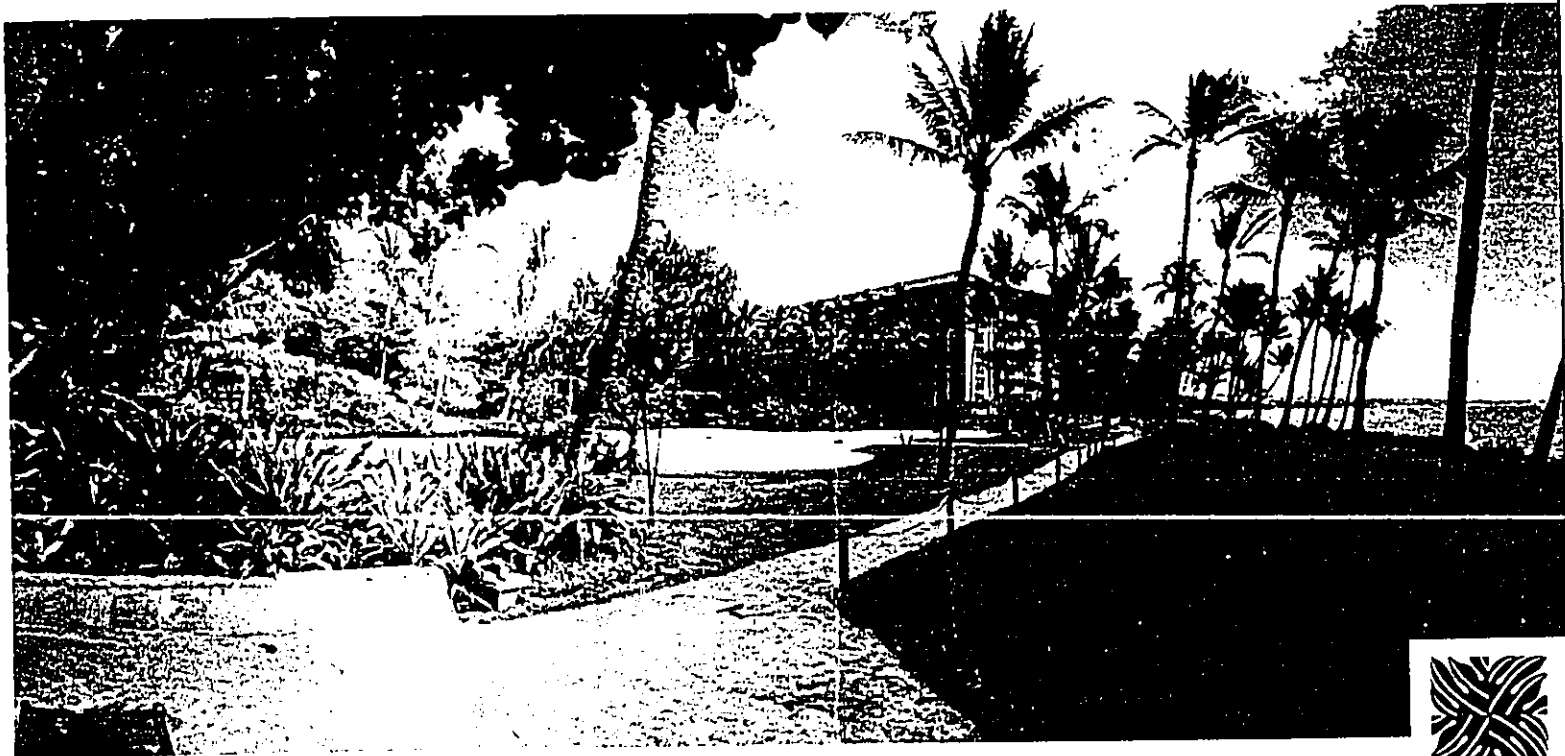
View of north portion Parcel 8 (existing on-site parking for the Hotel). Parking in the foreground, Hanakao'o Beach beyond. Project entry to right. The Project's primary developments (Timeshare building & pool) are to be sited within this parking lot.



View of north portion Parcel 8. The action proposed is to be sited within this parking lot. No development is proposed elsewhere.



View of Parcel 4 (existing off-site employee parking) from southern extent. The foreground shows undeveloped sections and existing on-grade parking behind. The Project may expanded and improve parking in Parcel 4.

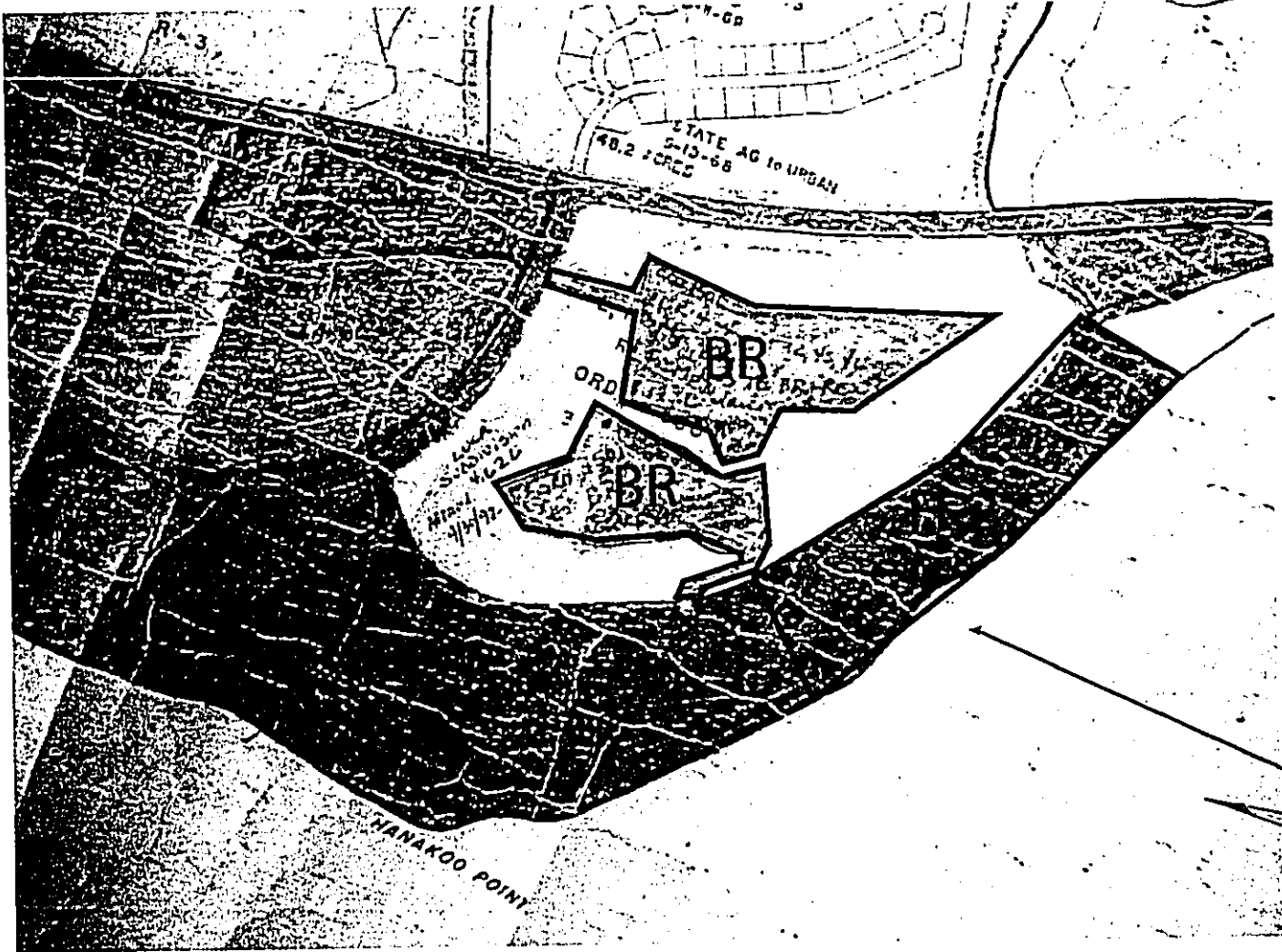


View of north portion Parcel 8 (outdoor event area and shore front). The action proposes to retain yet soften the paved event area with landscape planting. No development is proposed seaward of the event area.



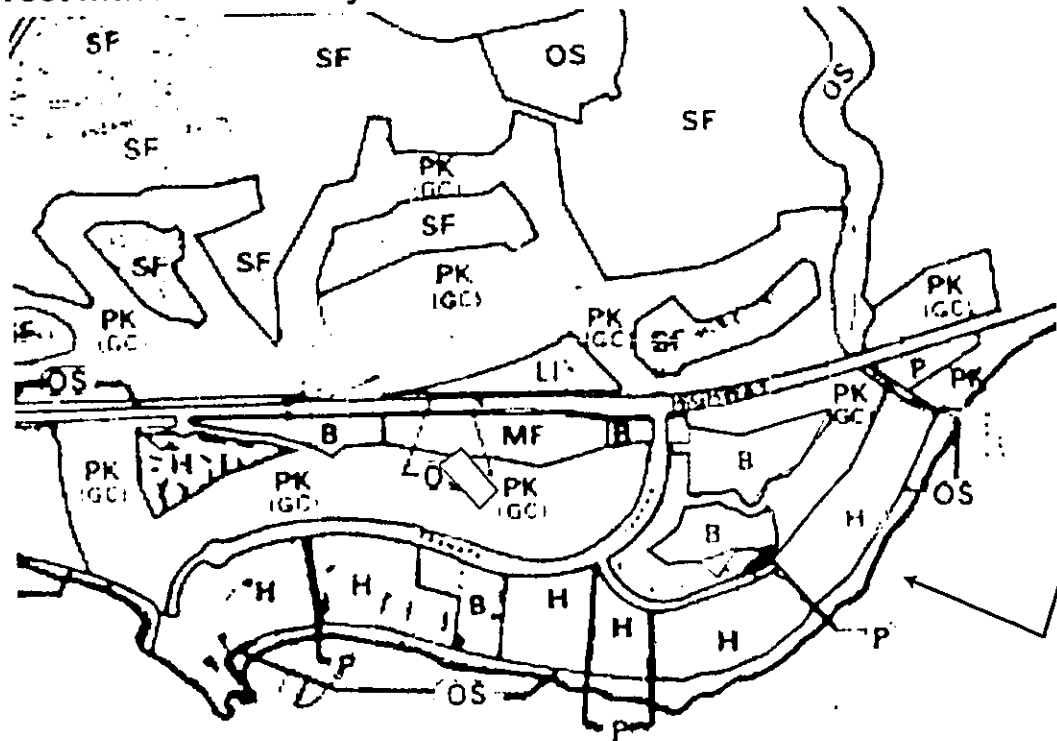
Maui County Zoning

State Land

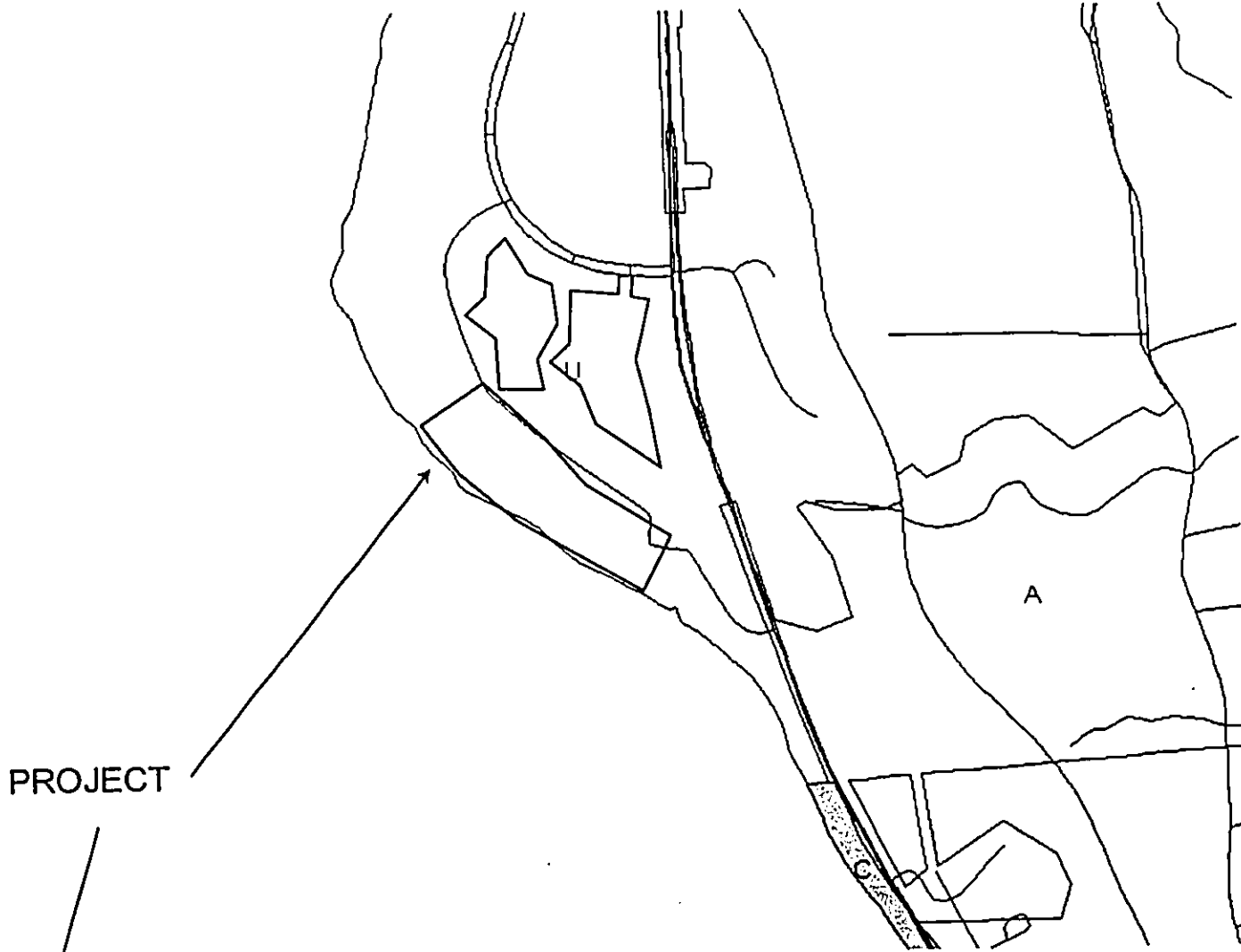


PROJECT

West Maui Community Plan



State Land Use Districts



PROJECT

**LAND USE CONTROL SUMMARY**

**Parcel 8 (Proposed Timeshare)**

STATE LAND USE DISTRICT: URBAN  
MAUI COUNTY ZONING: H-2 HOTEL  
COMMUNITY PLAN DISTRICT: HOTEL, OPEN SPACE

**Parcels 4 & 5 (Tennis / Parking)**

STATE LAND USE DISTRICT: URBAN  
MAUI COUNTY ZONING: BR Resort Commercial  
COMMUNITY PLAN DISTRICT: BUSINESS

Hyatt Regency Maui Addition  
LAND USE MAPS

**FIGURE**  
**6**

O C E A N

SHORELINE BOUNDARY FOLLOWS ALONG BOTTOM OF BANK AS SHOWN ON MAP 29 OF LAND COURT APPLICATION 1744  
SHORELINE FOLLOWS ALONG BOTTOM BANK/VEGETATION LINE AS SURVEYED ON APRIL 10, 2002 (APPROVAL PENDING)  
BOUNDARY FOLLOWS ALONG VEGETATION LINE AS OF JUNE 21, 1977

119' SHORELINE BASED ON AVE

Ex'g Edge of Vegetation Line

Shoreline Setback: 116.3 ft

124'12"14"

Map111 Atrium Connection:  
New Timeshare Sales Venue and Offices  
New Hotel Guest Walkway and Colonnade

First Floor Elev +17.5

**LOT 66**  
T.M.K.: (2)4-4-13 : 08  
PER LAND COURT APPLICATION 1744 (MAP 29) = 18.405  
PER PROPOSED SHORELINE BOUNDARY = 18.354

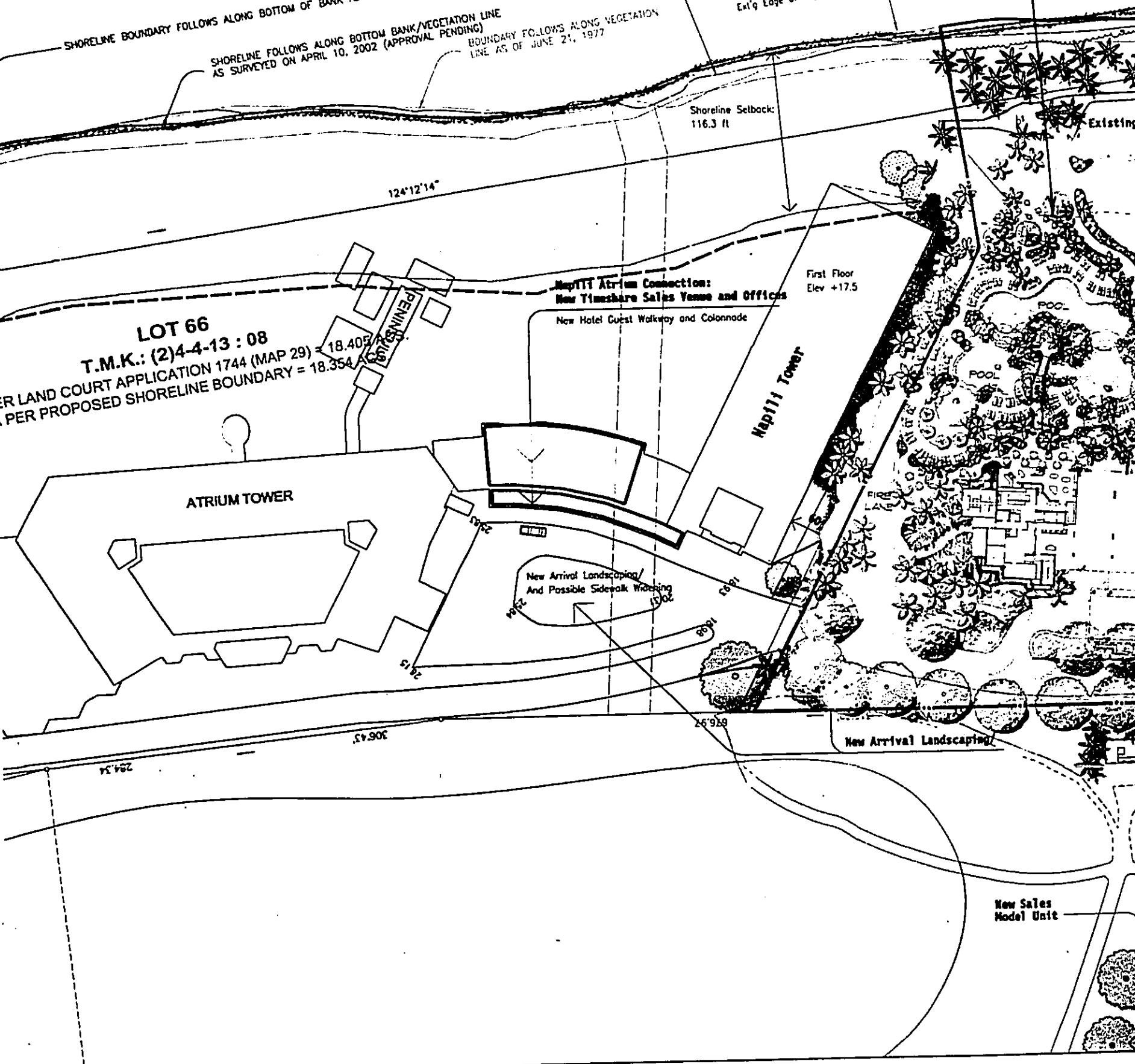
ATRIUM TOWER

Map111 Tower

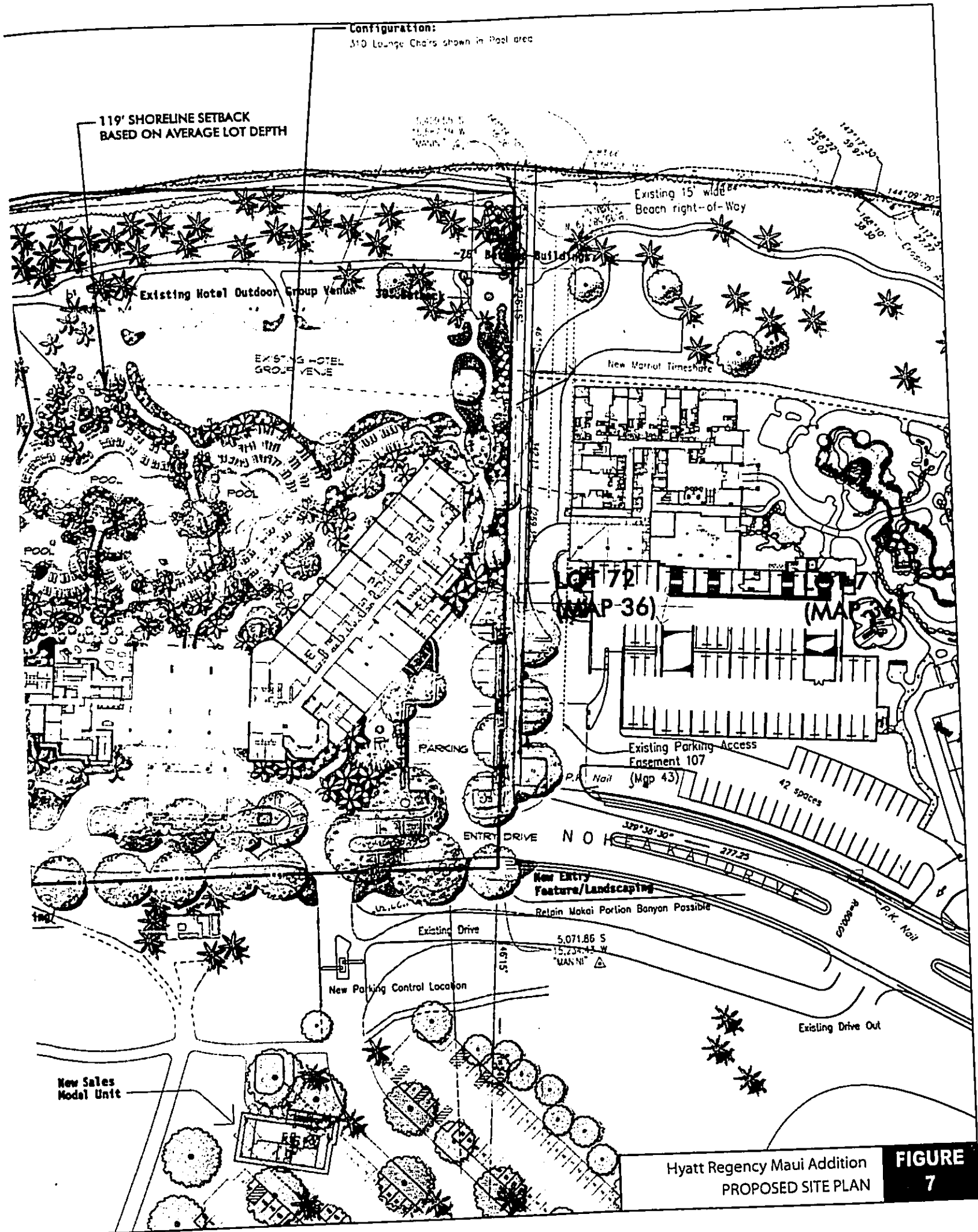
New Arrival Landscaping/  
And Possible Sidewalk Widening

New Arrival Landscaping

New Sales Model Unit

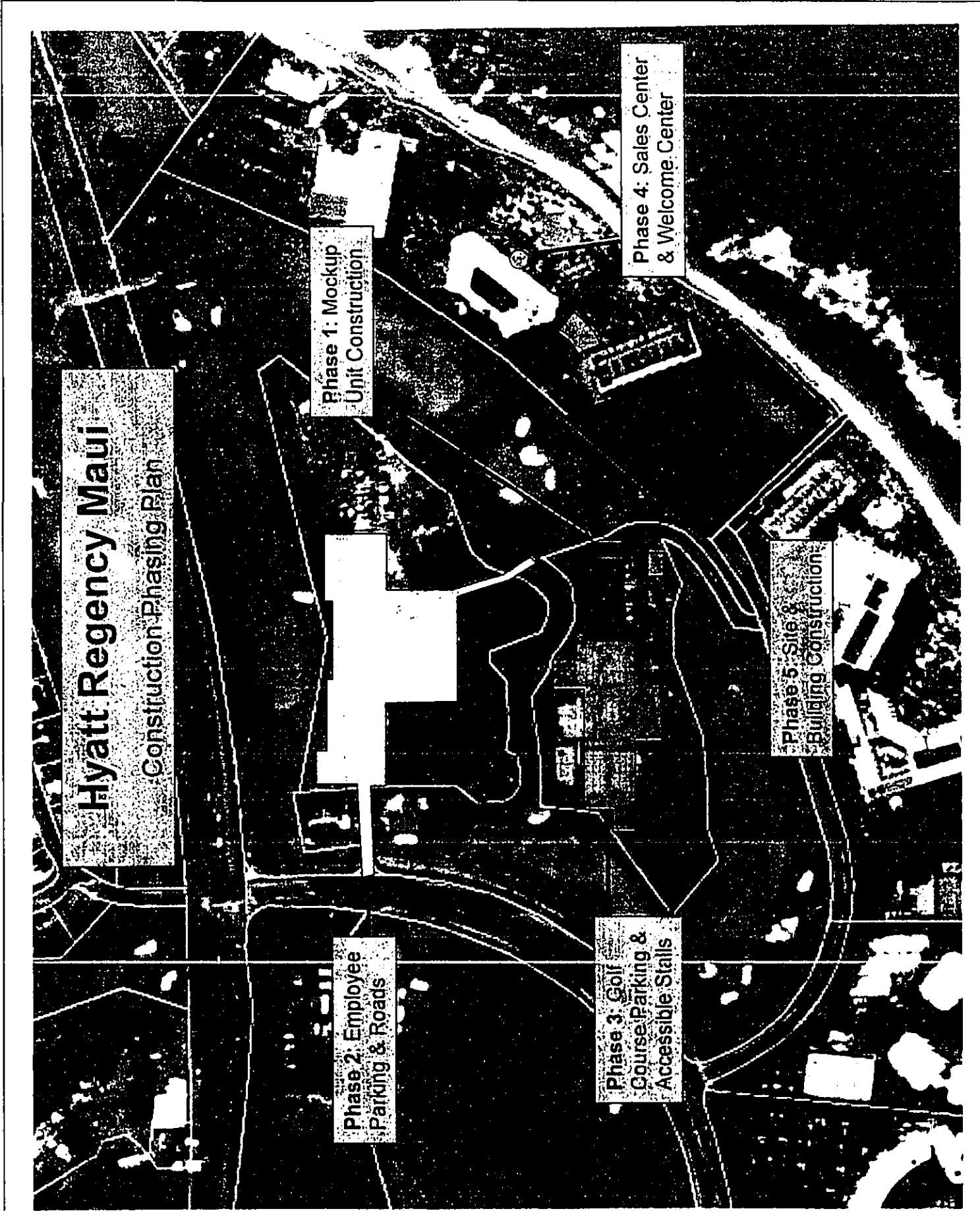






Hyatt Regency Maui Addition  
PROPOSED SITE PLAN

**FIGURE**  
**7**



Hyatt Regency Maui Addition  
PHASING PLAN

FIGURE  
8

## **Appendices**

**Appendix A**  
*Construction Details*

---

O C E A N

SHORELINE BOUNDARY FOLLOWS ALONG BOTTOM OF BANK AS SHOWN ON MAP 29 OF LAND COURT APPLICATION 1744  
SHORELINE FOLLOWS ALONG BOTTOM BANK/VEGETATION LINE AS SURVEYED ON APRIL 10, 2002 (APPROVAL PENDING)  
BOUNDARY FOLLOWS ALONG VEGETATION LINE AS OF JUNE 21, 1977

119' SHORELINE SETBACK  
BASED ON AVERAGE LOT DEPTH

Ex'g Edge of Vegetation Line

Shoreline Setback: 116.3 ft

126°12'14"

LOT 66  
T.M.K.: (2)4-4-13:08  
PER LAND COURT APPLICATION 1744 (MAP 29) 18.408  
EA PER PROPOSED SHORELINE BOUNDARY = 18.354

PENINSULA

Map 111 Atrium Connections:  
New Timeshare Sales Venue and Offices  
New Hotel Guest Walkway and Colonnade

First Floor  
Elev +17.5

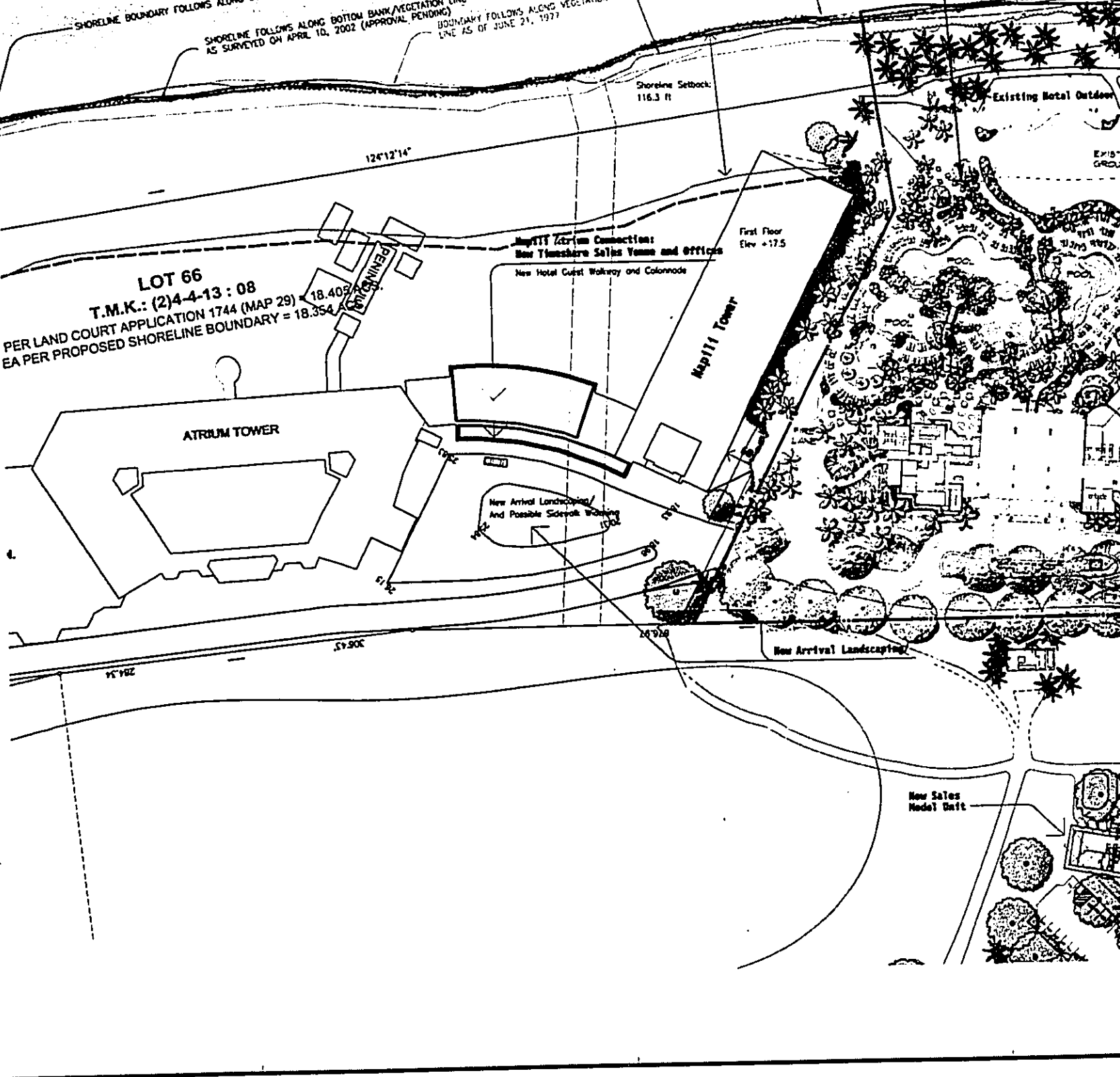
Map 111 Tower

ATRIUM TOWER

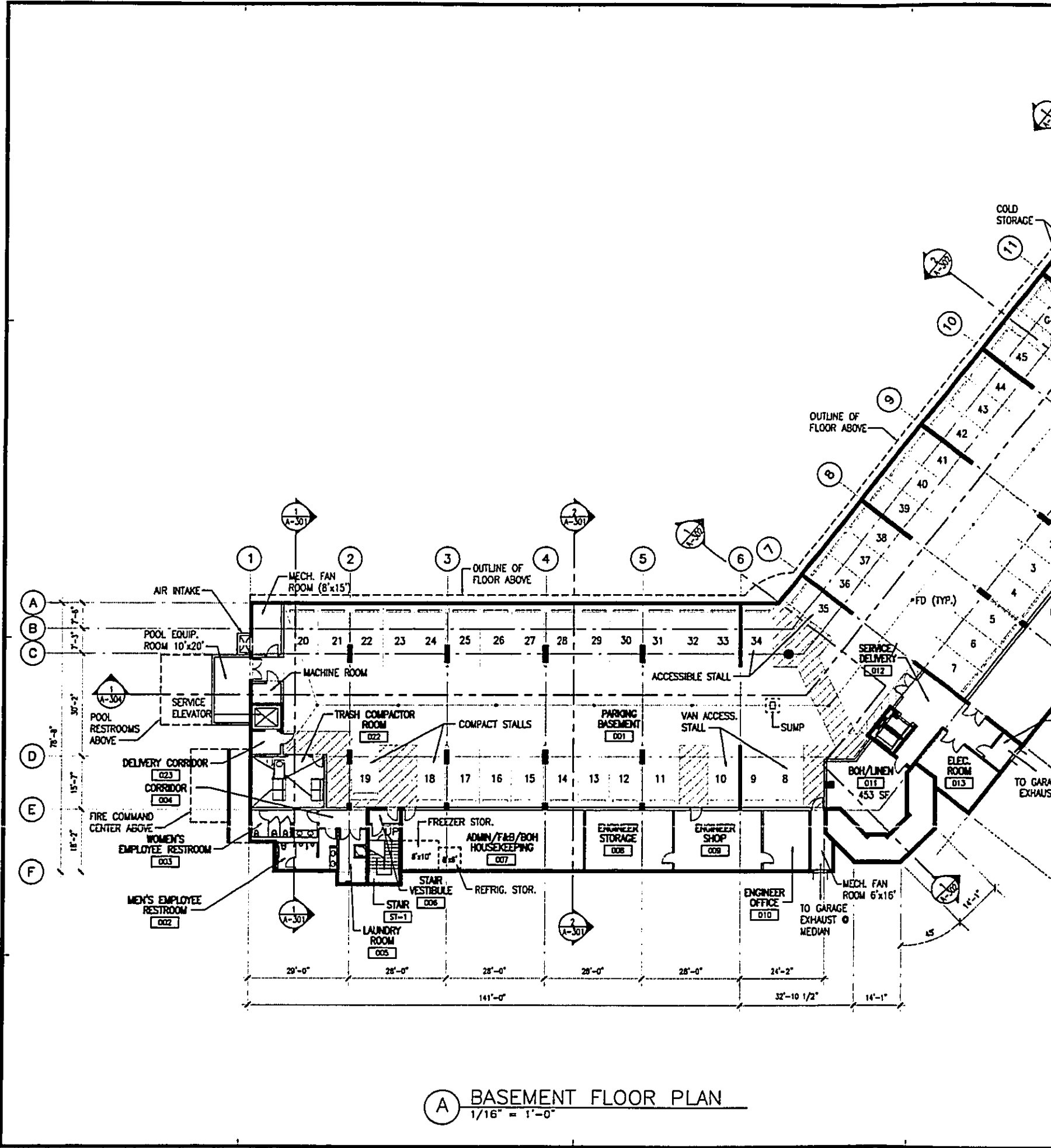
New Arrival Landscaping/  
And Possible Security Screening

New Arrival Landscaping

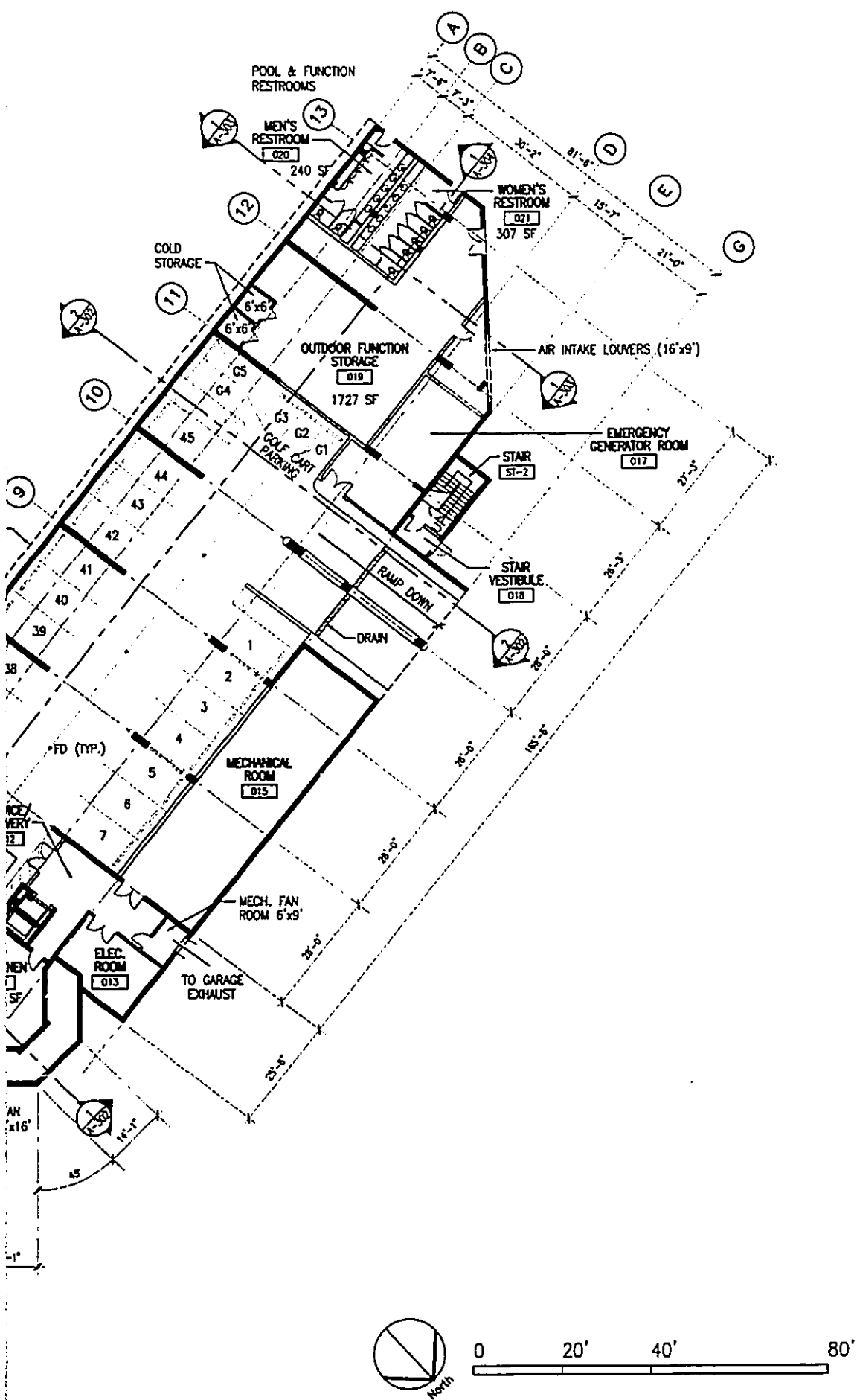
New Sales  
Model Unit







**A** BASEMENT FLOOR PLAN  
 1/16" = 1'-0"



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REVISIONS	
No./Date	Description

PROJECT TITLE  
**Maui Hyatt**  
 Timeshare Design Services

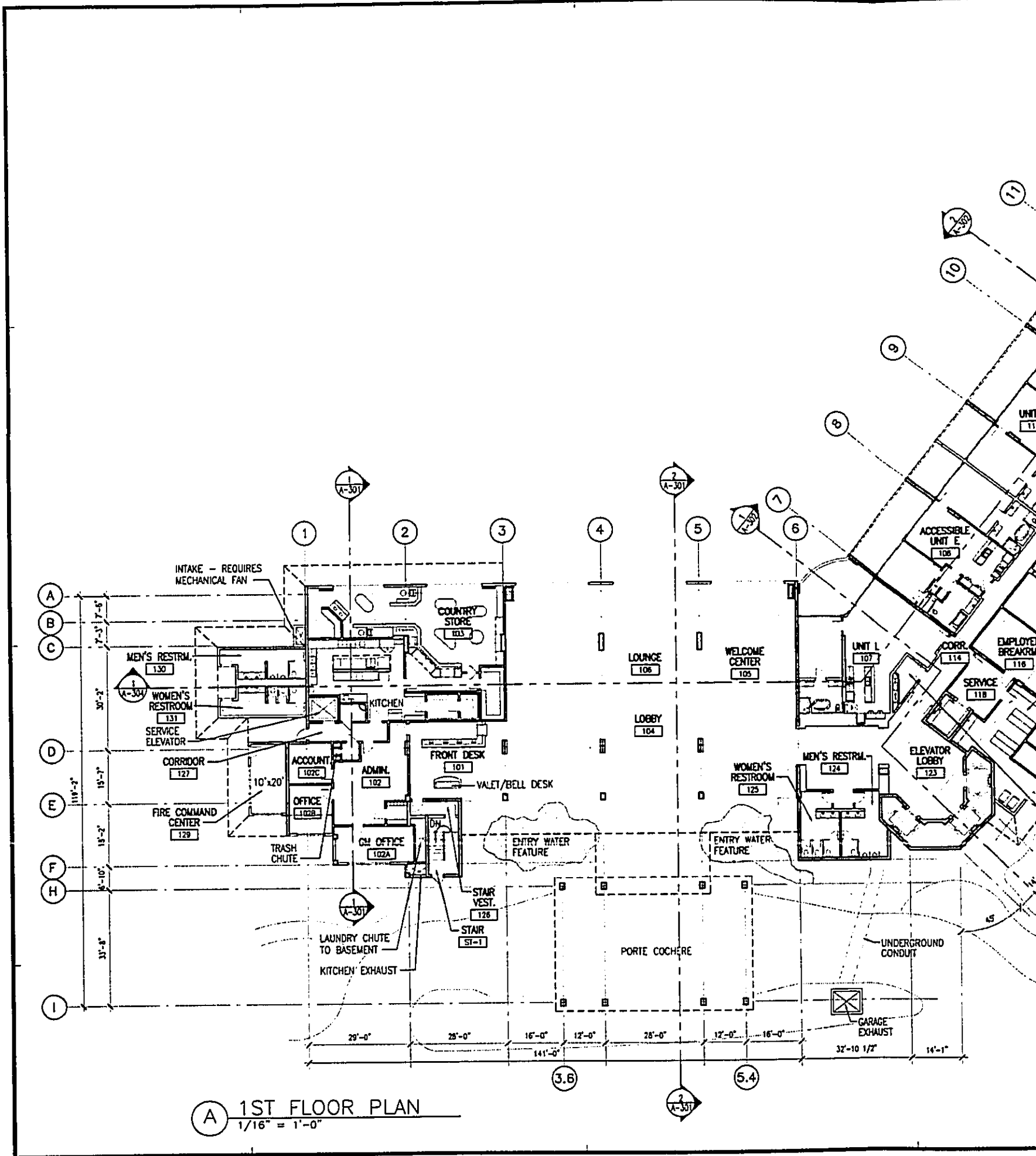
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 SCALE: 1/16" = 1'-0"

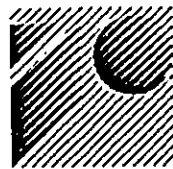
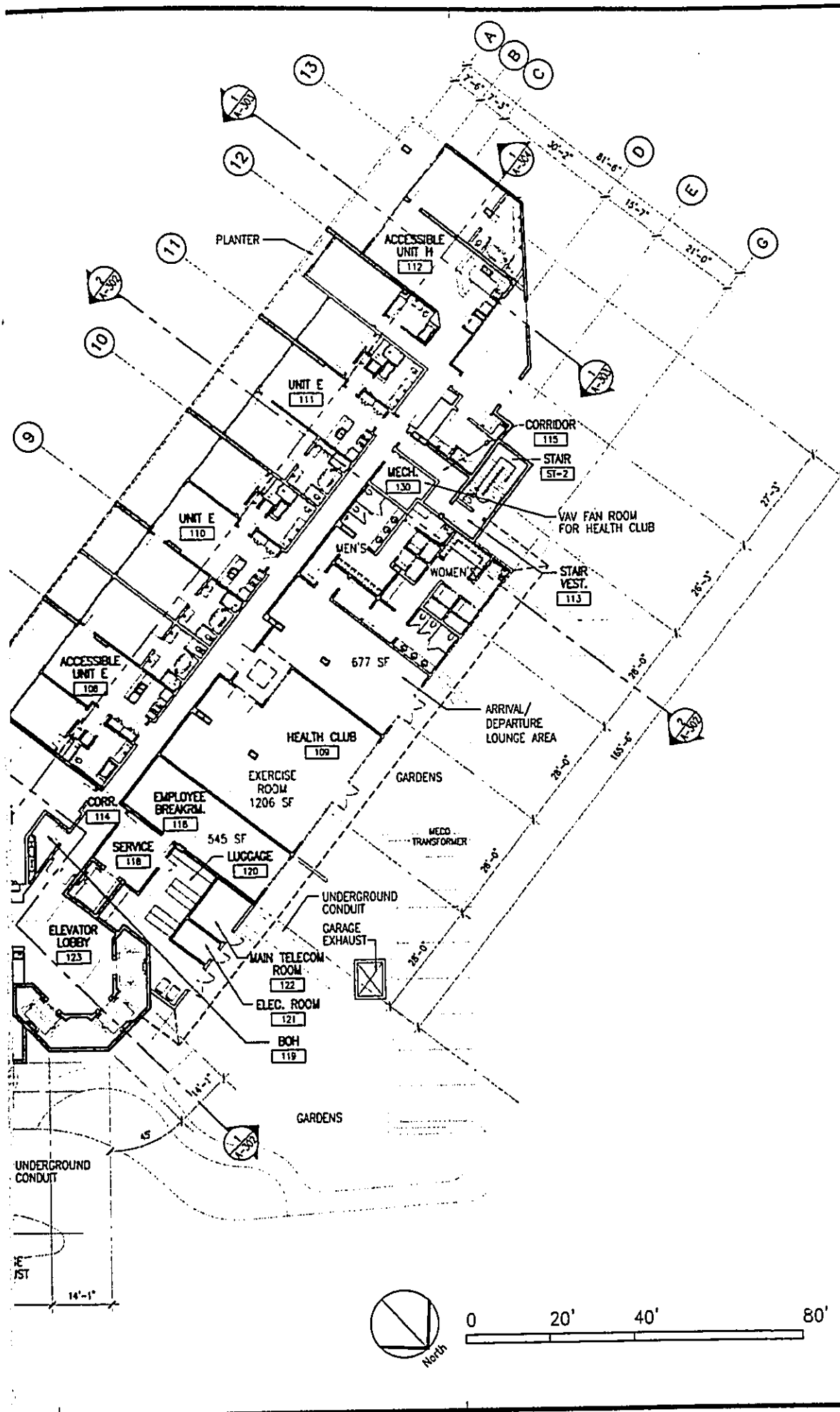
DRAWN BY:                      CHECKED BY:

PROJECT NO. 24050-13	DRAWING NO. <b>A-102</b>
DATE: 6 OCT 06	





A 1ST FLOOR PLAN  
 1/16" = 1'-0"



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Maui Hyatt  
Timeshare Design Services

FILENAME: plan-1

**DRAWING TITLE**

1ST FLOOR PLAN

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

DRAWN BY:

CHECKED BY:

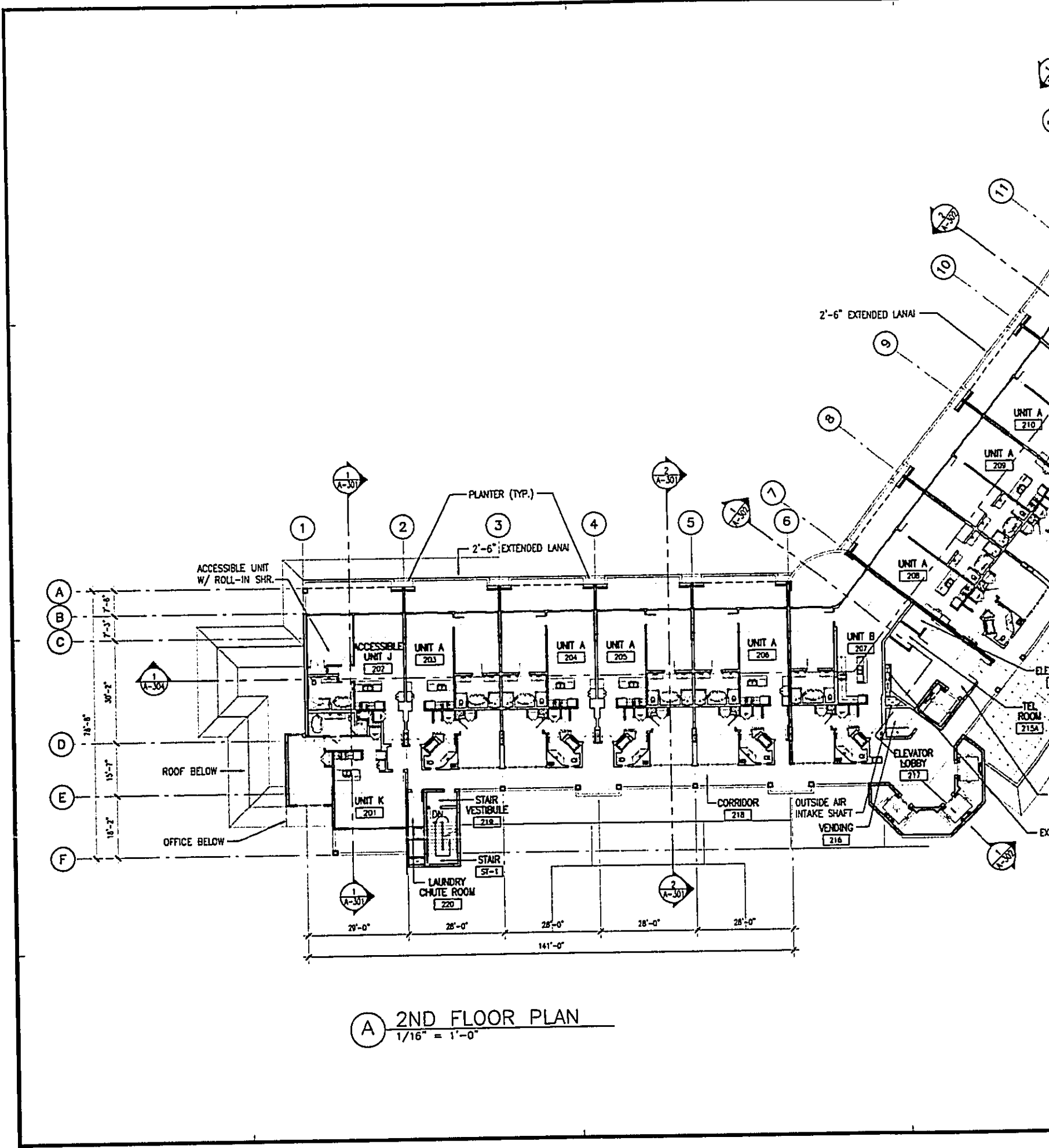
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24050-13

DRAWING NO.

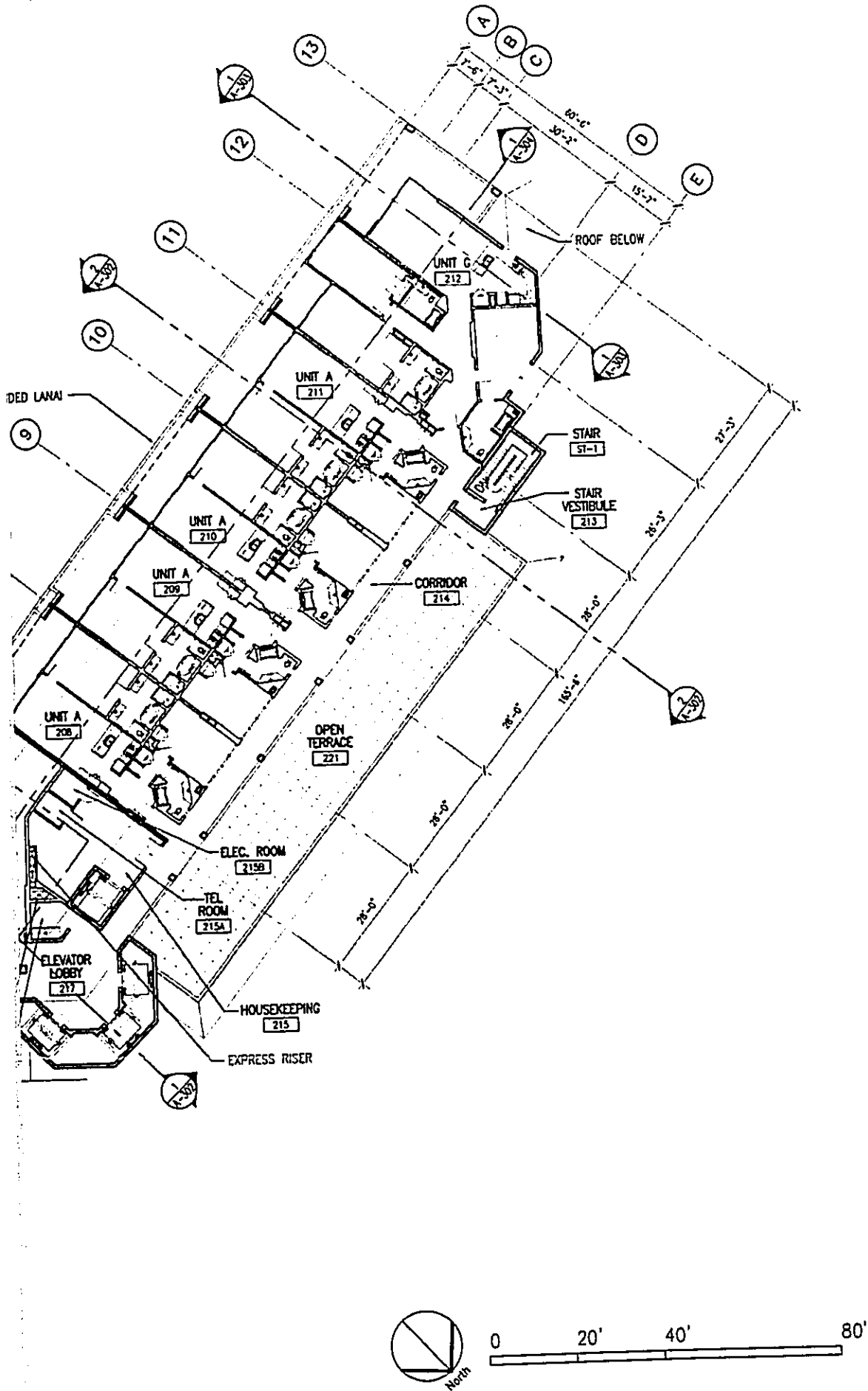
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DATE:  
6 OCT 06

10/20/06 10:00 AM



**A 2ND FLOOR PLAN**  
 $1/16" = 1'-0"$



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No./Date	Description

**PROJECT TITLE**

Maui Hyatt  
Timeshare Design Services

FILENAME: plan-2

**DRAWING TITLE**

2ND FLOOR PLAN

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

DRAWN BY:                      CHECKED BY:

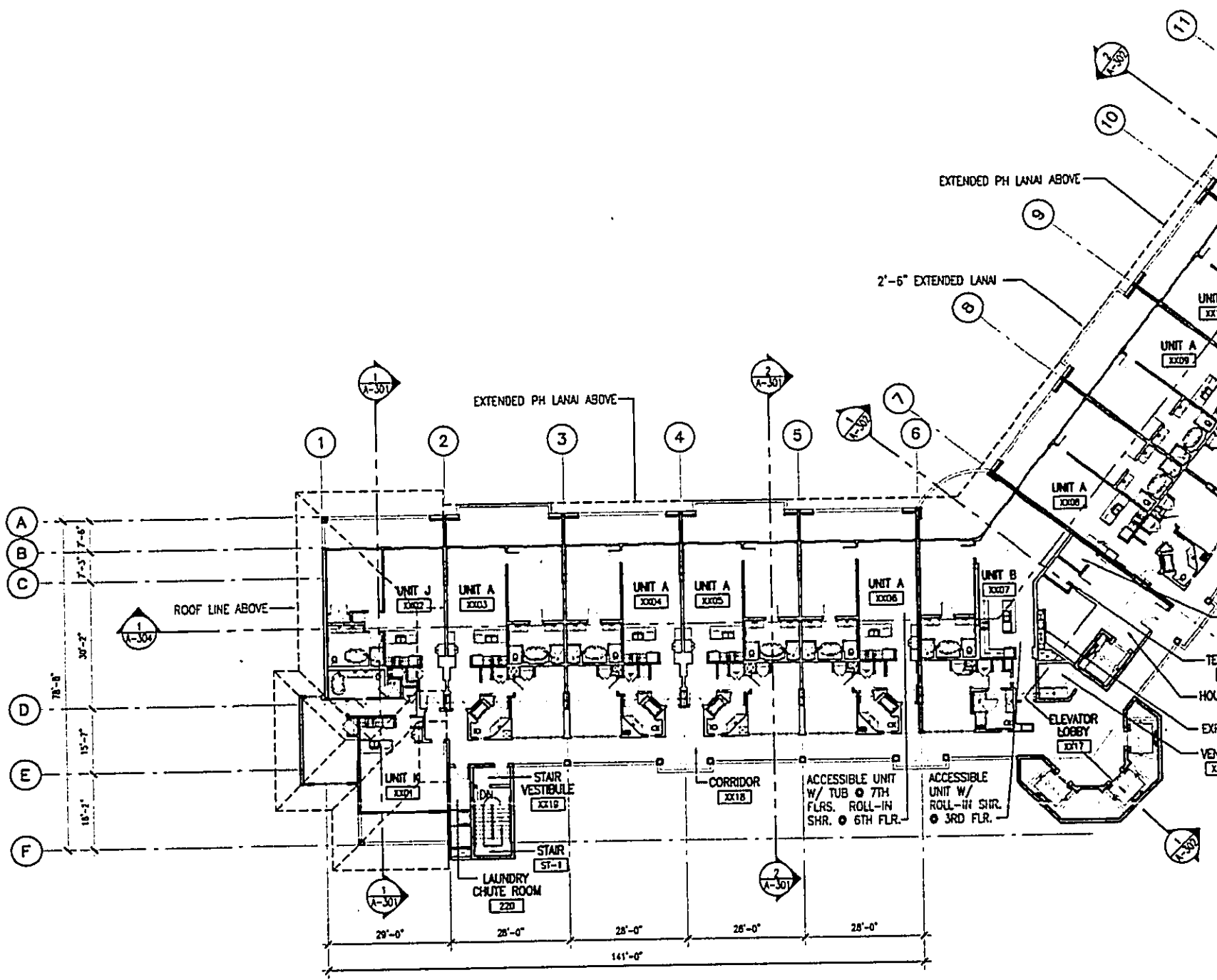
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24050-13

DATE:  
19 SEP 06

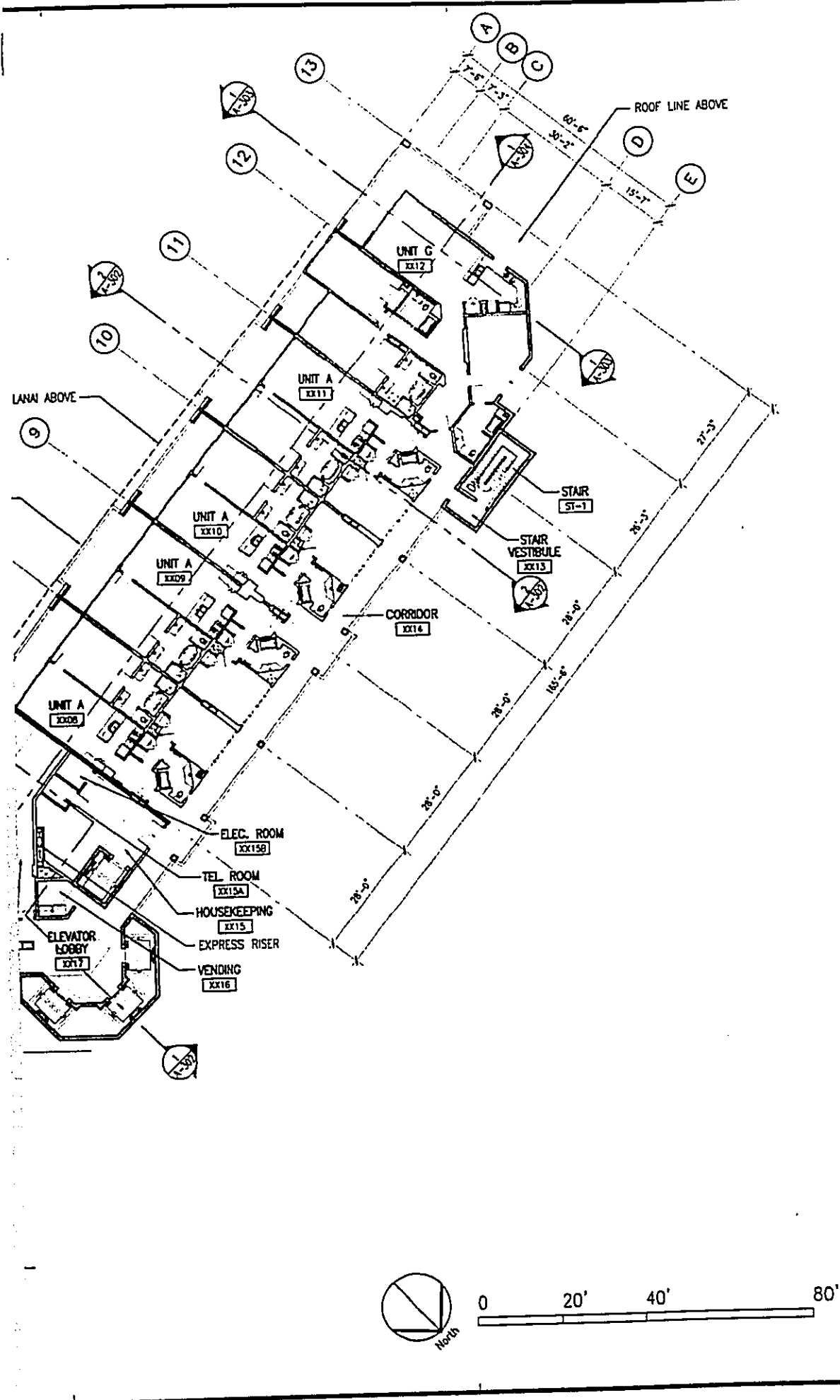
DRAWING NO.

**A-104**

P.L.S. SEE 1/16" = 1'-0" PLAN-2 FOR DETAILS



(A) 3RD FLOOR PLAN (4TH-10TH FLOORS SIM.)  
 1/16" = 1'-0"



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No./Date	Description

PROJECT TITLE

**Maui Hyatt**  
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FILENAME: plan-3-10

DRAWING TITLE

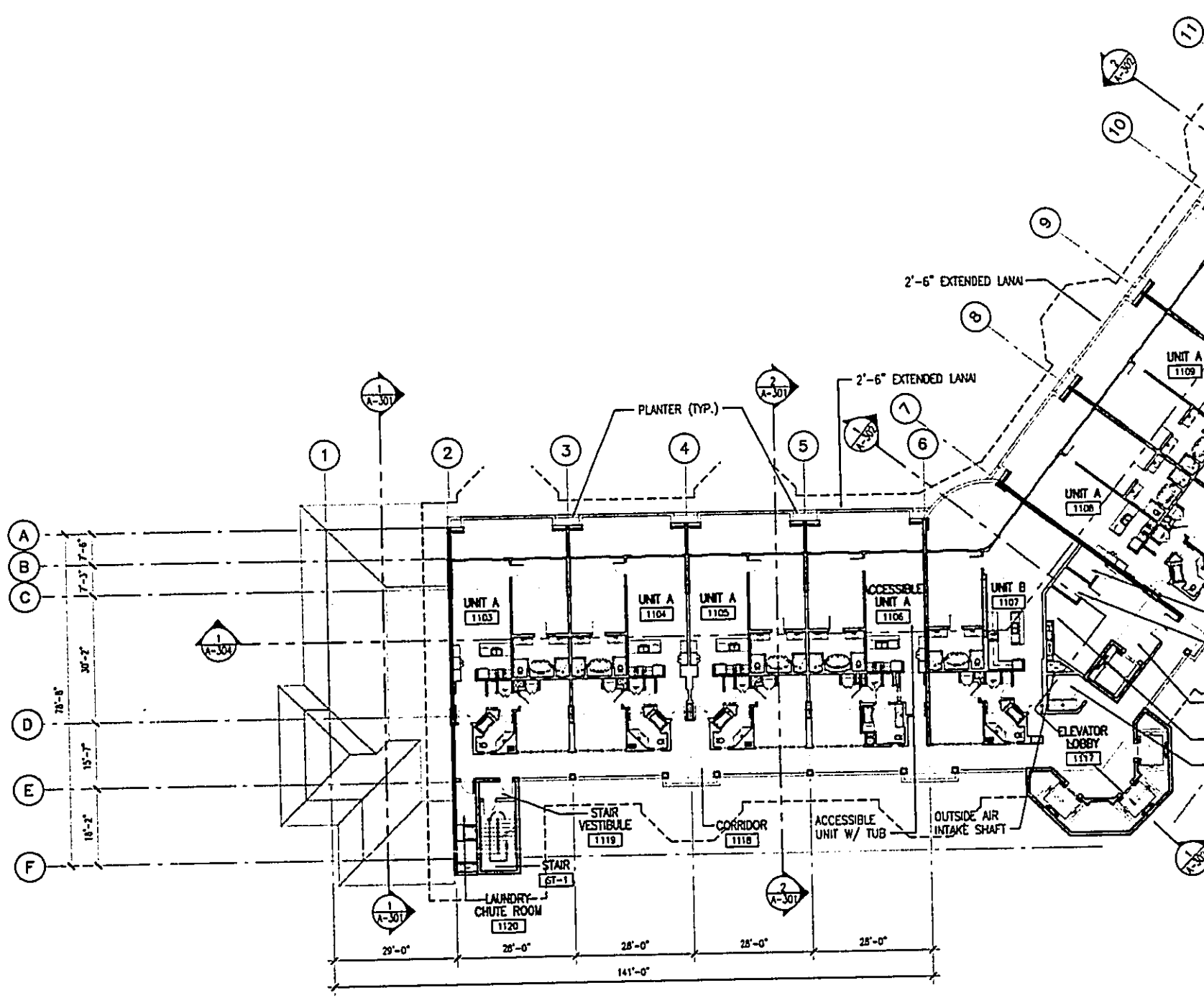
**3RD FLOOR PLAN  
(4TH THRU 10TH FLOORS  
SIM.)**

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

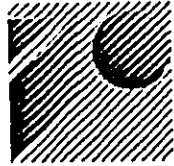
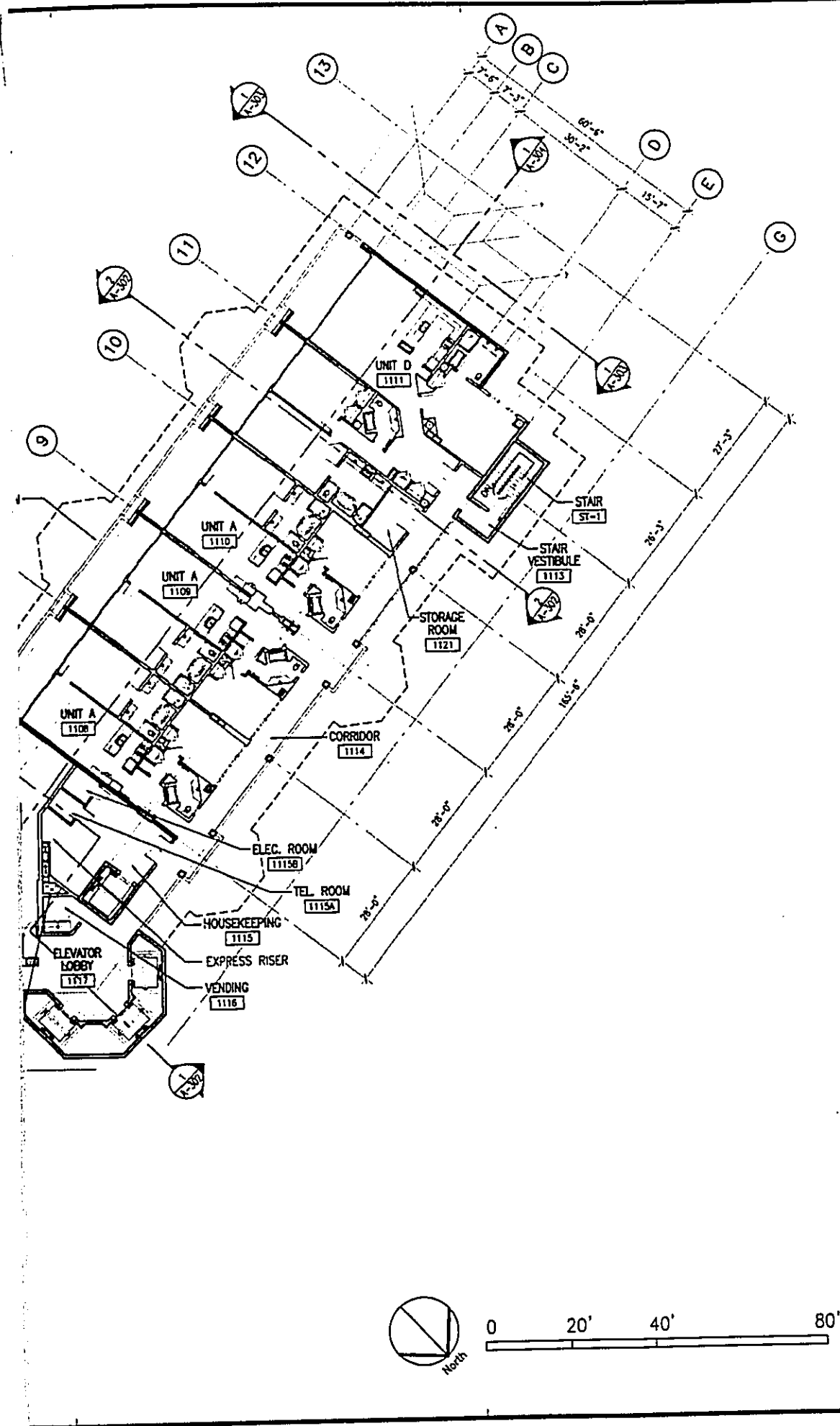
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PROJECT NO. 24050-13	DRAWING NO. <b>A-105</b>
DATE: 19 SEP 06	

04/20/06 04:30 PM



A 11TH FLOOR PLAN  
 1/16" = 1'-0"



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**PROJECT TITLE**

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FILENAME: plan-11

**DRAWING TITLE**

11TH FLOOR PLAN

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

DRAWN BY:

CHECKED BY:

PROJECT NO.  
24050-13

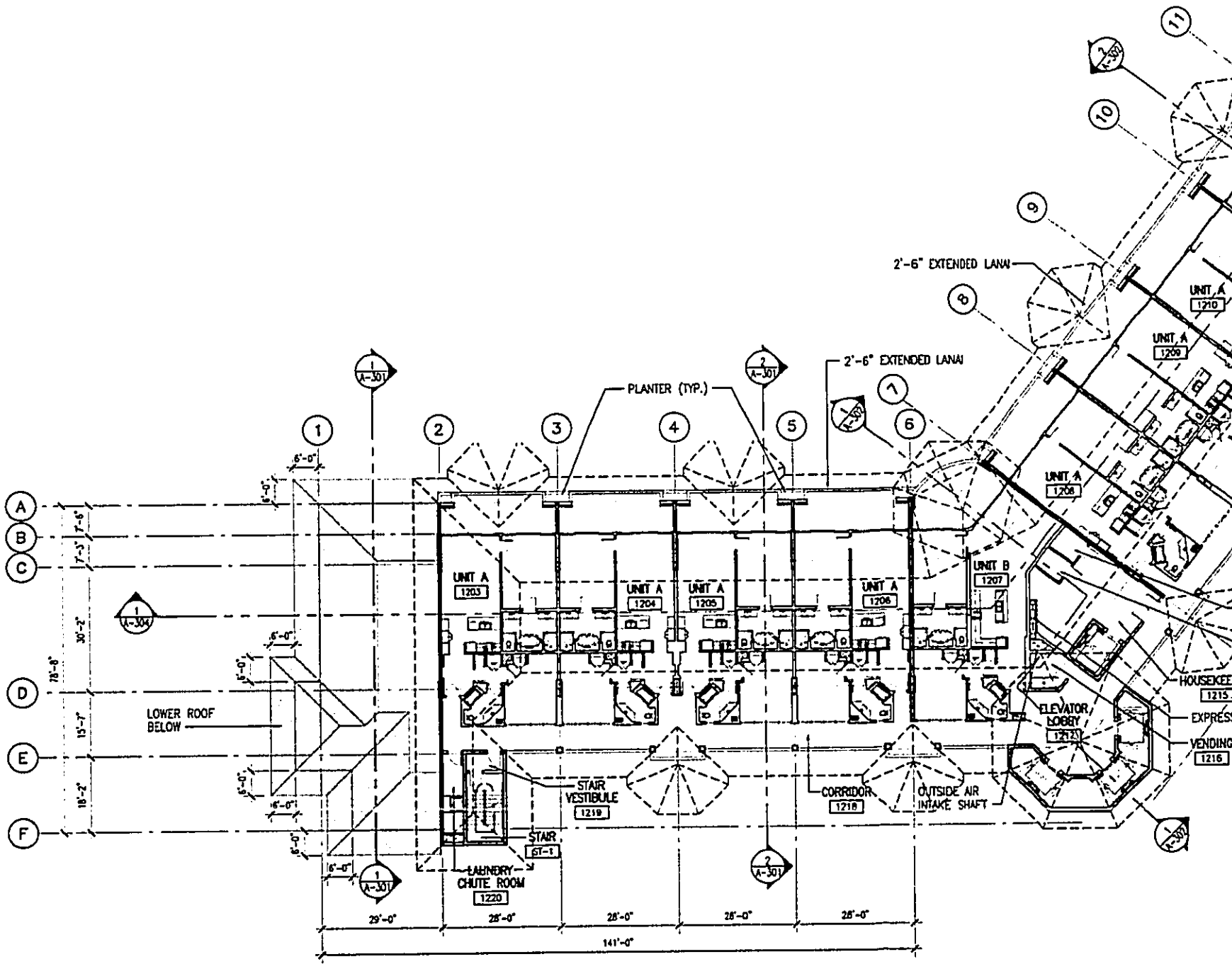
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DATE:  
19 SEP 06

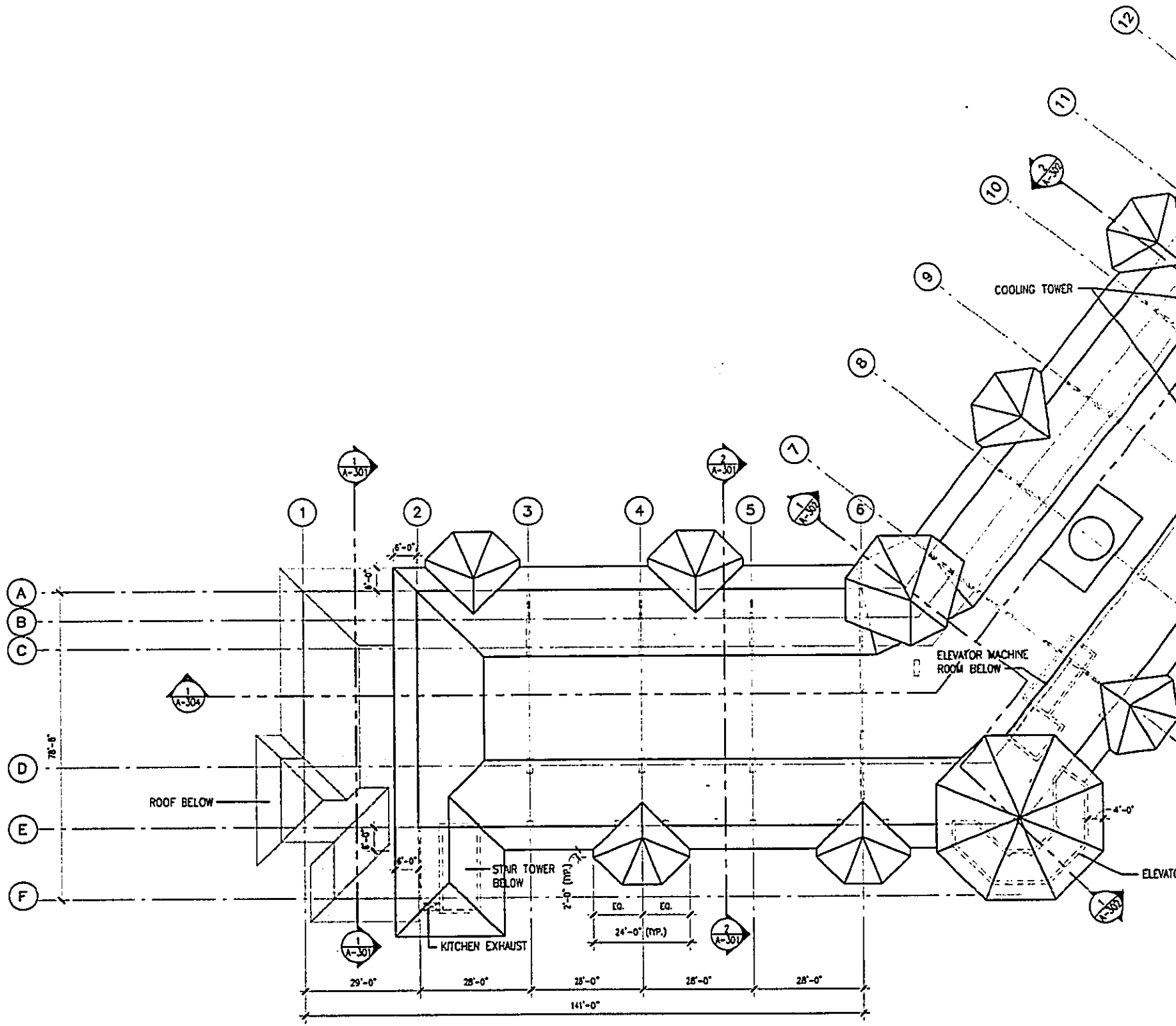
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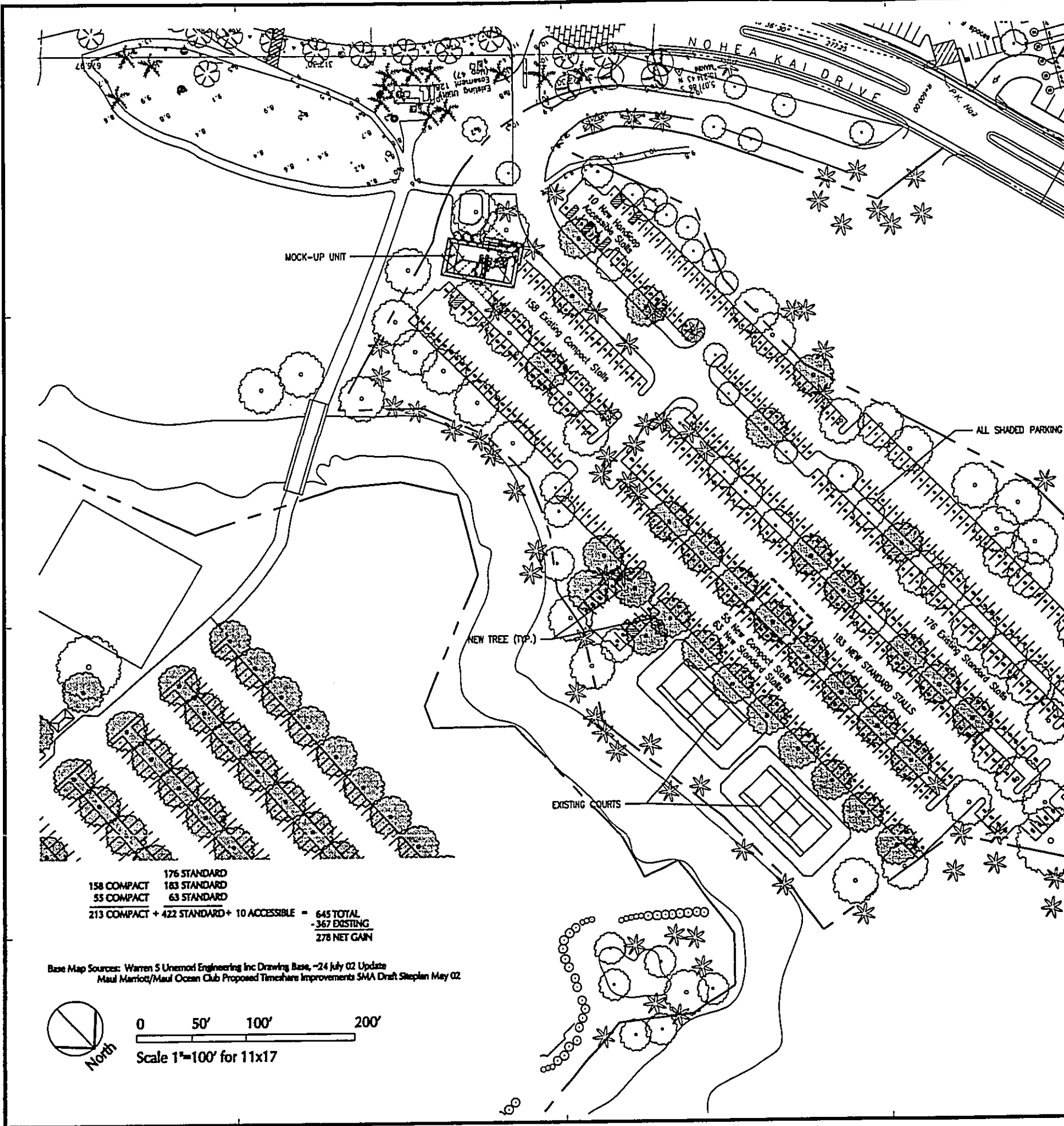
**A** 12TH FLOOR PLAN  
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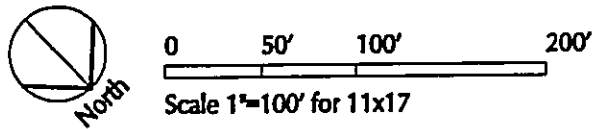
**A** ROOF PLAN  
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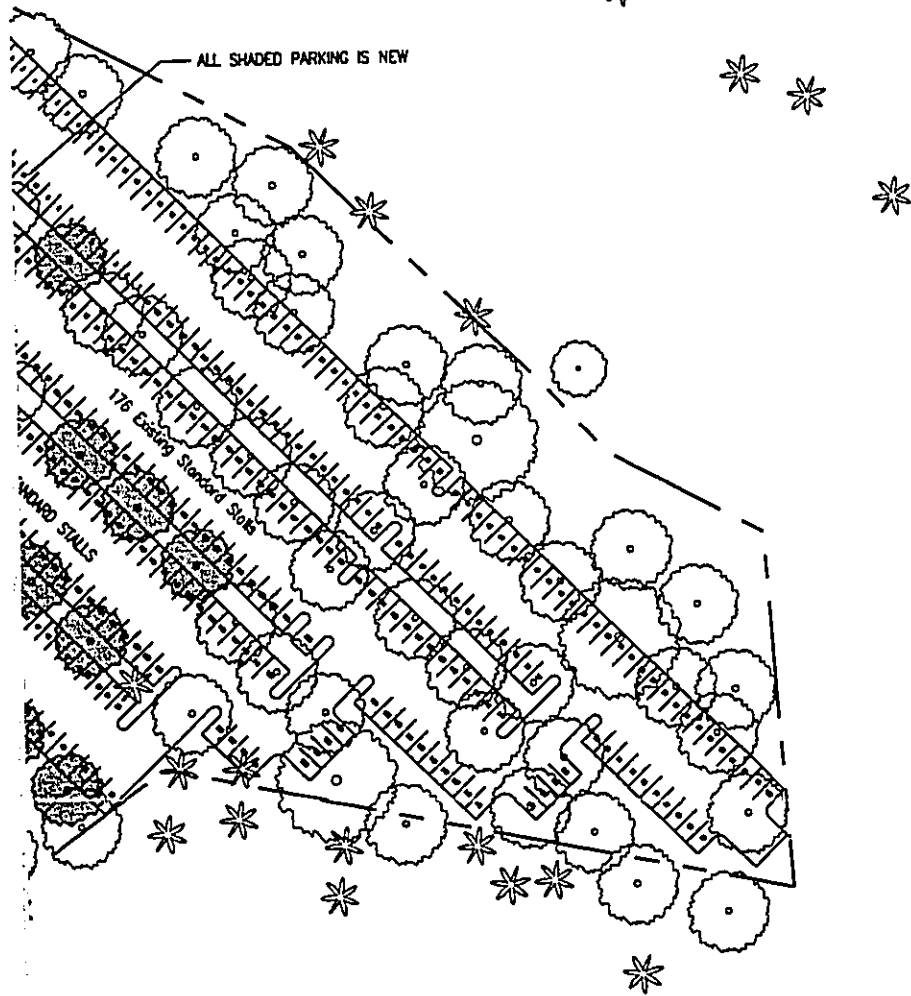
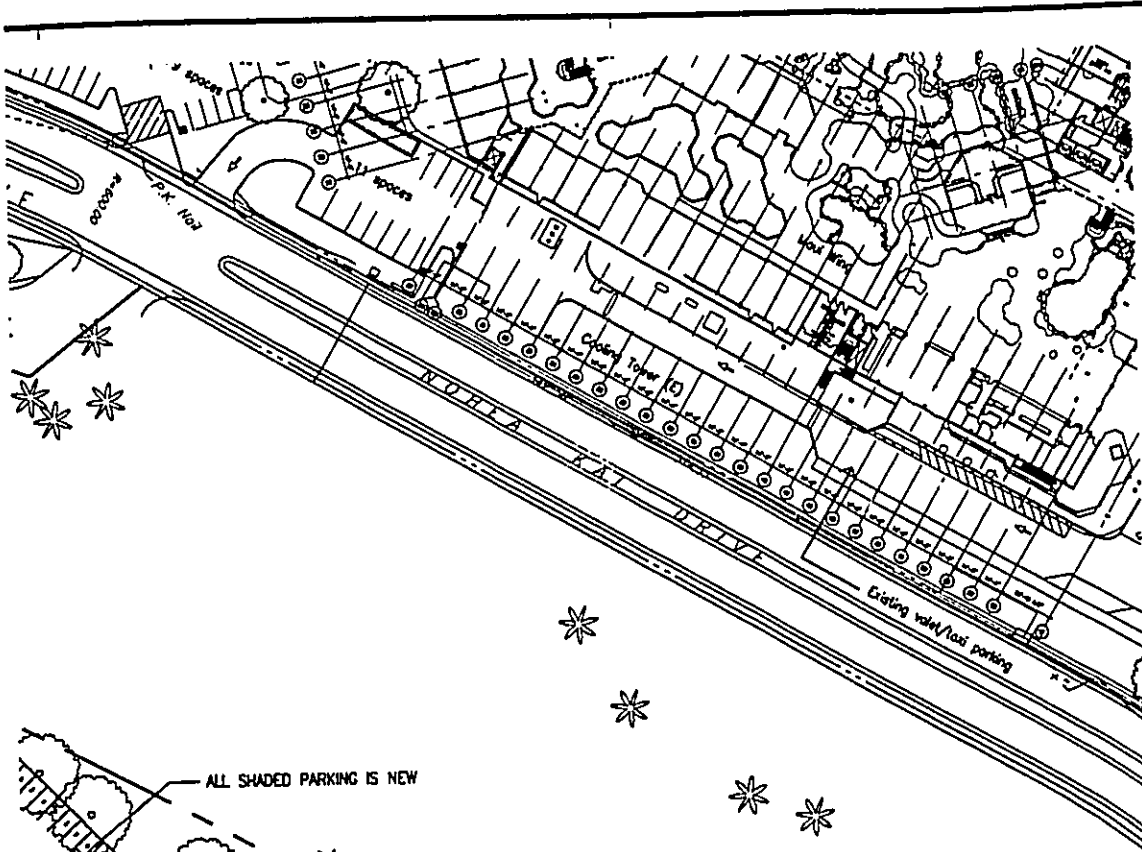




	176 STANDARD	
158 COMPACT	183 STANDARD	
55 COMPACT	63 STANDARD	
213 COMPACT + 422 STANDARD + 10 ACCESSIBLE = 645 TOTAL		
		- 367 EXISTING
		278 NET GAIN

Base Map Sources: Warren S Unemod Engineering Inc Drawing Base, ~24 July 02 Update  
 Maui Marriott/Maui Ocean Club Proposed Timeshare Improvements SMA Draft Septan May 02





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PROJECT TITLE

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Timeshare Design Services

FILENAME: SITE-PARKING.dwg

DRAWING TITLE

PROPOSED PARCEL 5  
PARKING PLAN

SCALE: 1"=100'

DRAWN BY:

CHECKED BY:

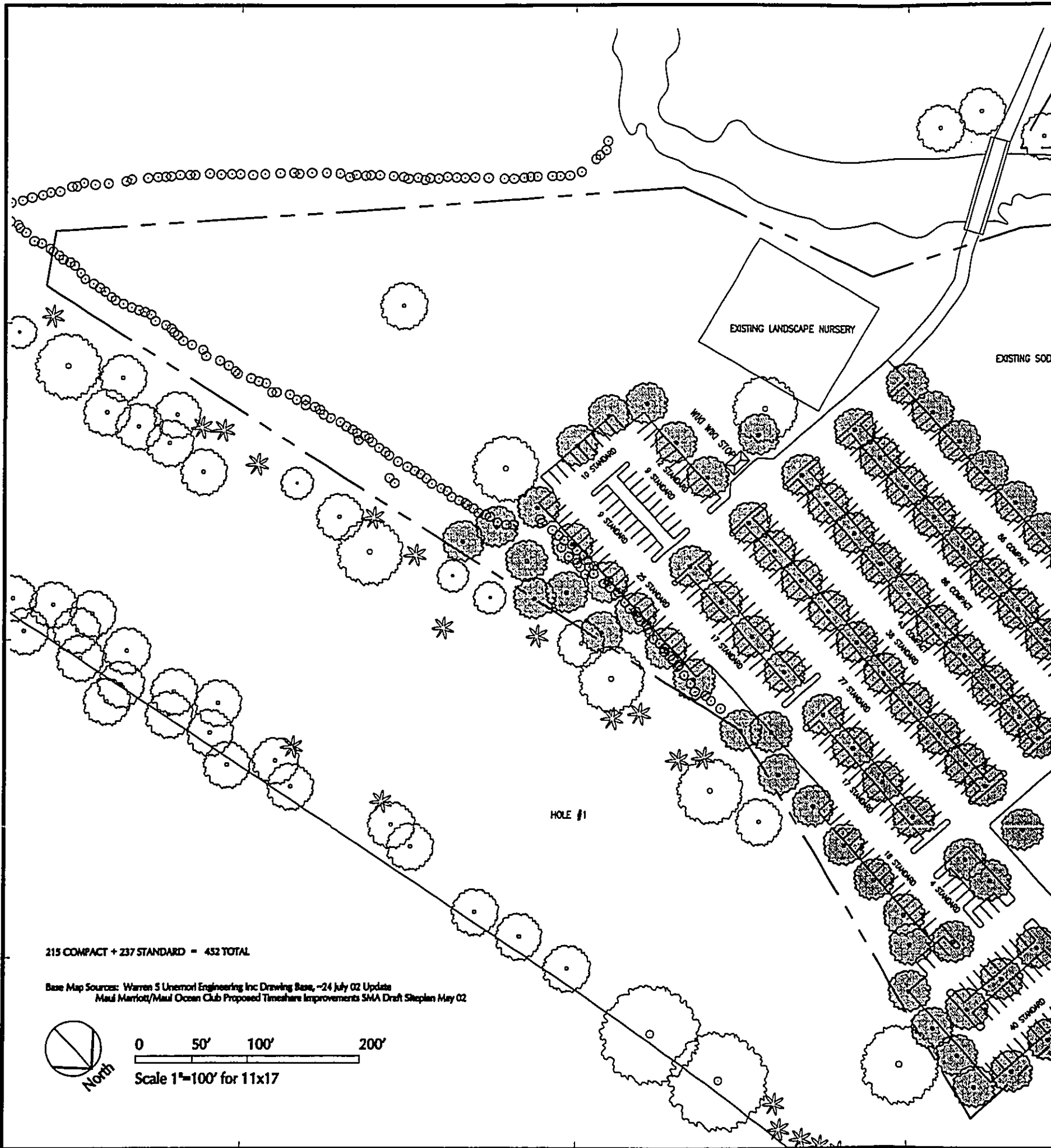
PROJECT NO.  
24050-13

DRAWING NO.

DATE:  
26 SEP 06

**A-110**

4:1 PM 9/26/06 site-parking.dwg - s-dmcr



EXISTING LANDSCAPE NURSERY

EXISTING SOD

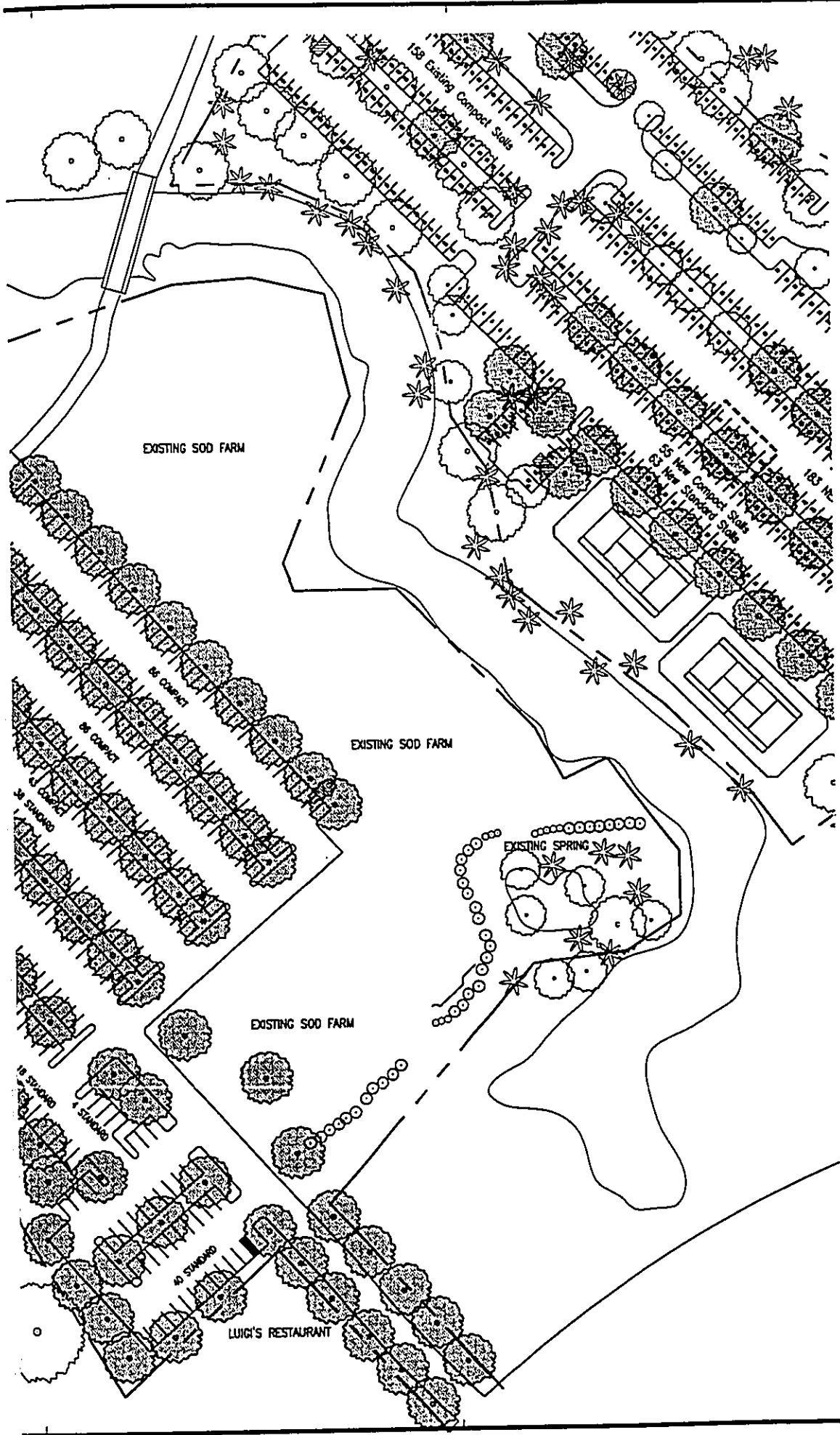
HOLE #1

215 COMPACT + 237 STANDARD = 452 TOTAL

Base Map Sources: Warren S Unemori Engineering Inc Drawing Base, ~24 July 02 Update  
Maul Marriott/Maul Ocean Club Proposed Timeshare Improvements SMA Draft Siteplan May 02



0 50' 100' 200'  
Scale 1"=100' for 11x17



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**PROJECT TITLE**

Maui Hyatt  
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FILENAME: SITE-PARKING.dwg

**DRAWING TITLE**

RECONFIGURED GOLF COURSE  
PARCEL 4 PARKING PLAN

SCALE: 1"=100'

DRAWN BY:

CHECKED BY:

PROJECT NO.  
24050-13

DRAWING NO.

DATE:  
26 SEP 06

**A-111**

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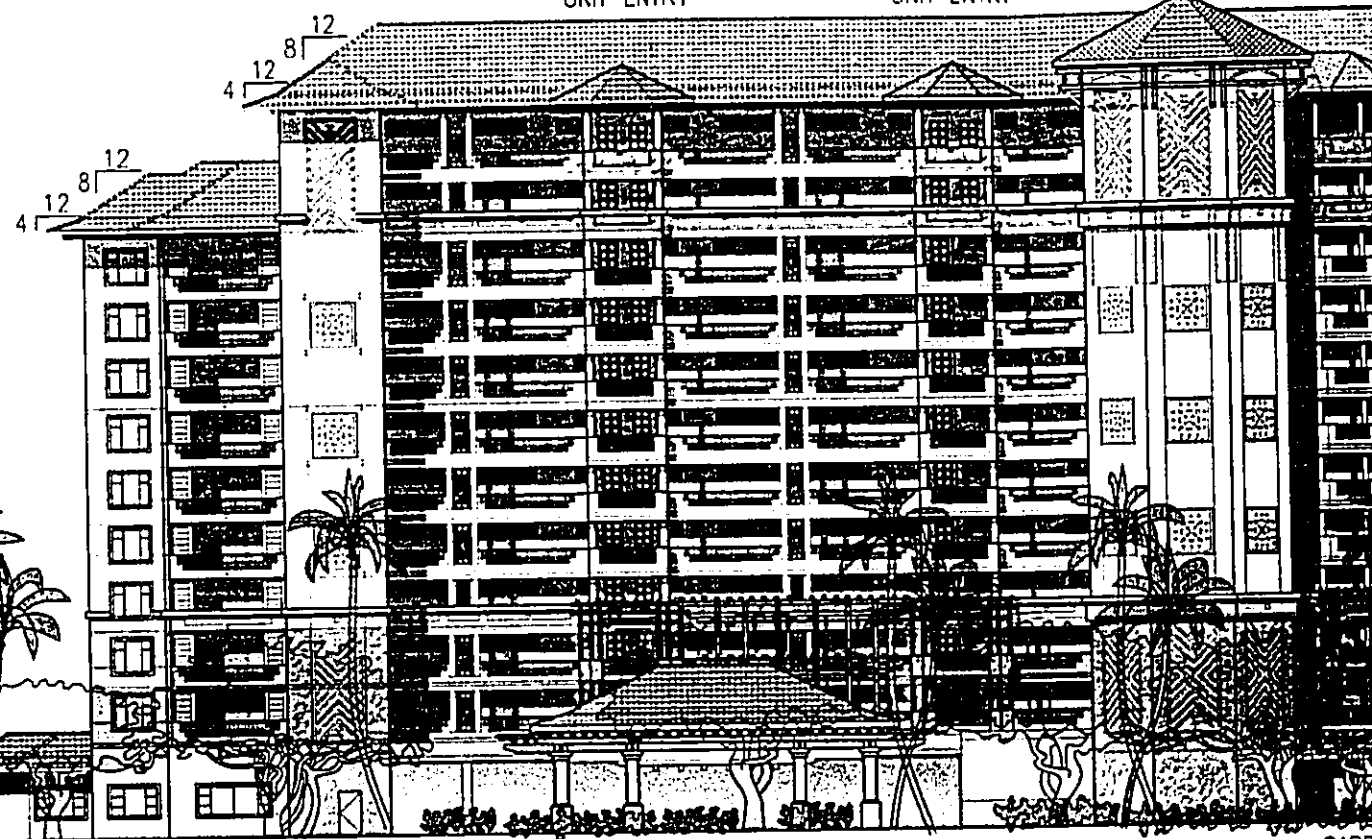


BUILDING VIEWED

①                      ②                      ③                      ④                      ⑤                      ⑥

STAIR TOWER                      PERGOLA AT UNIT ENTRY                      PERGOLA AT UNIT ENTRY                      ELEVATOR TOWER

Roof EL +139.92'  
12th Floor EL +129.167'  
11th Floor EL +119.167'  
10th Floor EL +109.0'  
9th Floor EL +99.5'  
8th Floor EL +90.0'  
7th Floor EL +80.5'  
6th Floor EL +71.0'  
5th Floor EL +61.5'  
4th Floor EL +52.0'  
3rd Floor EL +42.5'  
2nd Floor EL +33.0'  
1st Floor EL +17.0'  
Parking Level +5'-0"  
EL 0.0'

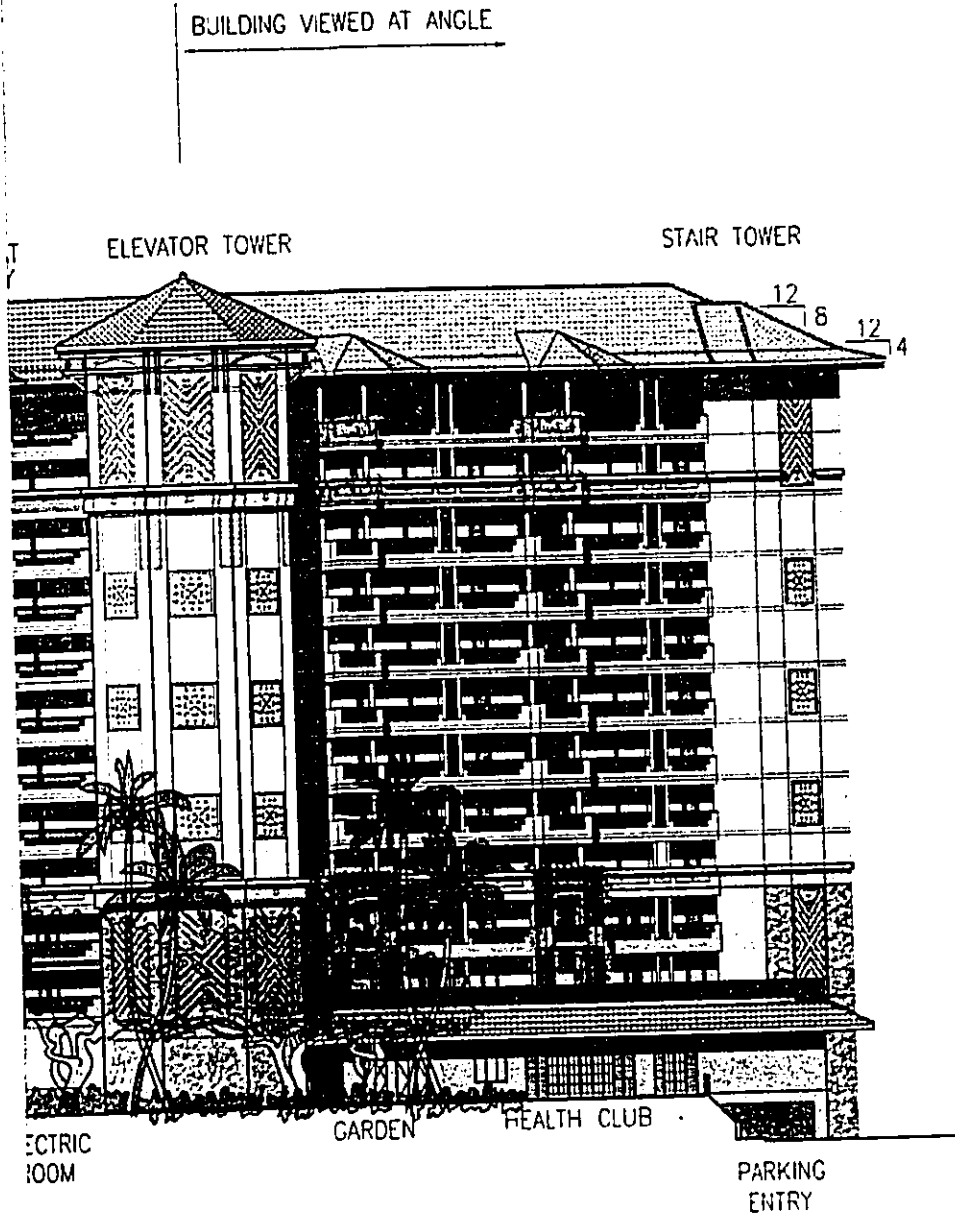


ADMIN. OFFICES

PORTE COCHERE  
ENTRY

ELECTRIC  
ROOM

GARDEN



BUILDING VIEWED AT ANGLE

ELEVATOR TOWER

STAIR TOWER

ELECTRIC ROOM

GARDEN

HEALTH CLUB

PARKING ENTRY



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REVISIONS

No./Date	Description

PROJECT TITLE

Maui Hyatt  
Timeshare Design Services

FILENAME: EXTEL-A96.dwg

DRAWING TITLE

OVERALL MAUKA ELEV 'A'

SCALE: 1"=16'

DRAWN BY:

CHECKED BY:

PROJECT NO.  
24050-13

DRAWING NO.

DATE:  
19 OCT 06

**A-201A**

11/19/06 10:00 AM

BUILDING VIEWED AT ANGLE

7

8

9

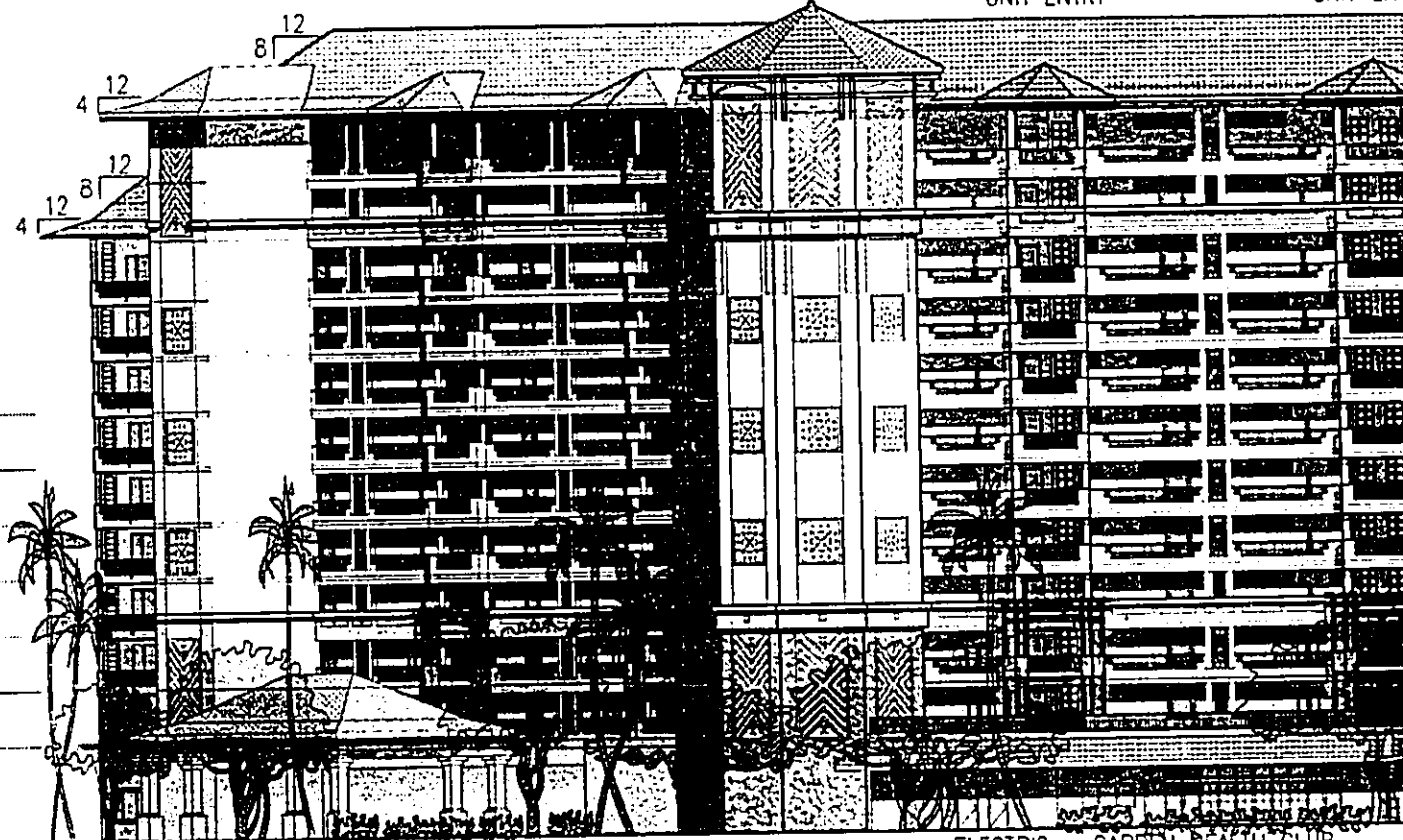
STAIR TOWER

ELEVATOR TOWER

PERGOLA AT  
UNIT ENTRY

PERGOLA  
UNIT EN

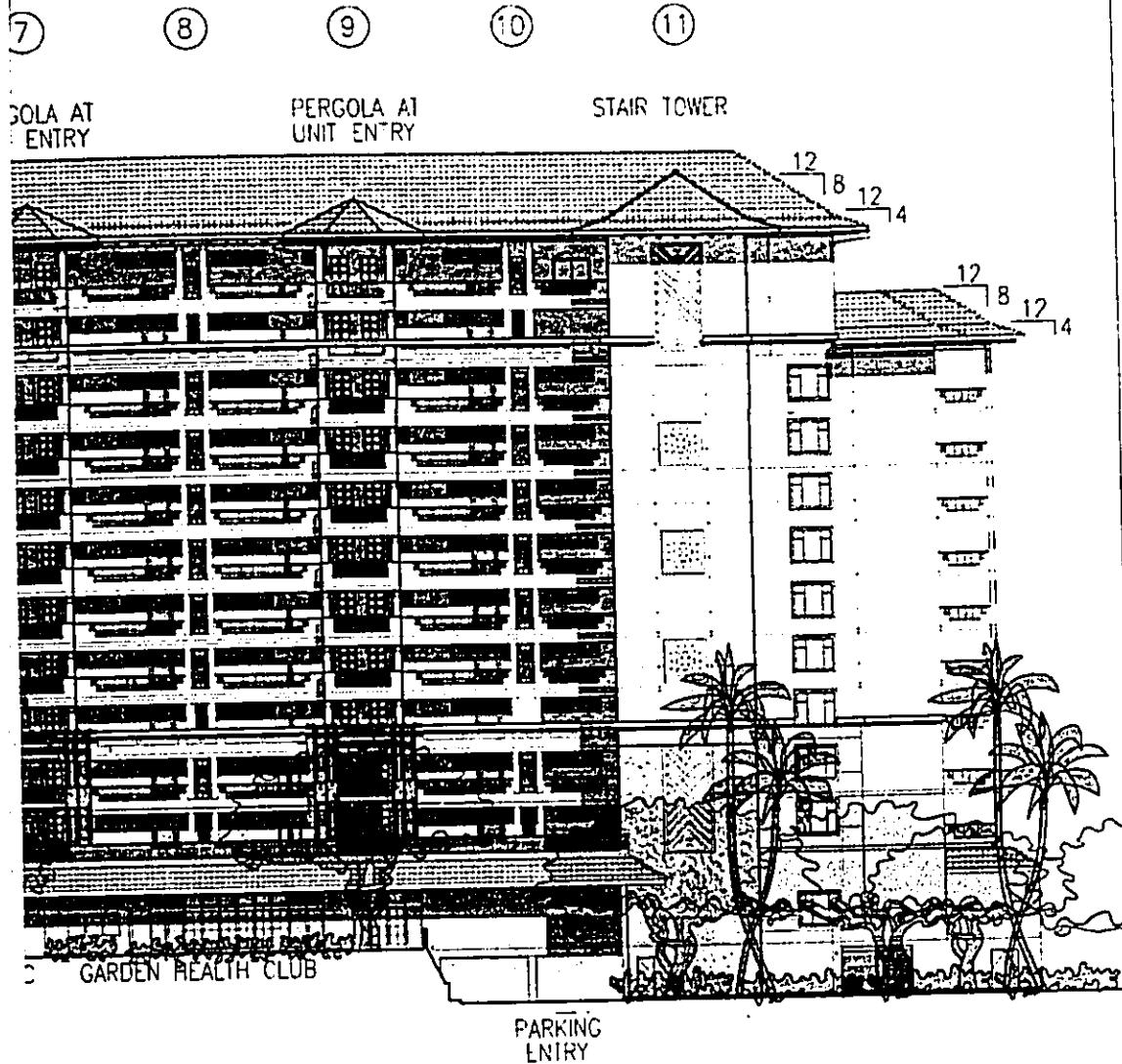
Roof EL +139.92'  
12th Floor EL +129.167'  
11th Floor EL +119.167'  
10th Floor EL +109.0'  
9th Floor EL +99.5'  
8th Floor EL +90.0'  
7th Floor EL +80.5'  
6th Floor EL +71.0'  
5th Floor EL +61.5'  
4th Floor EL +52.0'  
3rd Floor EL +42.5'  
2nd Floor EL +33.0'  
1st Floor EL +17.0'  
Parking Level +5'-0"  
EL 0.0'



PORTE COCHERE  
ENTRY

ELECTRIC  
ROOM

GARDEN HEALTH CLUB



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04/26/06  
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REVISIONS

No./Date	Description

PROJECT TITLE

Maui Hyatt  
Timeshare Design Services

FILENAME: EXTEL-A96.dwg

DRAWING TITLE

OVERALL MAUKA ELEV 'B'

SCALE: 1" = 16'

DRAWN BY:

CHECKED BY:

PROJECT NO.  
24050-13

DRAWING NO.

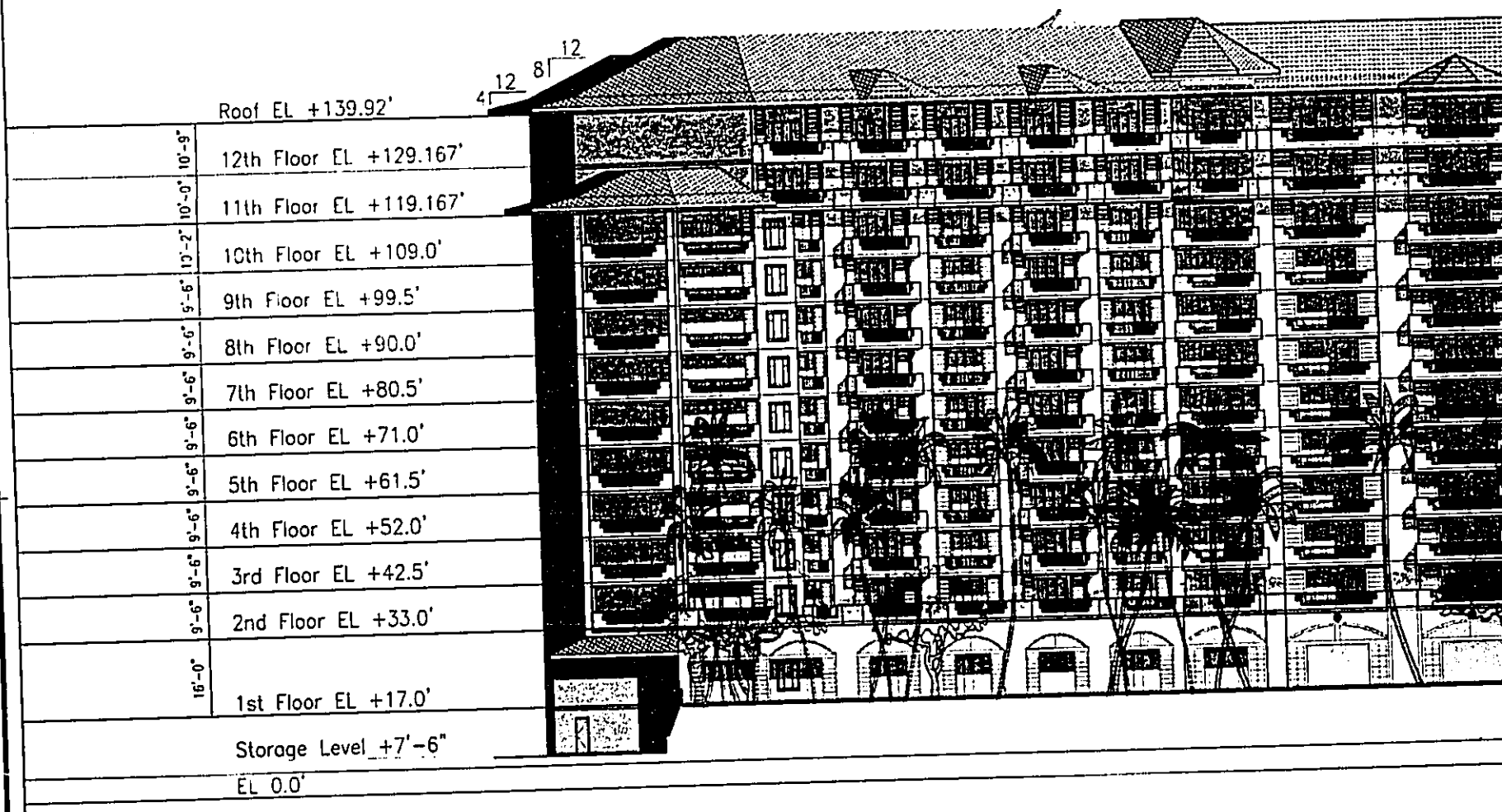
**A-202A**

DATE:  
19 OCT 06

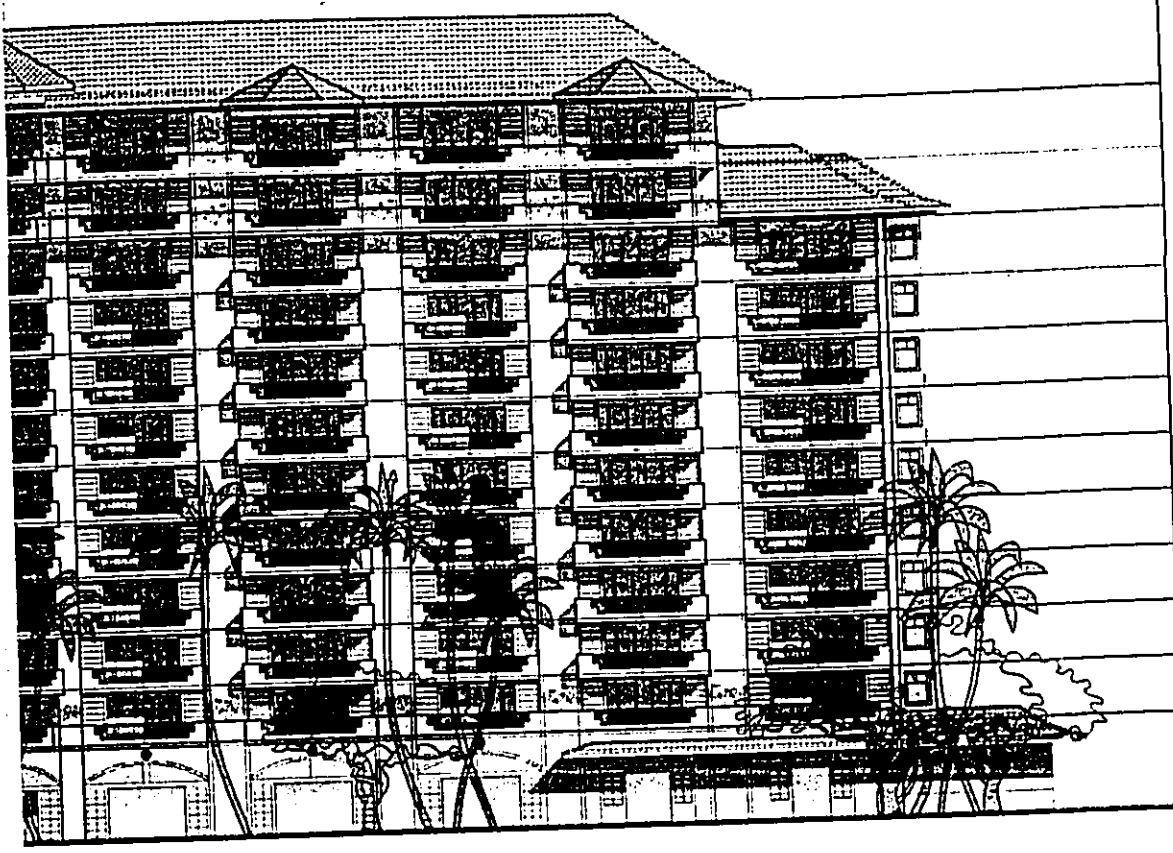
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BUILDING VIEWED AT ANGLE

⑥ 2 BR      ⑤ 2 BR



⑥ 2 BR    ⑤ 2 BR    ④ 2 BR    ③ 2 BR    ② 1 BR    ①



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FILENAME: EXTEL-B-96.dwg

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PROJECT NO.  
24050-13

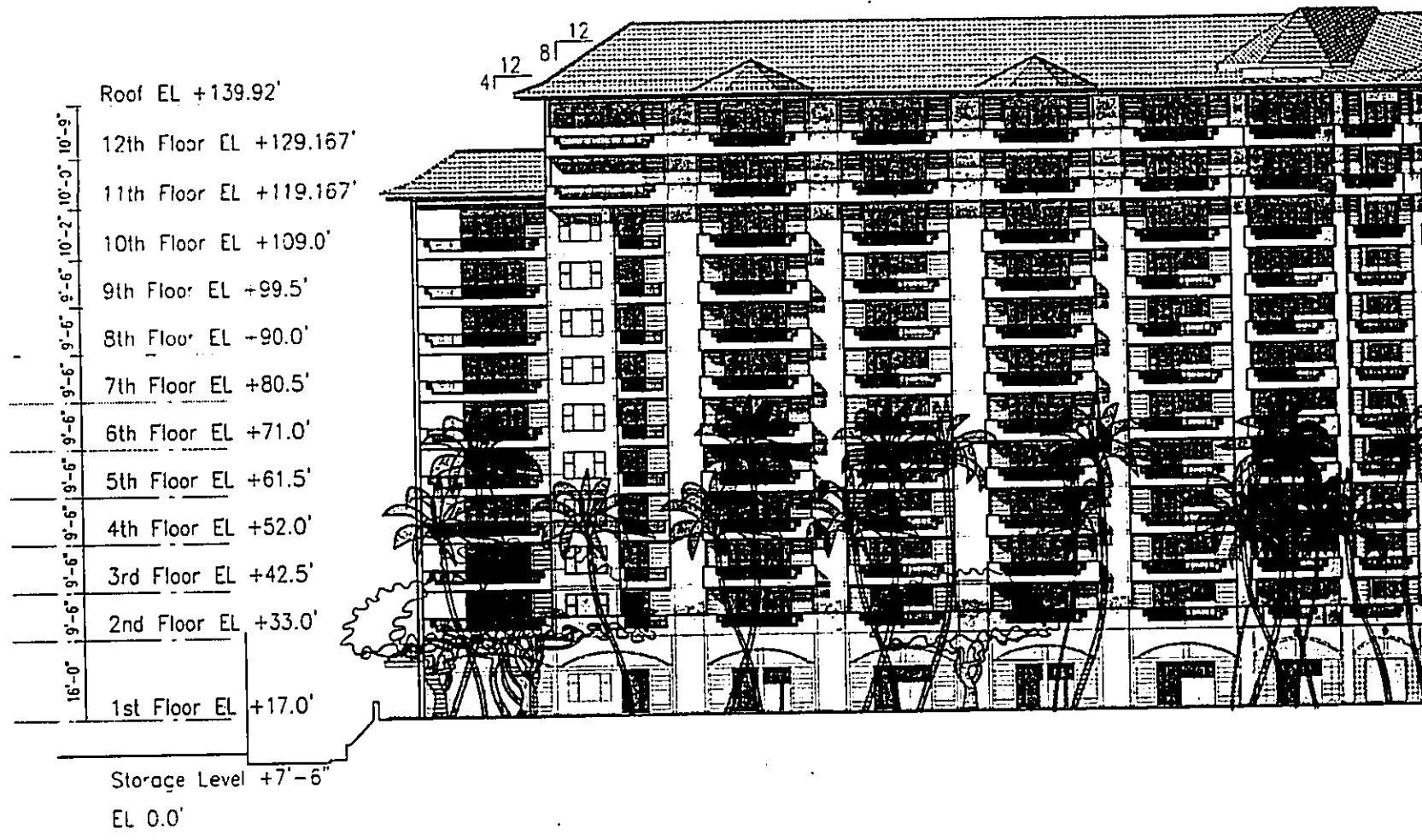
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DATE:  
19 OCT 06

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BUILDING

(13) 3 BR (12) 3 BR 2 BR BELOW (11) 2 BR (10) 2 BR (9) 2 BR (8) 2 BR (7)



2 BR

7

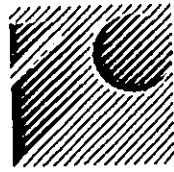
BUILDING VIEWED AT ANGLE



LOBBY

COUNTRY STORE

POOL BATHROOMS



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PROJECT TITLE

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FILENAME: EXTEL-B-96.dwg

DRAWING TITLE

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SCALE: 1" = 16'

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PROJECT NO.  
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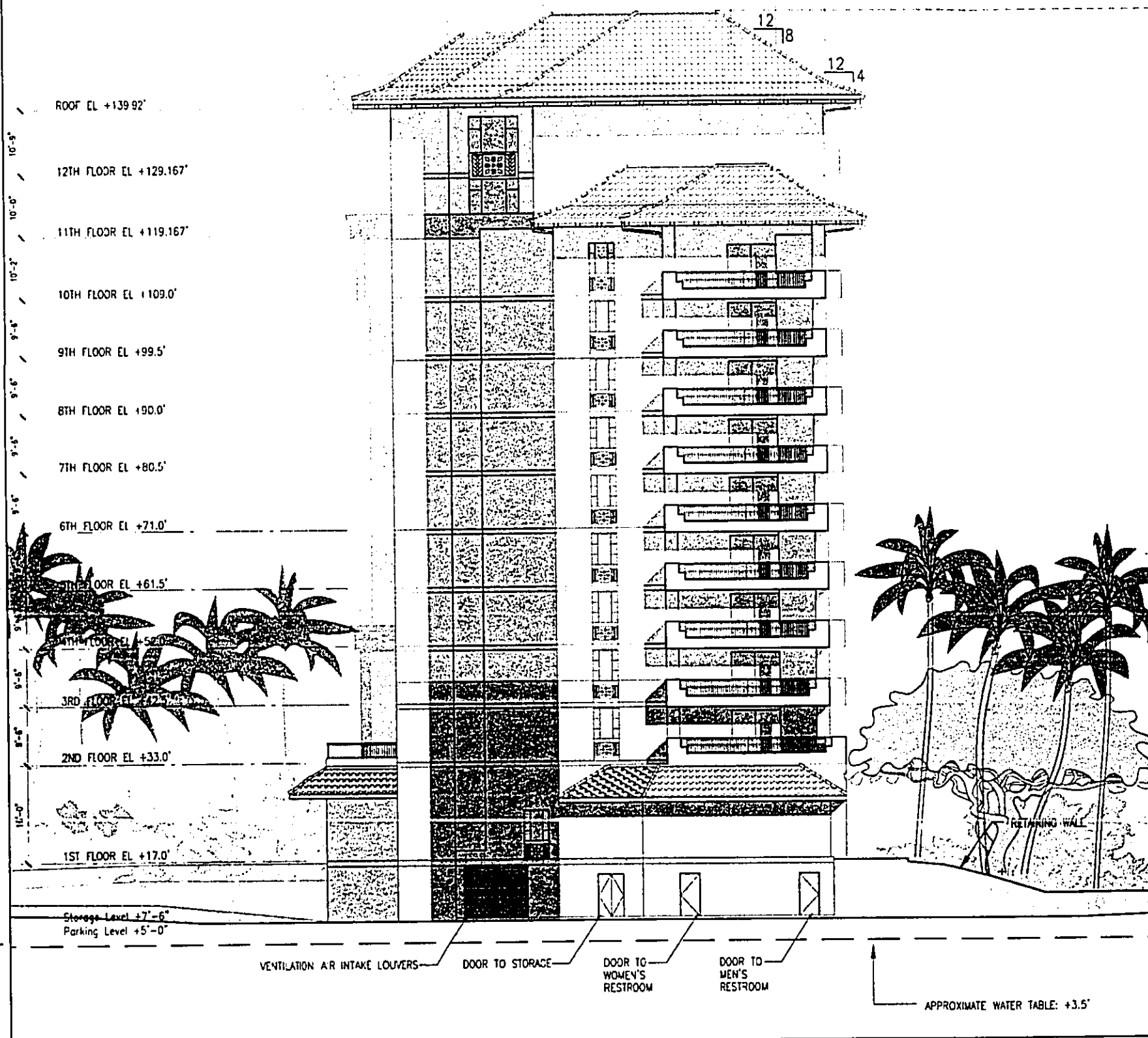
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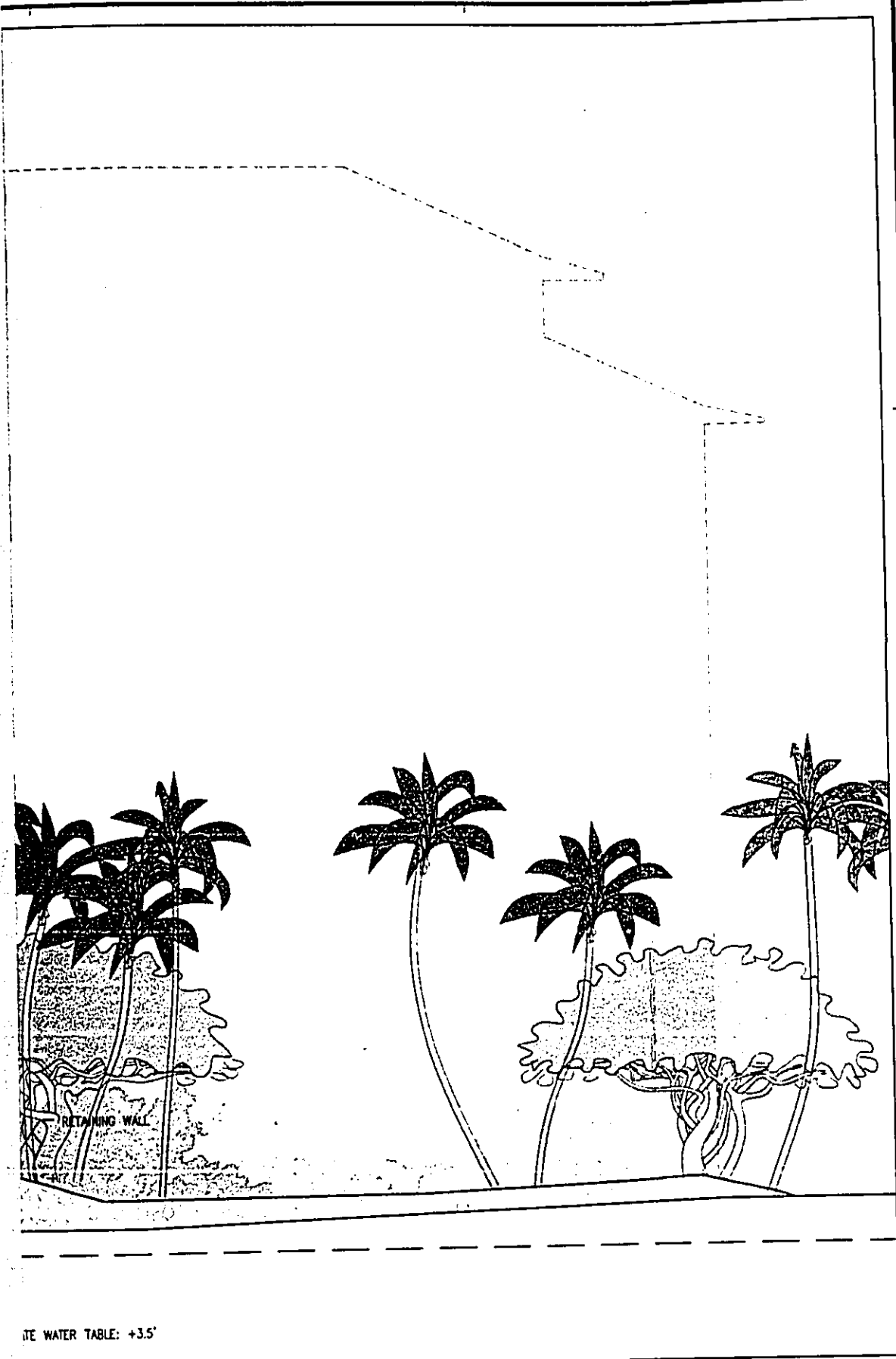
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11/19/06 10:00 AM



E D C B A





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No./Date	Description

PROJECT TITLE

Maui Hyatt  
Timeshare Design Services

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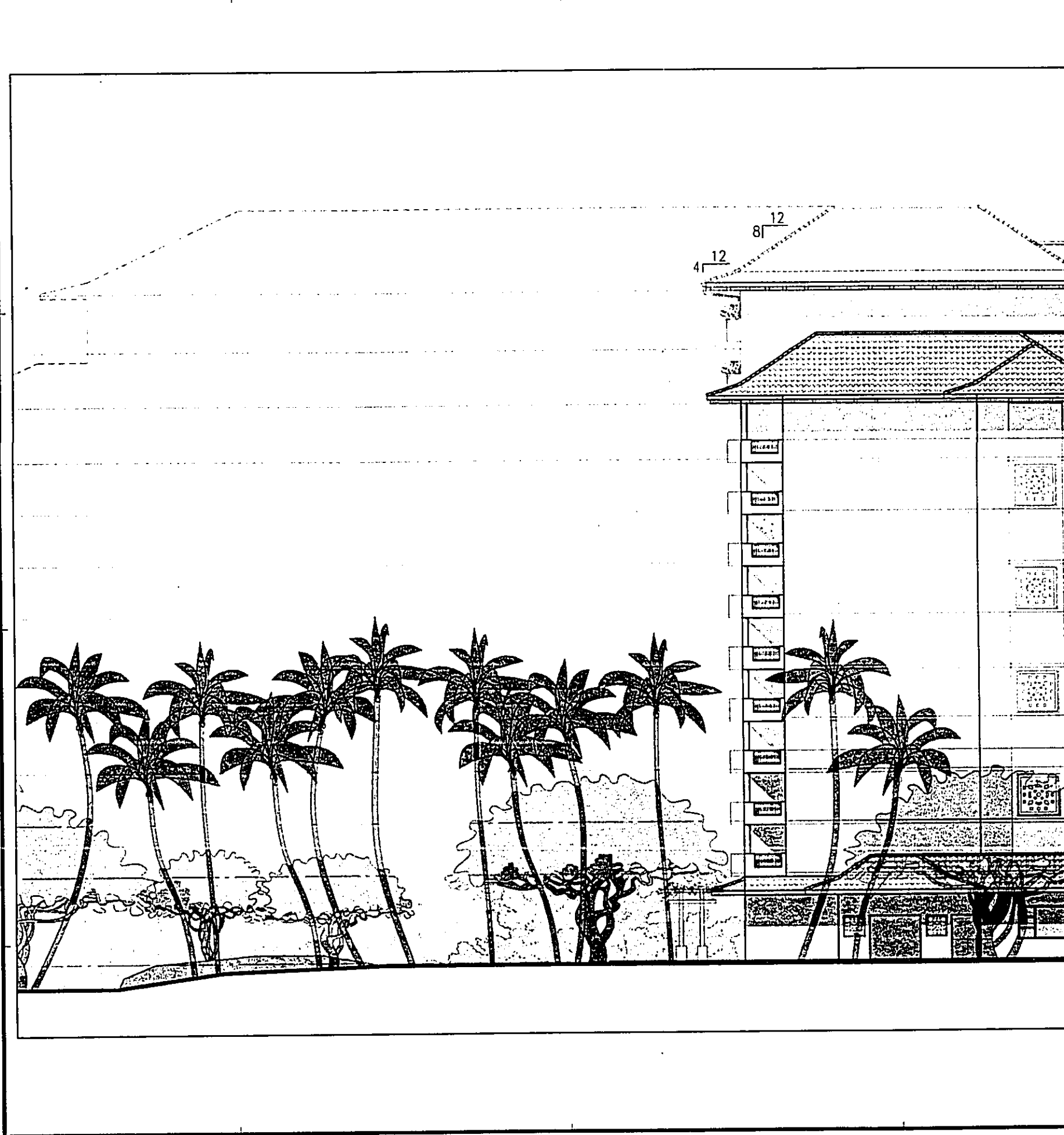
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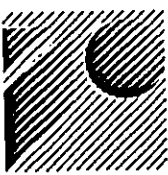
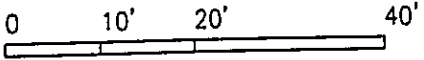
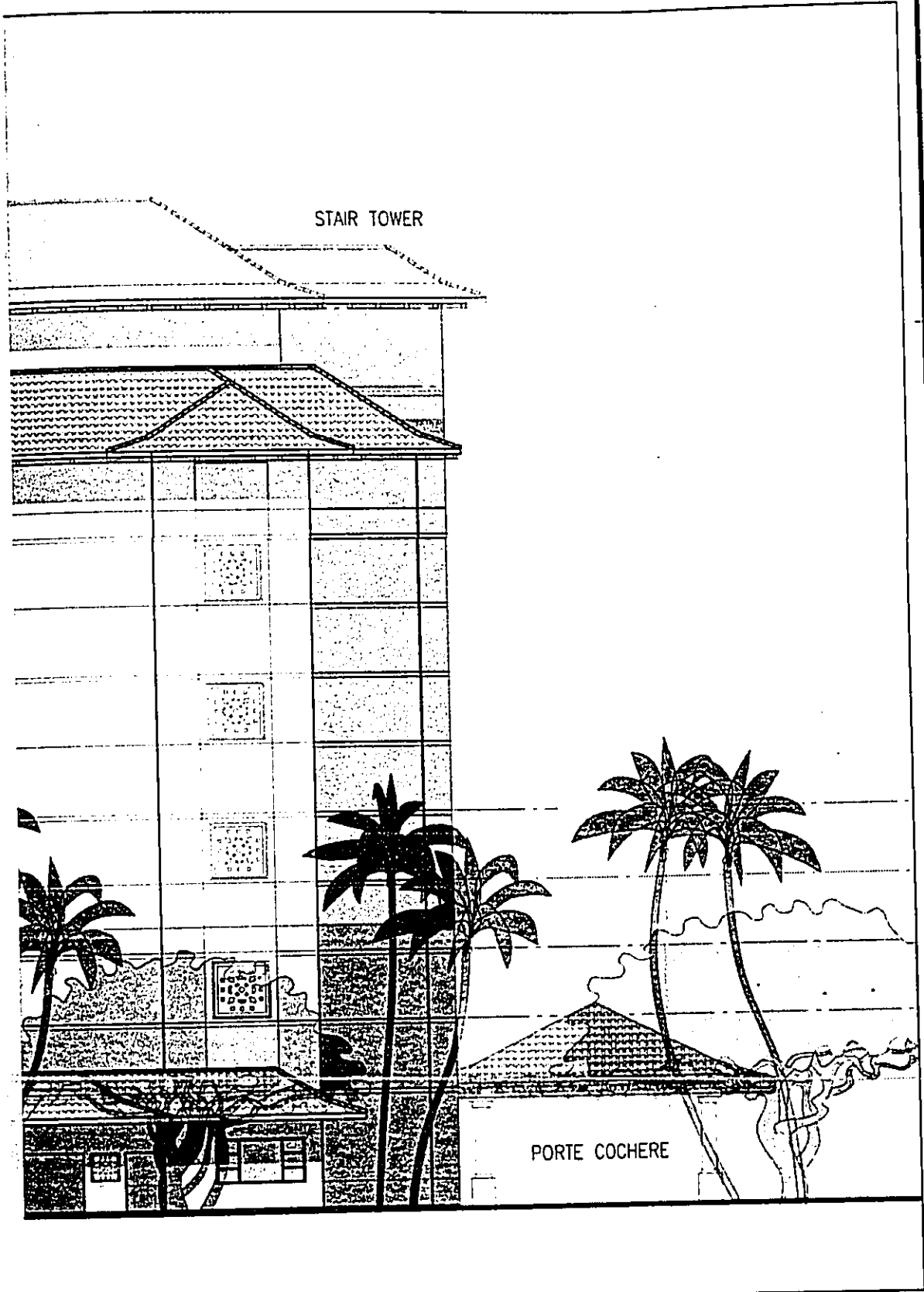
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DATE:  
19 SEP 06

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18 SEP 06 10:00 AM





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PROJECT TITLE

Maui Hyatt  
Timeshare Design Services

FILENAME: EXTEL-D.dwg

DRAWING TITLE

EAST ELEVATION  
NAPILI TOWER SIDE

SCALE: 1"=20'

DRAWN BY:

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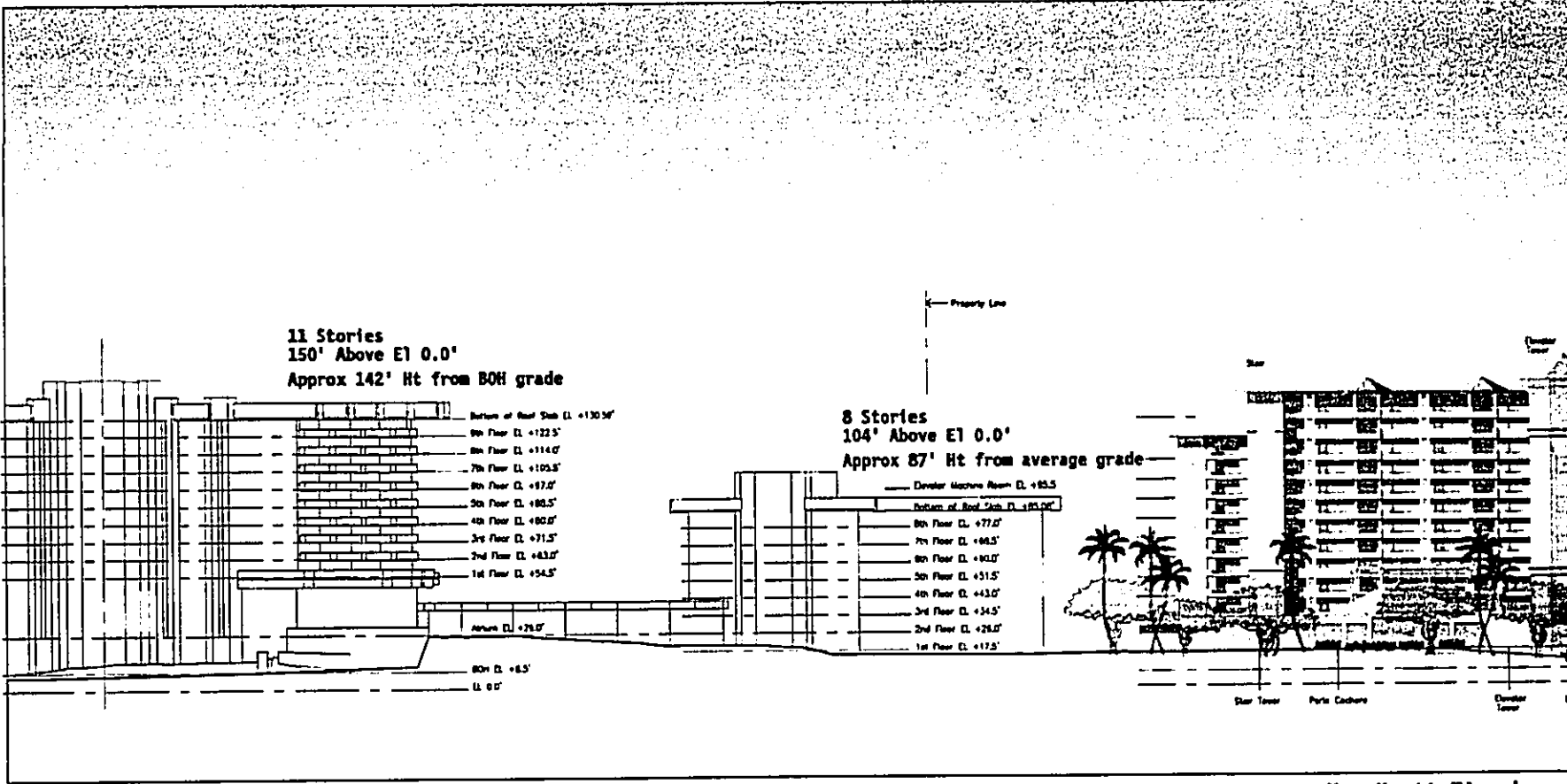
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24050-13

DRAWING NO.

**A-206**

DATE:  
19 SEP 06

19 SEP 06 10:00 AM



Existing Ali'i Tower

Existing Napili Tower

New Hyatt Timeshare



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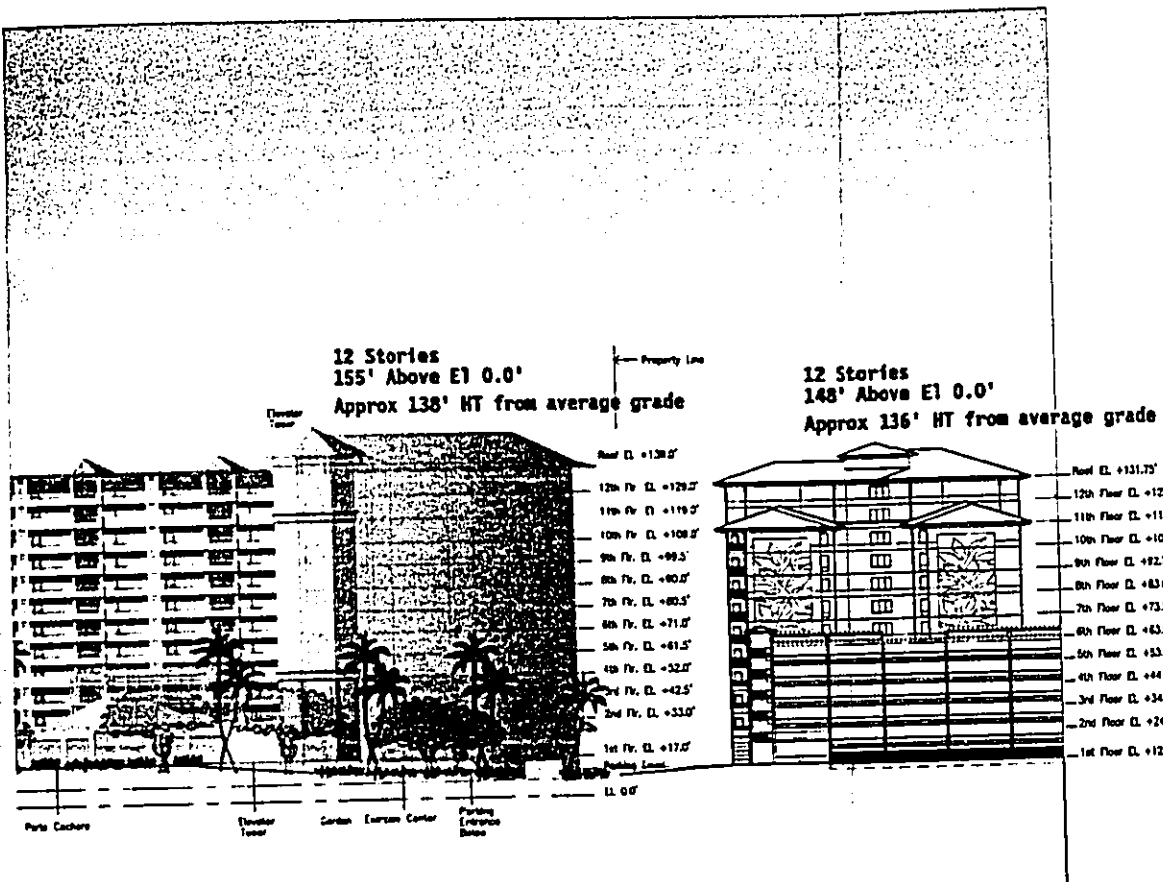
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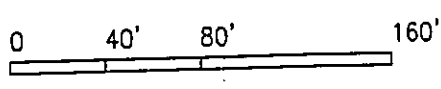
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New Hyatt Timeshare Building

Maui Marriot Lahaina Tower



REVISIONS

No./Date	Description

PROJECT TITLE

**Maui Hyatt**  
Timeshare Design Services

FILENAME: EXTEL-CONTEXT.dwg

DRAWING TITLE

**CONTEXT ELEVATION**  
MAUKA SIDE

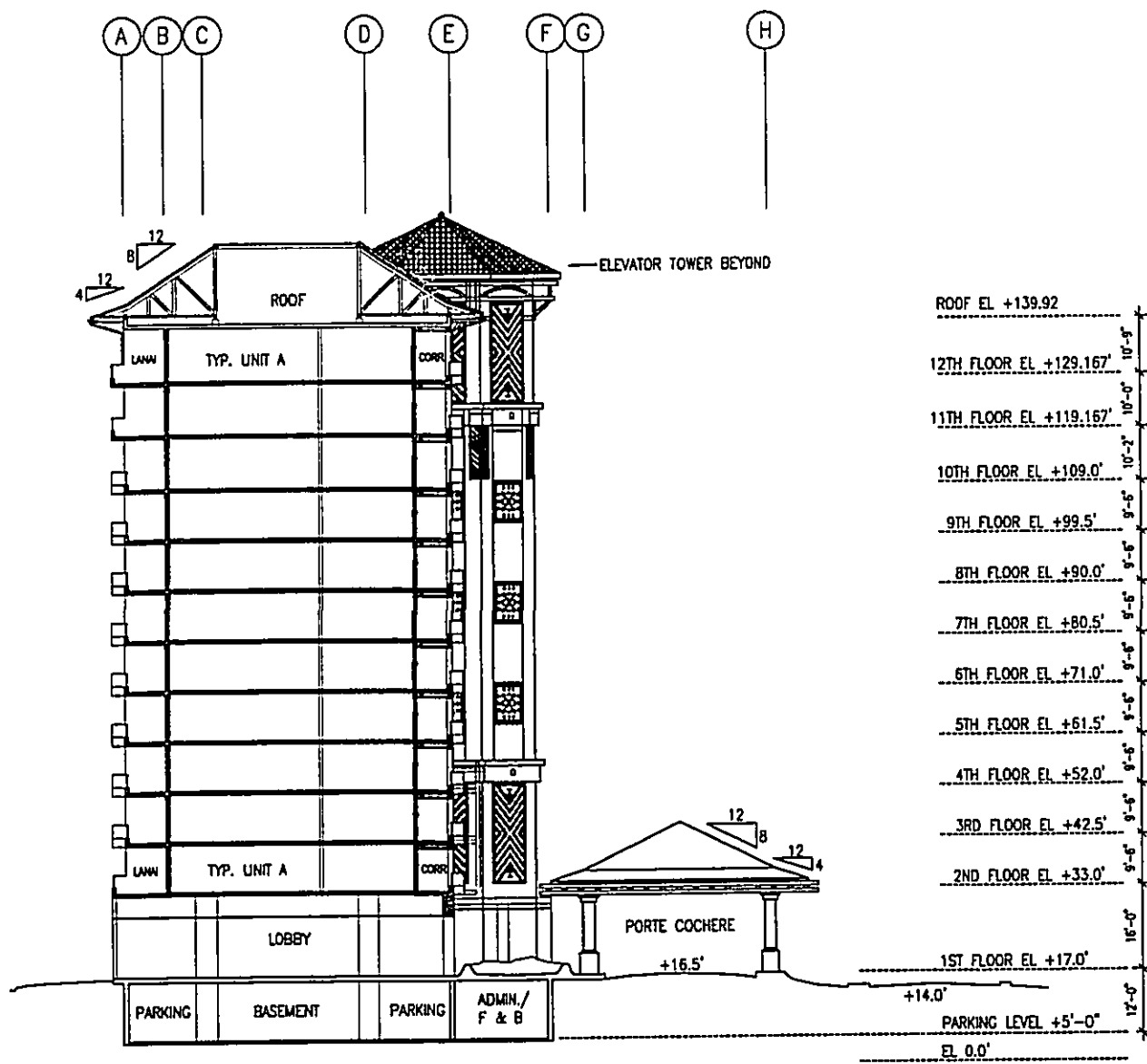
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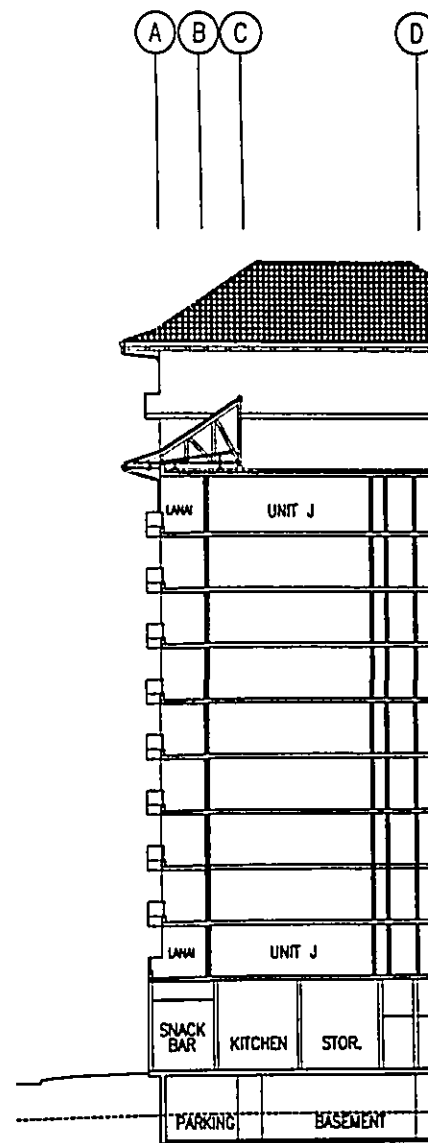
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DATE: 26 SEP 06

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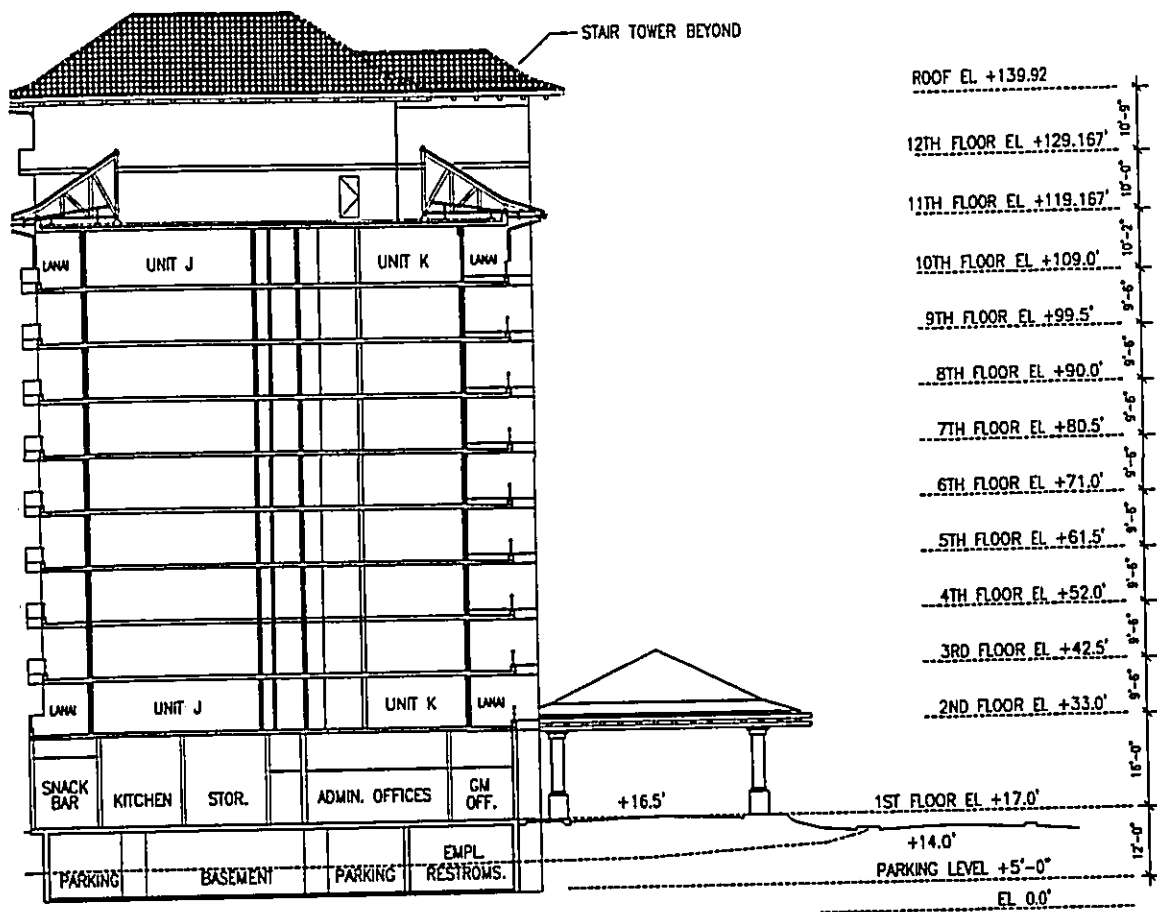
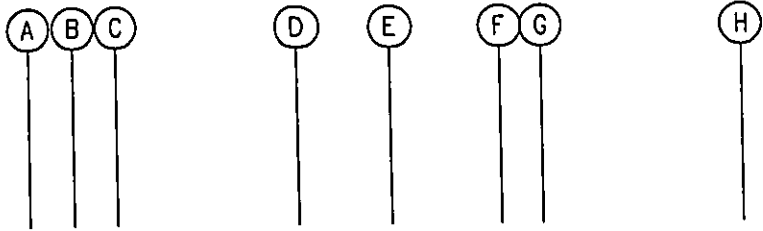
11/18/06 10:00 AM



2 BUILDING SECTION B THRU PORTE COCHERE  
1/16" = 1'-0"



1 BUILDING SECTION A THRU BASE  
1/16" = 1'-0"



BUILDING SECTION A THRU COUNTRY STORE  
1/16"=1'-0"

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PROJECT TITLE

**Maui Hyatt**  
Timeshare Design Services

FILENAME: BSEC-A96.dwg

DRAWING TITLE

**BUILDING SECTIONS A & B**

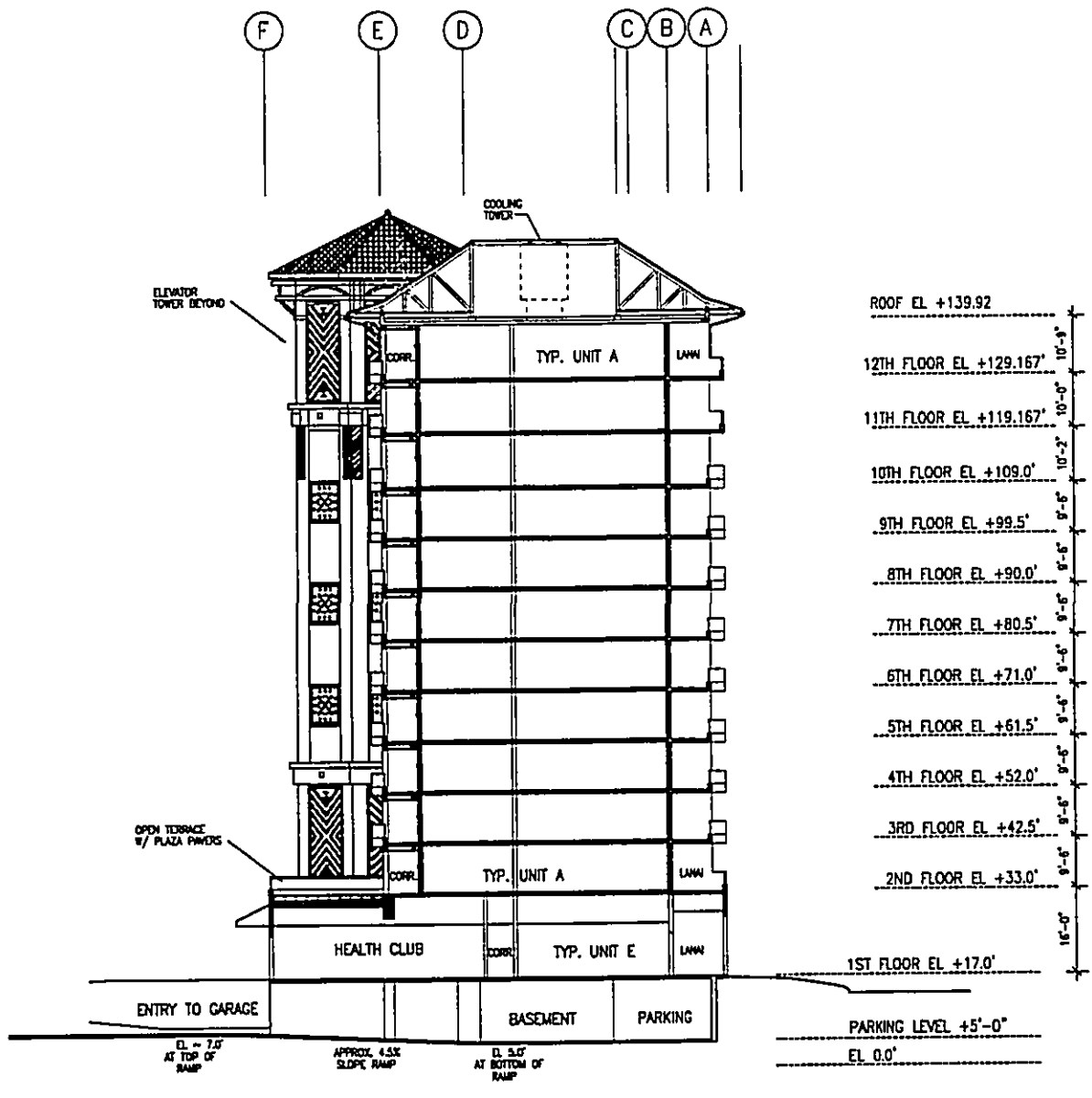
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DATE: 26 SEP 06	

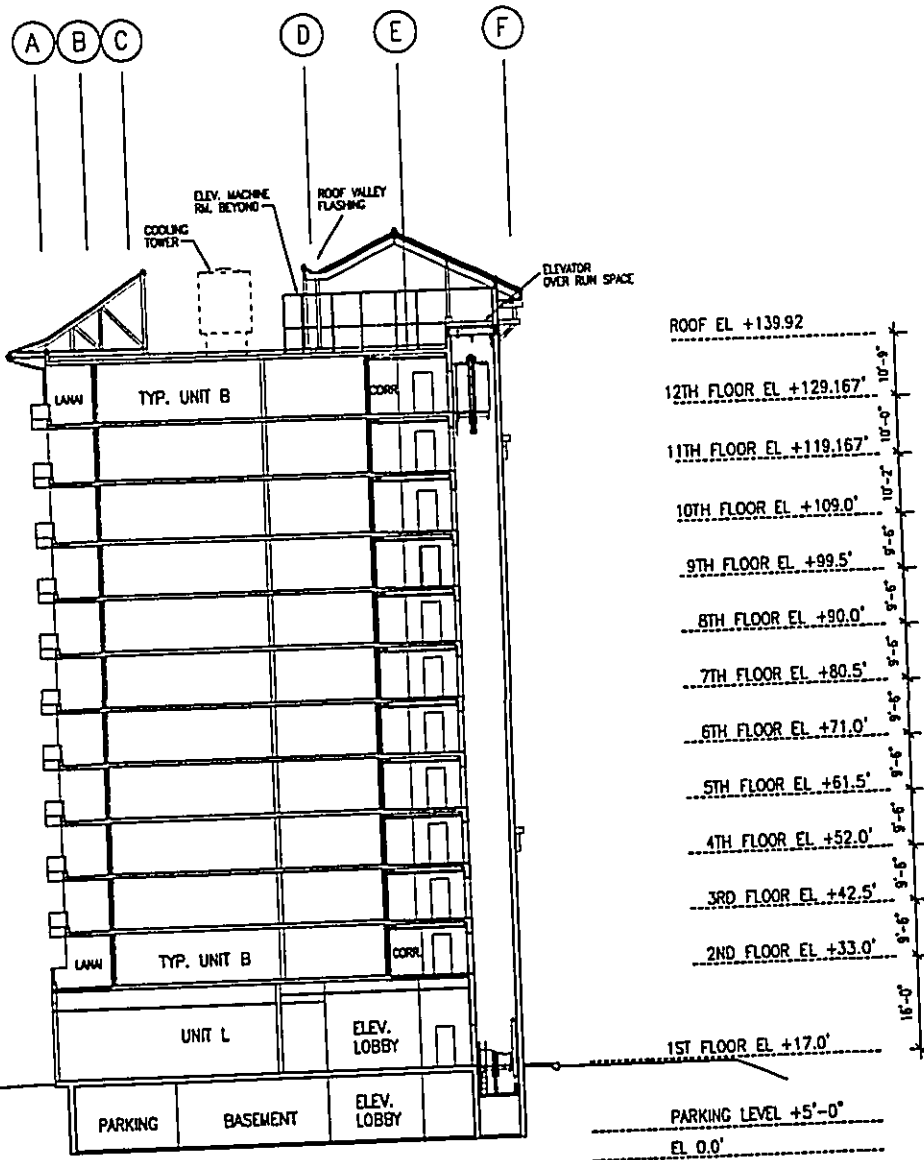
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2 BUILDING SECTION D THRU RAMP TO BASEMENT  
1/16" = 1'-0"

1 BUILDING SECTION  
1/16" = 1'-0"



BUILDING SECTION C THRU ELEVATOR TOWER  
1/16"=1'-0"



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PROJECT TITLE

Maui Hyatt  
Timeshare Design Services

FILENAME: BSEC-A96.dwg

DRAWING TITLE

BUILDING SECTIONS C & D

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DRAWN BY:

CHECKED BY:

PROJECT NO.  
24050-13

DRAWING NO.

DATE:  
26 SEP 06

**A-302**

4:39 PM 9/26/06 bsec-096.dwg - s-01mcr

F

E

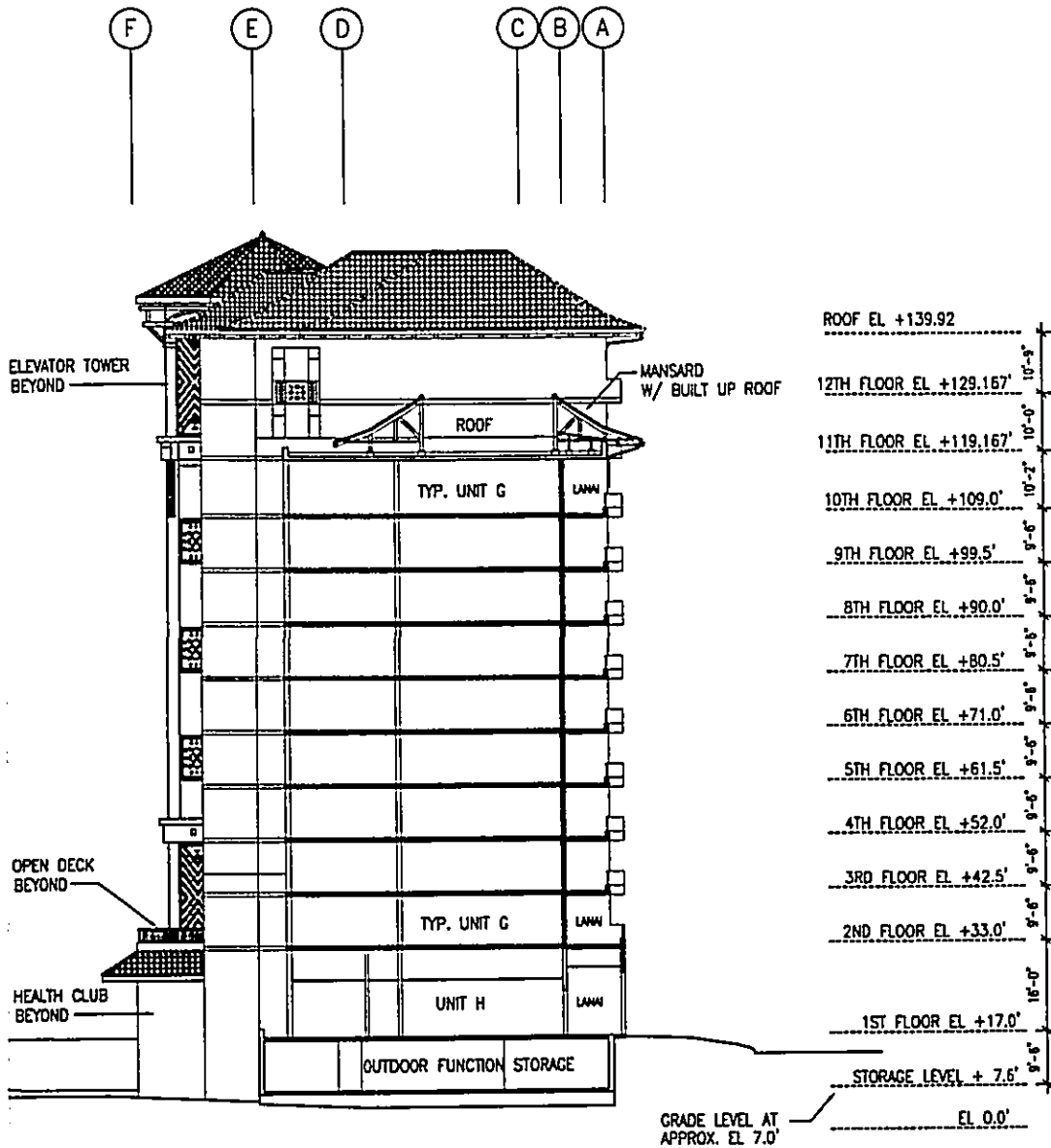
D

ELEVATOR TOWER  
BEYOND

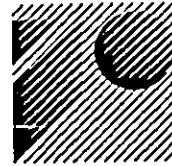
OPEN DECK  
BEYOND

HEALTH CLUB  
BEYOND

1 BUILDING SECTION  
1/16" = 1'-0"



**BUILDING SECTION E**  
1/16"=1'-0"



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**Maui Hyatt**  
Timeshare Design Services

FILENAME: BSEC-A96.dwg

**DRAWING TITLE**

**BUILDING SECTIONS E**

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PROJECT NO.  
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DRAWING NO.

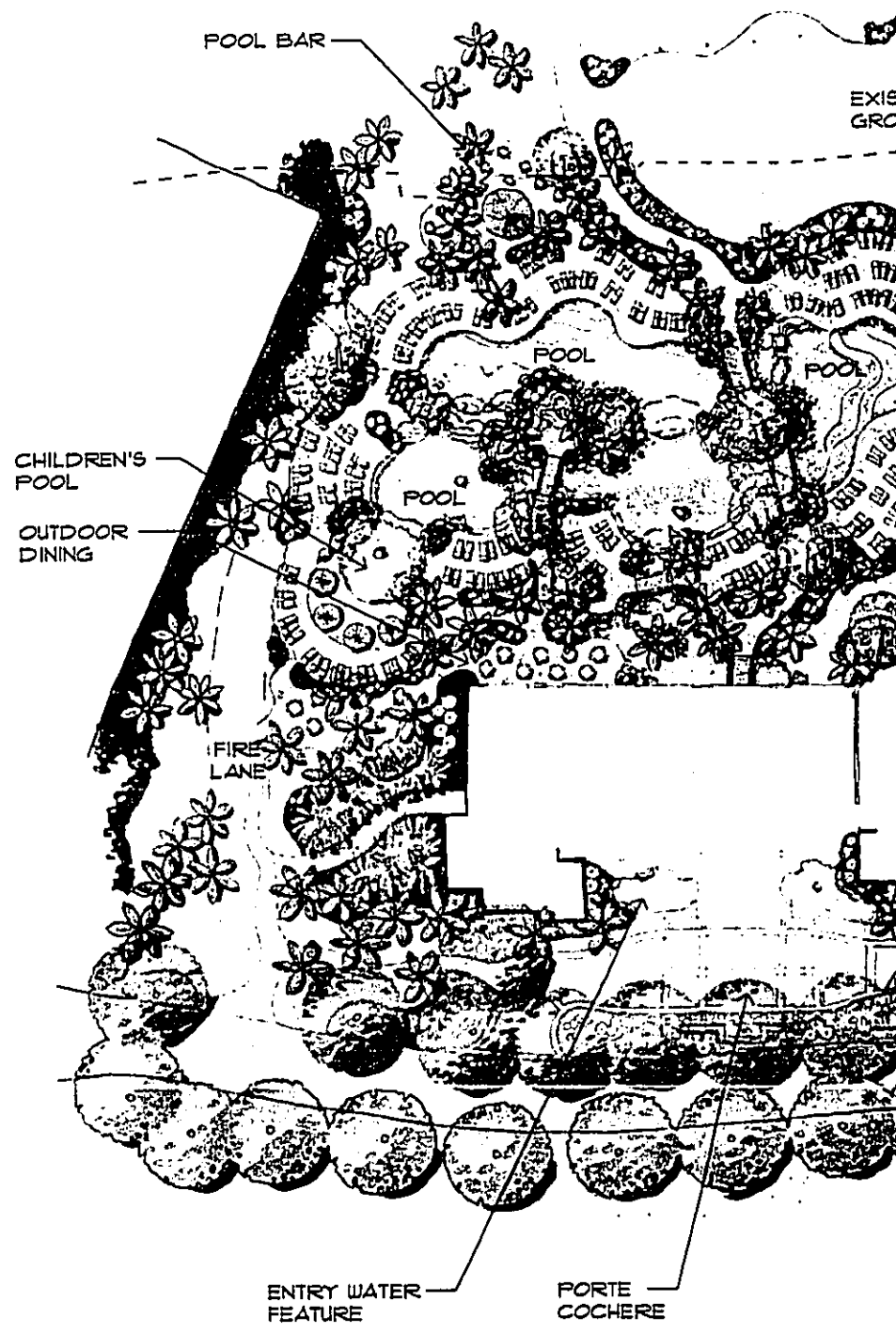
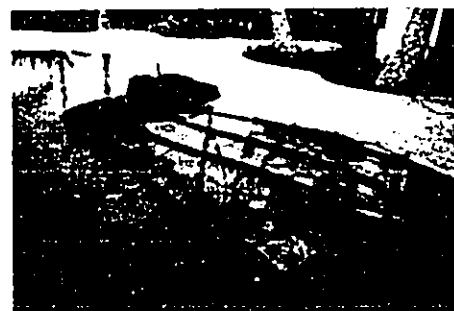
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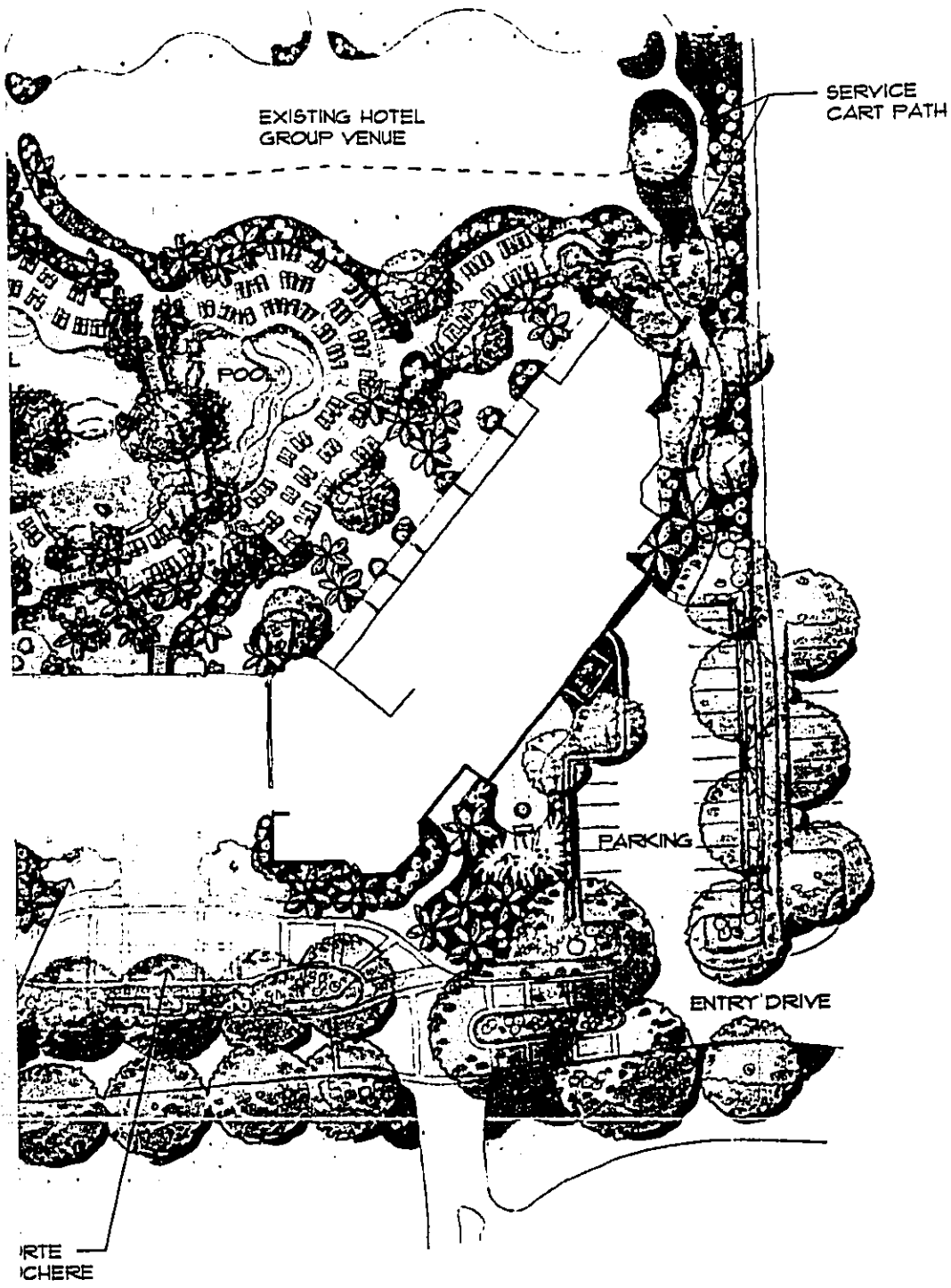
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**MCCELVEY ASSOCIATES**  
 ~ LANDSCAPE ARCHITECTS ~

E-Mail: mail@mccelvey.com  
 Tel. 1-800-521-2900 Fax. 1-808-538-2854  
 2752 Woodlawn Dr. Suite 3-211 Honolulu, Hawaii 96822

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No./Date	Description

PROJECT TITLE

**Maui Hyatt**  
 Timeshare Design Services

FILENAME: Cad file

DRAWING TITLE

**LANDSCAPE DEVELOPMENT PLAN**  
 Overall Plan

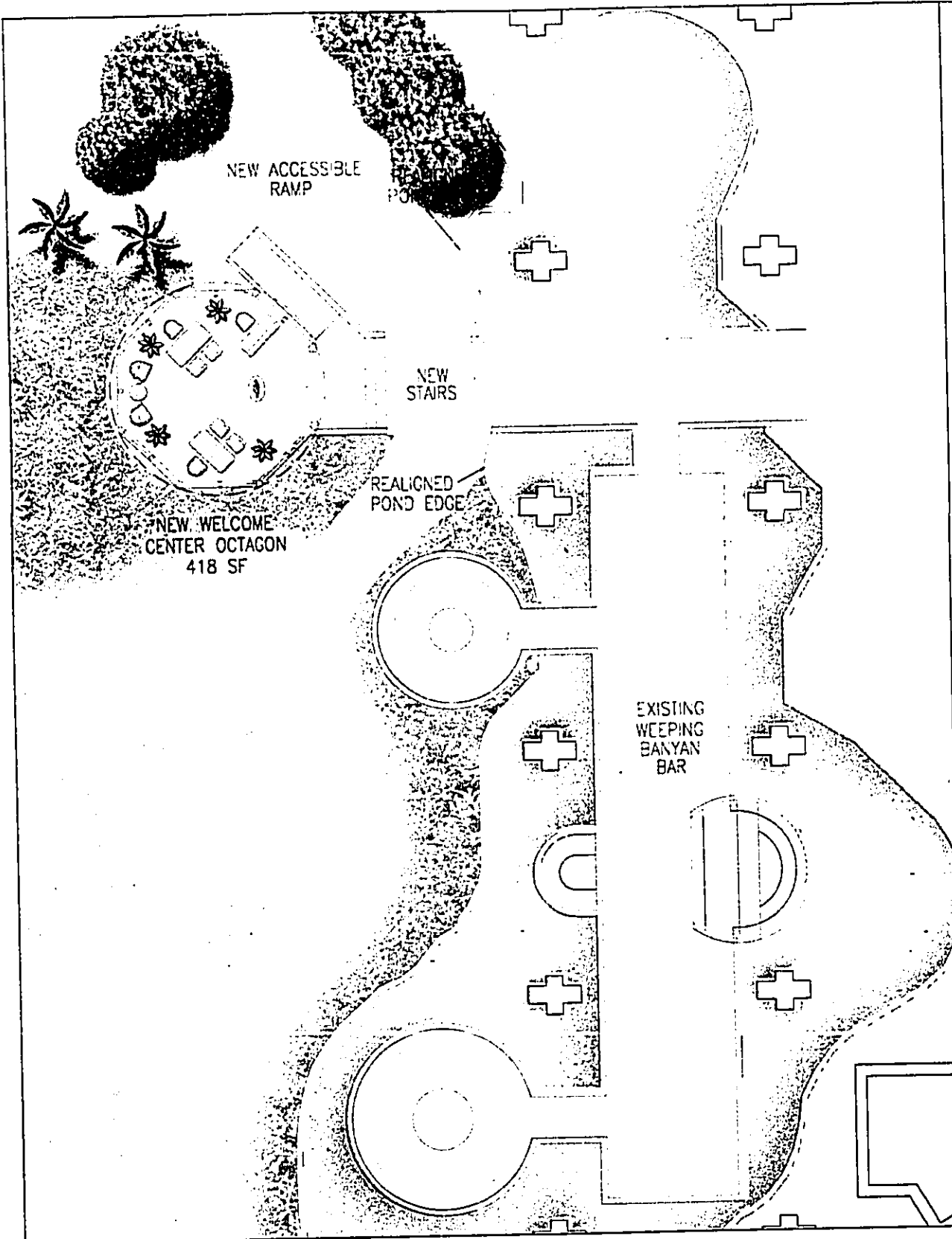
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DRAWN BY: SMF	CHECKED BY: SAM
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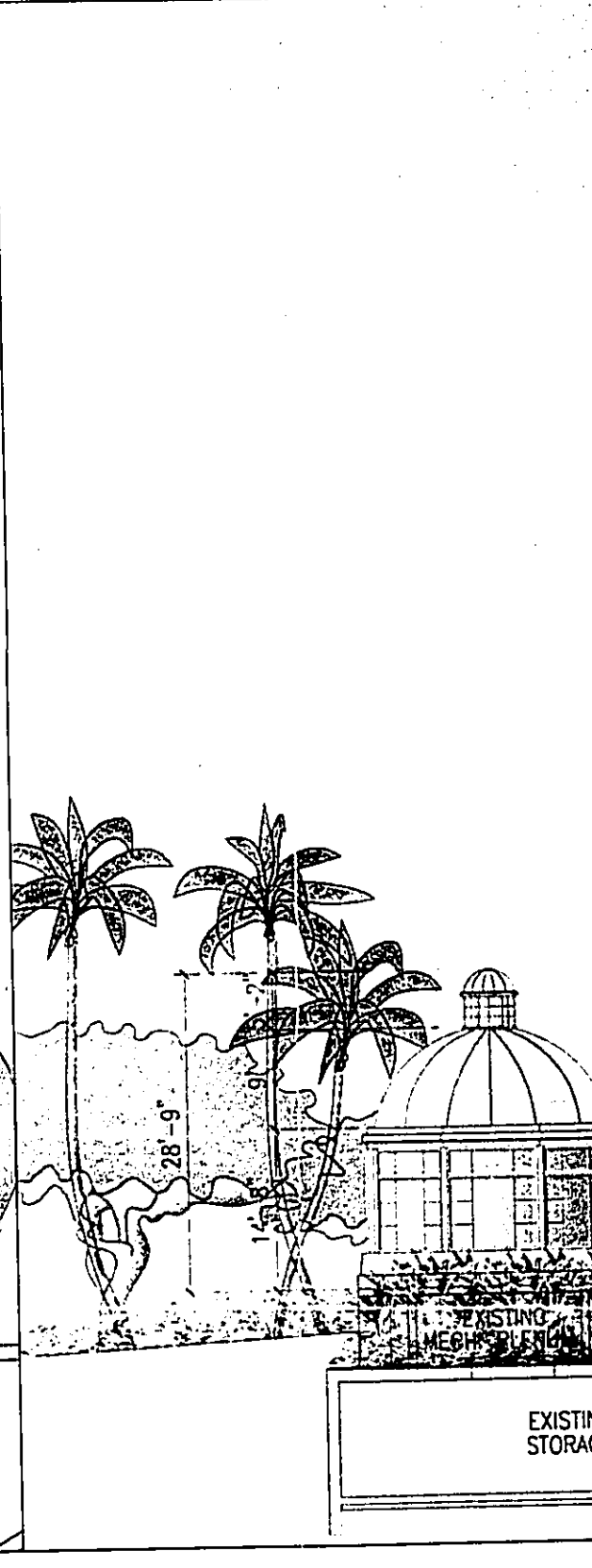
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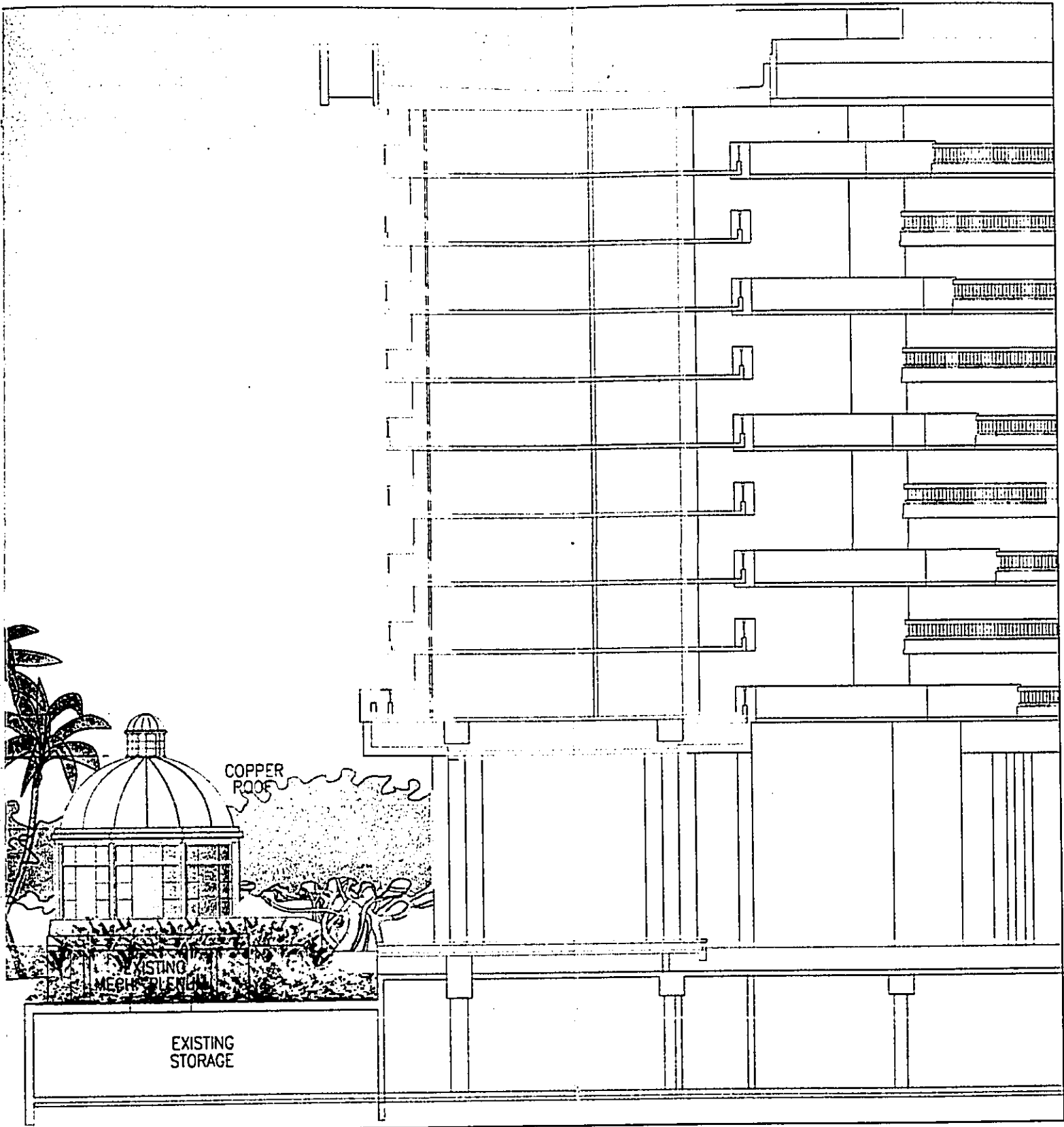
WELCOME CENTER PLAN



WELCOME CENTER ELEVATION



0  
Scale  
2405



WELCOME CENTER ELEVATION

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Welcome Center  
Maui Hyatt Vacation Club

March 21, 2006

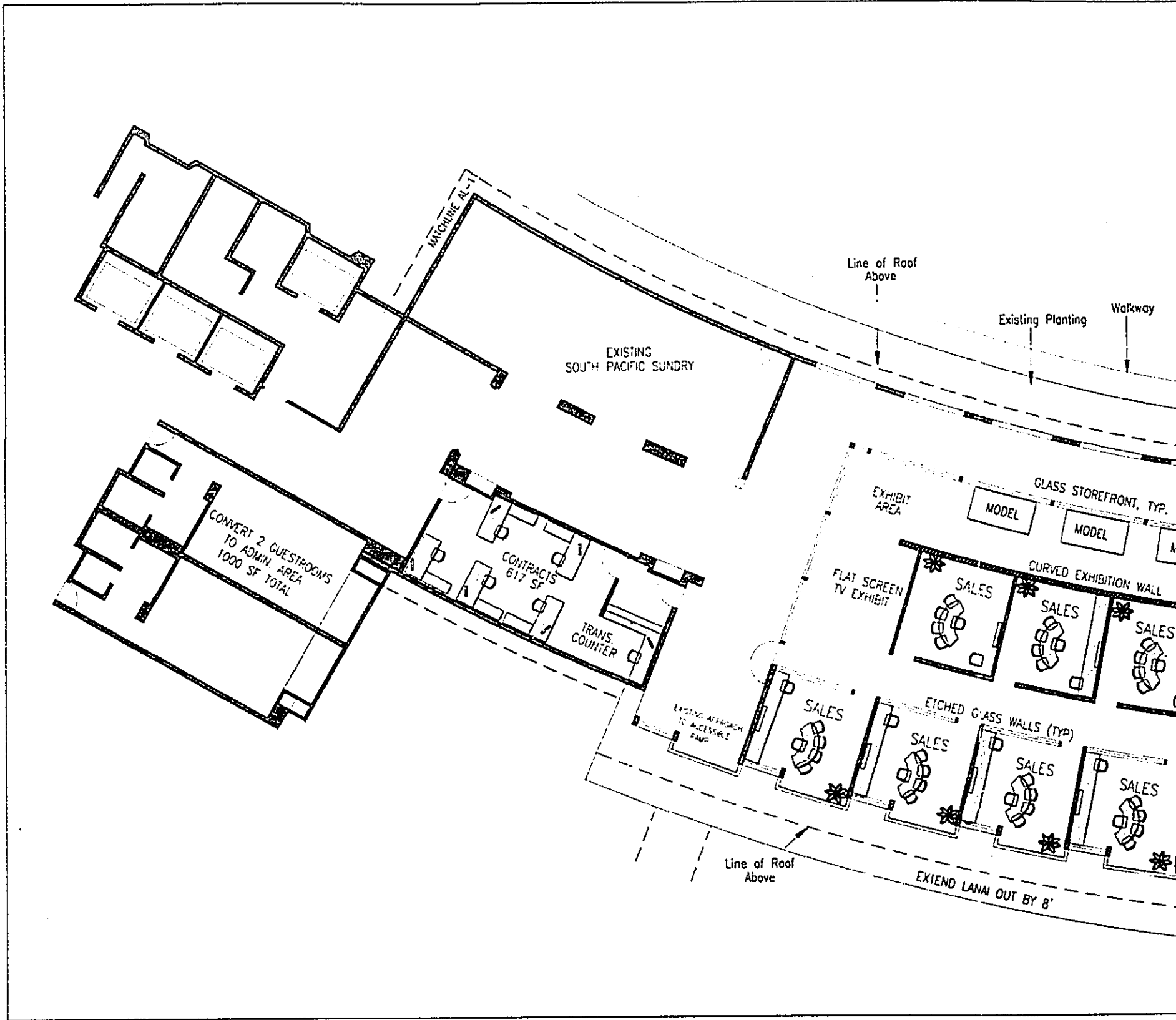
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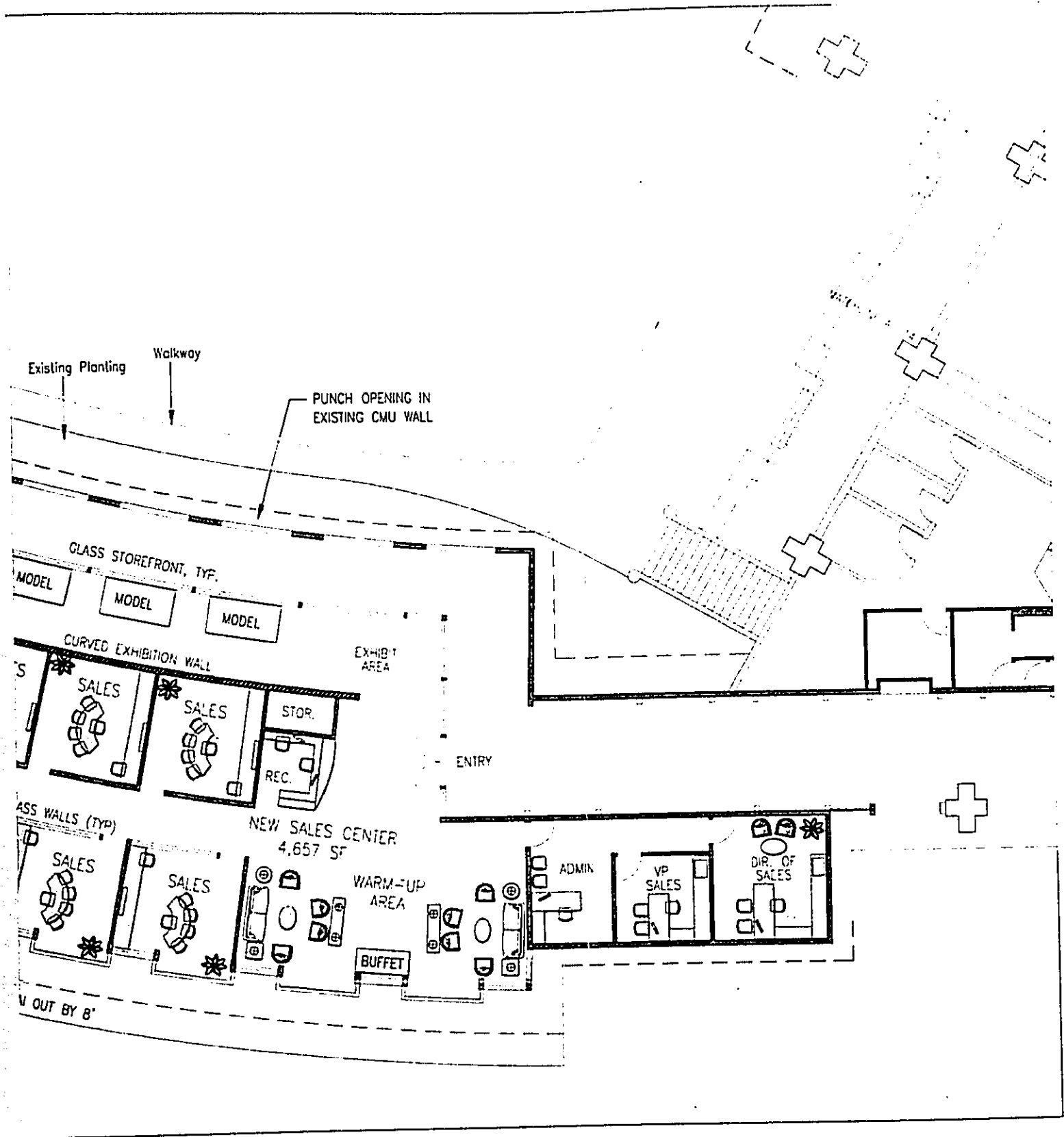
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Scale 1/16"=1'-0" for 11x17

24050-13\Welcome Center.dwg



0  
 Scale  
 24050



0 8' 16' 32'

Scale 1/16" = 1'-0" for 11x17

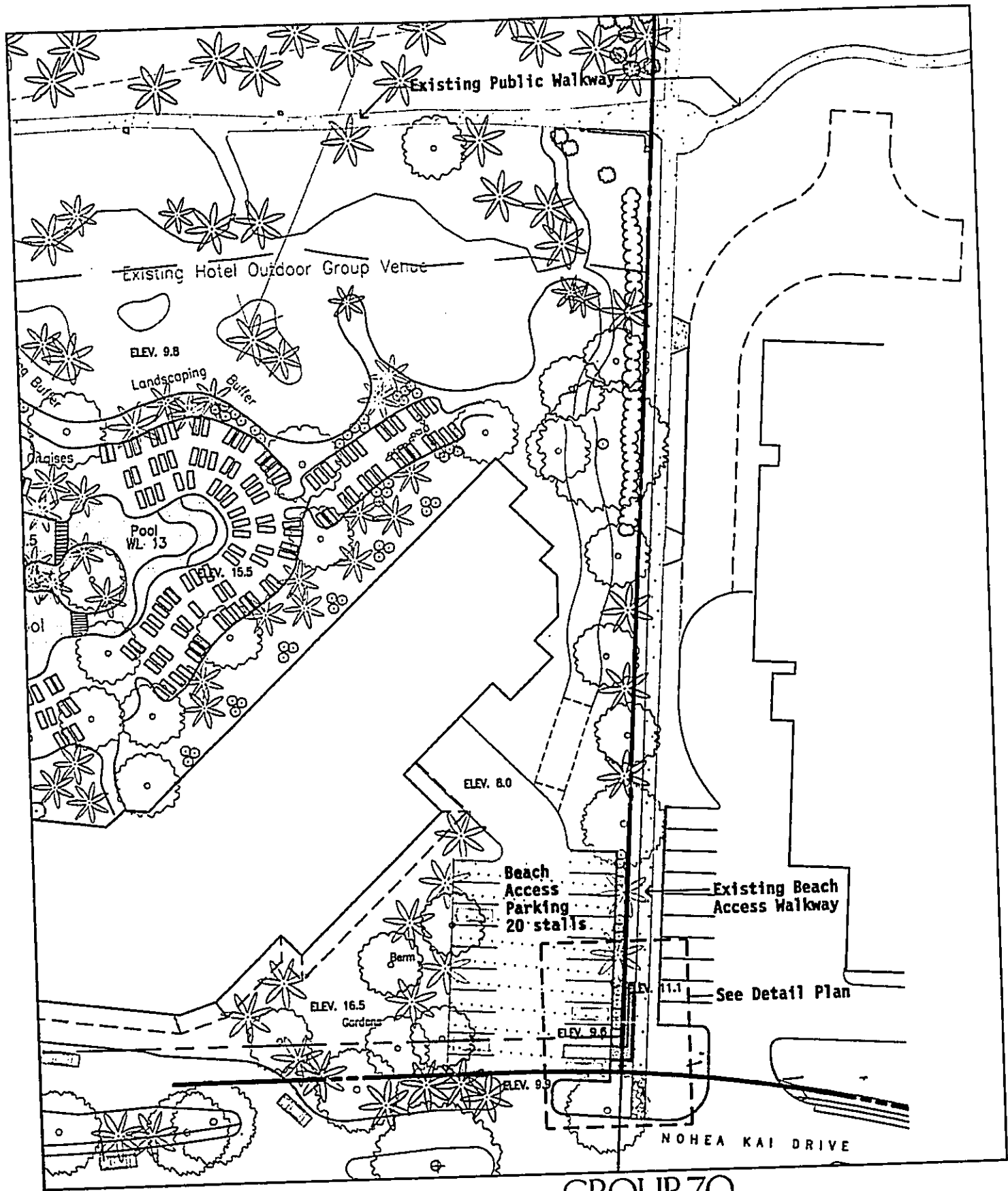
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**Sales Center**  
Maui Hyatt Vacation Club

March 21, 2006

**A-13**

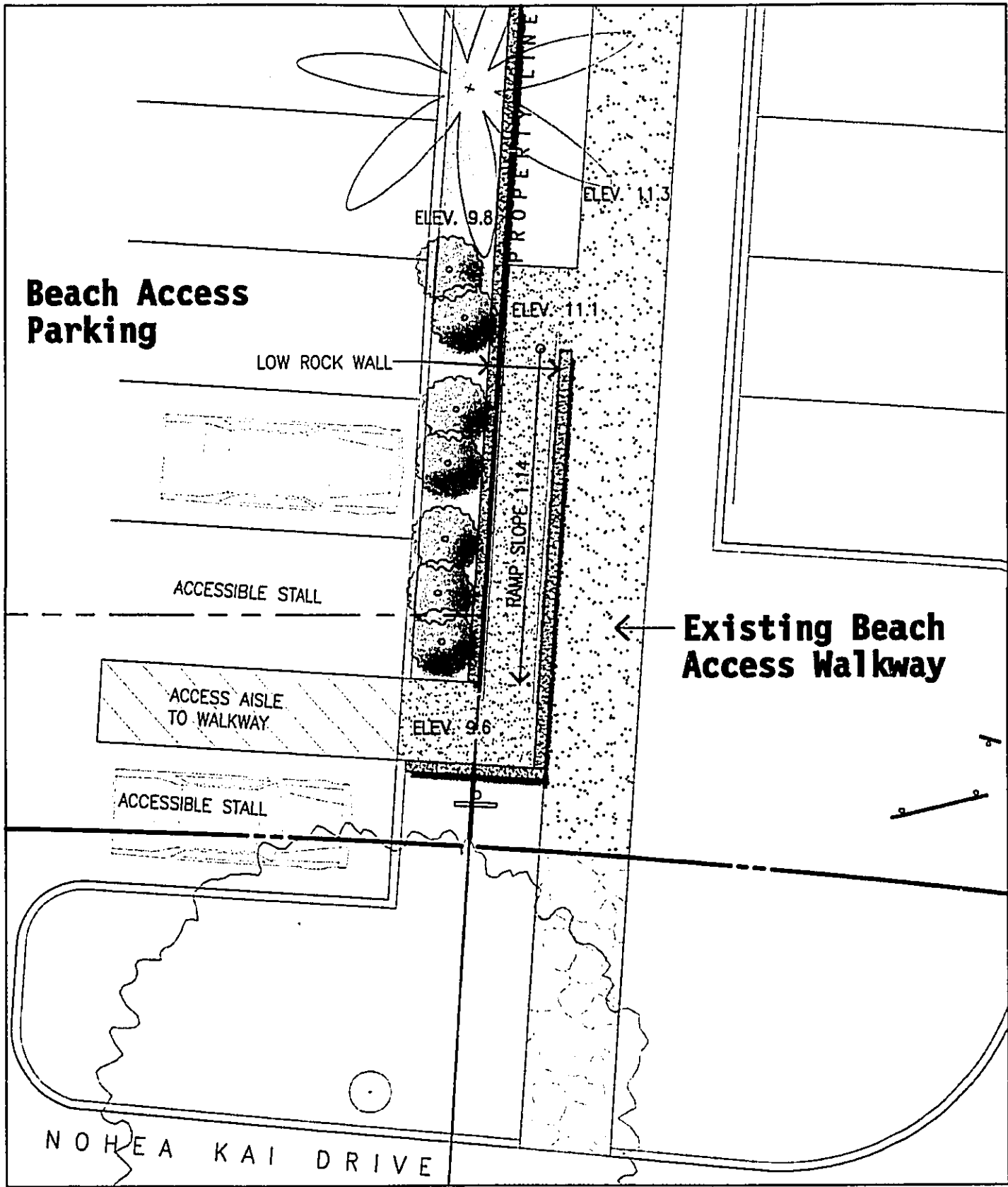


0 50' 100'  
 Scale 1"=50'  
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**Beach Access Site Plan**  
 Maui Hyatt Vacation Club  
 March 21, 2006

**A-14**



0 4' 8' 16'

Scale 1/8"=1'-0"

24050-13\Site 1-20-06 beach access detail.dwg

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Beach Access Detail Plan

Maui Hyatt Vacation Club

March 21, 2006

A-15

**Appendix B**  
*Environmental Noise Impact Assessment*

---



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**Environmental Noise Assessment Report  
Hyatt Regency Maui Expansion  
Kaanapali, Maui, Hawaii**

March 2006

DLAA Project No. 04-59

Prepared for:  
Chris Hart & Partners  
Wailuku, Maui

**970 N. KALAHEO AVE. • SUITE A311 • KAILUA, HAWAII 96734**  
808/254-3318 • FAX 808/254-5295  
www.dlaa.com • hawaii@dlaa.com



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**APPENDIX**

Appendix A Acoustic Terminology.

## 1.0 EXECUTIVE SUMMARY

- 1.1 The project is located on the west coast of the island of Maui, about three miles north of Lahaina. Access is provided from Honoapiilani Highway via Kaanapali Parkway and its connection to Nohea Kai Drive. The proposed development will consist of a guestroom building of up to 12 stories above grade and pool amenity. The facility will contain approximately 121 two and three bedroom units for transient vacation rental or ownership. The proposed project area is currently developed with on-grade parking and support facilities for the Hyatt Regency outdoor function area.
- 1.2 The project area currently experiences noise levels typical of a quiet urban environment. Noise measurements taken on the existing project property show an average day-night Level,  $L_{dn}$ , of 60 dBA. The average daytime equivalent sound level ( $L_{eq}$ ) was 58 dBA and the average nighttime equivalent sound level was 52 dBA.
- 1.3 During the project construction, the dominant noise sources will probably be earth moving equipment, such as bulldozers and diesel powered trucks. Noise from construction activities will occur on the project site. Noise from construction activities should be short term and must comply with State of Hawaii Community Noise Control Rules and a construction noise permit issued by the Department of Health.
- 1.4 The design of the new building at the Hyatt Regency will give consideration to controlling the noise emanating from stationary mechanical equipment, such as the rooftop cooling towers, chillers, compressors, air conditioning units, etc. so as to comply with the State of Hawaii Community Noise Control rules. Noisy equipment should be located away from neighbors and residential units, as much as is practical. Enclosed rooftop equipment and mechanical rooms may be required.
- 1.5 The results of the vehicular traffic noise analyses show negligible increases in traffic noise levels due to the project on Honoapiilani Highway. Traffic noise is expected to increase by less than 1 dB at the resorts on Nohea Kai Drive. All existing and future predicted noise levels are expected to be below the FHWA/HDOT maximum noise limit of 67 dBA except for residences along Honoapiilani Highway (or Kaaahi Street) which already exceeds 67 dBA. Therefore, the project is not expected to produce a significant traffic noise impact and noise mitigation is not necessary.

## 2.0 PROJECT DESCRIPTION

The project is located on the west coast of the island of Maui, about three miles north of Lahaina. The existing Hyatt Regency Resort is located at the end of Nohea Kai Drive, a private roadway within the Kaanapali Resort area. Access is provided from Honoapiilani Highway via Kaanapali Parkway and Nohea Kai Drive. The proposed development will consist of a guestroom building of up to 12 stories above grade and pool amenity. The facility will contain approximately 121 two and three bedroom units for transient vacation rental or ownership. Of the units for sale, approximately 24 will have a "lock off" or the ability to separate one bedroom of the unit for use by a separate and distinct party.

The proposed project area currently exists as on-grade parking and support facilities for the Hyatt Regency outdoor function area. The project is located between the existing Hyatt Regency Napili Tower and the Marriott's Maui Ocean Club Resort. Across the street from the Hyatt Regency are the Kaanapali Golf Course, tennis courts, and an employee parking lot.

## 3.0 NOISE STANDARDS

Various local and federal agencies have established guidelines and standards for assessing environmental noise impacts and set noise limits as a function of land use. A brief description of common acoustic terminology used in these guidelines and standards is presented in Appendix A.

### 3.1 State of Hawaii, Community Noise Control

The State of Hawaii Community Noise Control Rule [Reference 1] defines three classes of zoning districts and specifies corresponding maximum permissible sound levels due to *stationary* noise sources such as air-conditioning units, exhaust systems, generators, compressors, pumps, etc. The Community Noise Control Rule does not address most *moving* sources, such as vehicular traffic noise, air traffic noise, or rail traffic noise. However, the Community Noise Control Rule does regulate noise related to agricultural, construction, and industrial activities, which may not be stationary.

The maximum permissible noise levels are enforced by the State Department of Health (DOH) for any location at or beyond the property line and shall not be exceeded for more than 10% of the time during any 20-minute period. The specified noise limits which apply are a function of the zoning and time of day as shown in Figure 1. With respect to mixed zoning districts, the rule specifies that the primary land use designation shall be used to determine the applicable zoning district class and the maximum permissible sound level. In determining the maximum permissible sound level, the background noise level is taken into account by the DOH.

### 3.2 U.S. Federal Highway Administration (FHWA)

The FHWA defines four land use categories and assigns corresponding maximum hourly equivalent sound levels,  $L_{eq(h)}$ , for traffic noise exposure [Reference 2], which are listed in Figure 2. For example, Category B, defined as picnic and

recreation areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals, has a corresponding maximum exterior  $L_{eq}$  of 67dBA and a maximum interior  $L_{eq}$  of 52 dBA. These limits are viewed as design goals, and all projects meeting these limits are deemed in conformance with FHWA noise standards. Calculation of traffic noise levels should be conducted using a Federal Highway Administration traffic noise model [Reference 3].

### **3.3 Hawaii Department of Transportation (HDOT)**

The HDOT has adopted FHWA's design goals for traffic noise exposure in its noise analysis and abatement policy [Reference 5]. According to the policy, a traffic noise impact occurs when the predicted traffic noise levels "approach" or exceed FHWA's design goals or when the predicted traffic noise levels "substantially exceed the existing noise levels." The policy also states that "approach" means at least 1 dB less than FHWA's design goals and "substantially exceed the existing noise levels" means an increase of at least 15 dB.

### **3.4 U.S. Environmental Protection Agency (EPA)**

The U.S. EPA has identified a range of yearly day-night equivalent sound levels,  $L_{dn}$ , sufficient to protect public health and welfare from the effects of environmental noise [Reference 6]. The EPA has established a goal to reduce exterior environmental noise to an  $L_{dn}$  not exceeding 65 dBA and a future goal to further reduce exterior environmental noise to an  $L_{dn}$  not exceeding 55 dBA. Additionally, the EPA states that these goals are not intended as regulations as it has no authority to regulate noise levels, but rather they are intended to be viewed as levels below which the general population will not be at risk from any of the identified effects of noise.

## **4.0 EXISTING ACOUSTICAL ENVIRONMENT**

Two types of noise measurements were conducted to assess the existing acoustical environment in the vicinity of the project location. The first noise measurement type consisted of continuous long-term ambient noise level measurements (Location L1), as shown in Figure 3. The second type of noise measurement was short-term and included traffic counts (Location S1, and S2). The purpose of the short-term noise measurements and corresponding traffic counts were to calibrate a traffic noise prediction model. Both long term and short term measurements were conducted between January 16, 2006 and January 17, 2006.

### **4.1 Noise Measurement Procedure**

#### Long-Term Noise Measurement Procedure

Continuous, hourly, statistical sound levels were recorded for 22 hours. The measurements were taken using a Larson-Davis Laboratories, Model 820, Type-1 Sound Level Meter together with a Larson-Davis, Model 2560 Type-1 Microphone. Calibration was checked before and after the measurements with a Larson-Davis Model CAL200 calibrator. Both the sound level meter and the calibrator have been certified by the manufacturer within the recommended calibration period. The microphone was mounted on a tripod, approximately 5

feet above grade. A windscreen covered the microphone during the entire measurement period. The sound level meter was secured in a weather resistant case.

#### Short-Term Noise Measurement Procedure

An approximate 20-minute equivalent sound level,  $L_{eq}$ , was measured. Vehicular traffic counts and traffic mix were documented during the measurement period. The noise measurement was taken using a Larson-Davis Laboratories, Model 824, Type-1 Sound Level Meter together with a Larson-Davis, Model 2541 Type-1 Microphone. Calibration was checked before and after the measurements with a Larson-Davis Model CAL200 calibrator. Both the sound level meter and the calibrator have been certified by the manufacturer within the recommended calibration period. The microphone and sound level meter were mounted on a tripod, approximately 6 feet above grade. A windscreen covered the microphone during the entire measurement period.

### **4.2 Noise Measurement Locations**

#### Long-Term Noise Measurement Locations

Location L1: Positioned on the lanai of Room 101 in the Napili Tower. This location looked out over the proposed project site (existing parking lot) and was approximately 35 feet west of the Nohea Kai Drive edge-of-pavement.

#### Short-Term Noise Measurement Locations

Location S1: Positioned adjacent to Honoapiilani Highway at the Wahikuli Beach Park, approximately 40 feet west of the edge-of-pavement.

Location S2: Positioned adjacent to Nohea Kai Drive, approximately 40 feet west of the edge-of-pavement.

### **4.3 Long-Term Noise Measurement Results**

The hourly equivalent sound levels,  $L_{eq}$ , expressed in A-weighted decibels (dBA), are typical "quiet urban" ambient noise levels. The average daytime (7:00 AM to 10:00 PM)  $L_{eq}$  ranges from 54 dBA to 61. The average nighttime (10:00 PM to 7:00 AM)  $L_{eq}$  ranges from 49 dBA to 55 dBA. The average day-night level,  $L_{dn}$ , is 60 dBA.

The dominant and secondary noise sources are described below:

Dominant: Vehicular traffic from Nohea Kai Drive and the parking lot adjacent to the Napili Tower.

Secondary: Birds, wind, pedestrians, ocean/wave noise

## **5.0 POTENTIAL NOISE IMPACTS DUE TO THE PROJECT**

### **5.1 Project Construction Noise**

Development of the new building and surrounding facilities will involve excavation, grading, pile driving, and other typical construction activities during construction. The various construction phases of the project may generate significant amounts of noise. The actual noise levels produced during construction will be a function of the methods employed during each stage of the construction process. Typical ranges of construction equipment noise are shown in Figure 4. Earthmoving equipment, e.g., bulldozers and diesel-powered trucks, will probably be the loudest equipment used during construction.

### **5.2 Project Generated Stationary Mechanical Noise and Compliance with State of Hawaii Community Noise Control Rule**

The new building will incorporate stationary mechanical equipment located on the rooftop and the basement parking level. Expected mechanical equipment may include rooftop cooling towers, air handling equipment, condensing units, chillers, emergency generators, pre-humidifying equipment etc. Noise from this mechanical equipment and other stationary equipment must meet the State DOH noise rules, which stipulate maximum permissible noise limits at the property line. These noise limits are 60 dBA during the daytime hours (7:00 am to 10:00 pm) and 50 dBA during the night time hours (10:00 pm to 7:00 am) for multi-family housing. Mitigation of mechanical noise to meet the State DOH noise rules will be incorporated into the project design.

### **5.3 Compliance with FHWA/HDOT Noise Limits**

A vehicular traffic noise analysis was completed for the existing conditions, future year 2010 projections without the project, and future year 2010 projections with the project using the FHWA Traffic Noise Model Look-up Tables Software Version 2.5 (2004) [Reference 4]. The traffic noise analysis is based on the traffic counts provided by the Traffic Consultant [Reference 7]. The short-term noise measurements and corresponding traffic counts were used to calibrate the software. Vehicular traffic noise levels were calculated for two locations, Locations A and B, as shown in Figure 3. The results of the traffic noise analysis for the existing and future year projections are shown in Table 1.

#### **5.3.1 Vehicular Traffic Noise Impacts on the Surrounding Community**

Residences along Kaaahi Street (Location A) are located adjacent to Honoapiilani Highway, approximately 80 feet east of the edge-of-pavement, such that they currently exceed the FHWA/DOT maximum noise limit of 67 dBA during peak traffic hours. Vehicular traffic noise levels are expected to increase by approximately 1 dB in the future (2010) without the Hyatt Regency project. The increase in traffic noise due to the project is negligible. A 3 dB change, or less, in noise level is considered imperceptible to most people.

Noise levels predicted at the Marriott (Location B) are below the FHWA/DOT maximum noise limit of 67 dBA. In addition, future traffic noise levels due to the project are predicted to increase by less than 1 dB. Most traffic from the proposed project is predicted to be bound for Honoapiilani Highway [Reference 7]. Accordingly, residences and resorts along secondary roads such as Kaanapali Parkway (north of Nohea Kai Road) and Kekaa Drive are not expected to be impacted by vehicular traffic noise due to the proposed project. Therefore, the Hyatt Regency expansion complies with the FHWA/HDOT maximum noise limits.

#### **5.3.2 Vehicular Traffic Noise Impacts on the Project**

Noise level projections at the proposed expansion and at the existing Hyatt Regency Napili Tower are predicted to be below the FHWA/HDOT maximum noise limits. In addition, vehicular traffic noise levels from Nohea Kai Drive are expected to increase by less than 1 dB. Therefore, a significant noise impact on the project due to vehicular traffic noise is not expected.

#### **5.4 Compliance with EPA Noise Guidelines**

The result from the long-term noise measurements conducted at the proposed project site show a calculated Day-Night Level,  $L_{dn}$ , of 60 dBA. Therefore, the noise levels at the proposed condominiums on Kaiioo Drive are below the current EPA design goals but exceed future EPA design goal. It is important to note that the EPA noise guidelines are design goals and are not enforceable regulations. However, these guidelines and design goals are useful tools for assessing the noise environment.

### **6.0 NOISE IMPACT MITIGATION**

#### **6.1 Mitigation of Construction Noise**

In cases where construction noise exceeds, or is expected to exceed the State's "maximum permissible" property line noise levels [Reference 1], a permit must be obtained from the State DOH to allow the operation of vehicles, cranes, construction equipment, power tools, etc., which emit noise levels in excess of the "maximum permissible" levels.

In order for the State DOH to issue a construction noise permit, the Contractor must submit a noise permit application to the DOH, which describes the construction activities for the project. Prior to issuing the noise permit, the State DOH may require action by the Contractor to incorporate noise mitigation into the construction plan. The DOH may also require the Contractor to conduct noise monitoring or community meetings inviting the neighboring residents and business owners to discuss construction noise. The Contractor should use reasonable and standard practices to mitigate noise, such as using mufflers on diesel and gasoline engines, using properly tuned and balanced machines, etc. However, the State DOH may require additional noise mitigation, such as temporary noise barriers, or time of day usage limits for certain kinds of construction activities.



Specific permit restrictions for construction activities [Reference 1] are:

"No permit shall allow any construction activities which emit noise in excess of the maximum permissible sound levels ... before 7:00 a.m. and after 6:00 p.m. of the same day, Monday through Friday."

"No permit shall allow any construction activities which emit noise in excess of the maximum permissible sound levels... before 9:00 a.m. and after 6:00 p.m. on Saturday."

"No permit shall allow any construction activities which emit noise in excess of the maximum permissible sound levels on Sundays and on holidays."

The use of hoe rams and jack hammers 25 lbs. or larger, high pressure sprayers, chain saws, and pile drivers are restricted to 9:00 a.m. to 5:30 p.m., Monday through Friday. In addition, construction equipment and on-site vehicles or devices whose operations involve the exhausting of gas or air, excluding pile hammers and pneumatic hand tools weighing less than 15 pounds, must be equipped with mufflers [Reference 1].

The DOH noise permit does not limit the noise level generated at the construction site, but rather the times at which noisy construction can take place. Therefore, noise mitigation for construction activities should be addressed using project management, such that the time restrictions within the DOH permit are followed.

#### **6.2 Mitigation of Project Generated Mechanical Noise**

The design of the new building at the Hyatt Regency will give consideration to controlling the noise emanating from stationary mechanical equipment, such as the cooling towers, pre-humidifying equipment, chillers, compressors, air conditioning units, emergency generator, etc. so as to comply with the State of Hawaii Community Noise Control rules [Reference 1]. Noisy equipment should be located away from neighbors and residential units, as much as is practical. Enclosed rooftop equipment and mechanical rooms with acoustical treatments may be required.

#### **6.3 Mitigation of Vehicular Traffic Noise**

The traffic noise analysis shows no significant noise impacts to the surrounding community or at the proposed building. Therefore, noise mitigation for vehicular traffic noise is not required.

## REFERENCES

1. Chapter 46, *Community Noise Control*, Department of Health, State of Hawaii, Administrative Rules, Title 11, September 23, 1996.
2. *Department of Transportation, Federal Highway Administration Procedures for Abatement of Highway Traffic Noise*, Title 23, CFR, Chapter 1, Subchapter J, Part 772, 38 FR 15953, June 19, 1973; Revised at 47 FR 29654, July 8, 1982.
3. *Federal Highway Administration's Traffic Noise Model*, FHWA-RD-77-108; U.S. Department of Transportation, December 1978.
4. *Federal Highway Administration's Traffic Noise Model Look-up Tables Software*, Ver. 2.5; U.S. Department of Transportation, December 17, 2004.
5. *Noise Analysis and Abatement Policy*, Department of Transportation, Highways Division, State of Hawaii, June 1977.
6. *Toward a National Strategy for Noise Control*, U.S. Environmental Protection Agency, April 1977.
7. *Traffic Impact Analysis Report for Hyatt Regency Expansion*, Phillip Rowell and Associates, March 14, 2006.

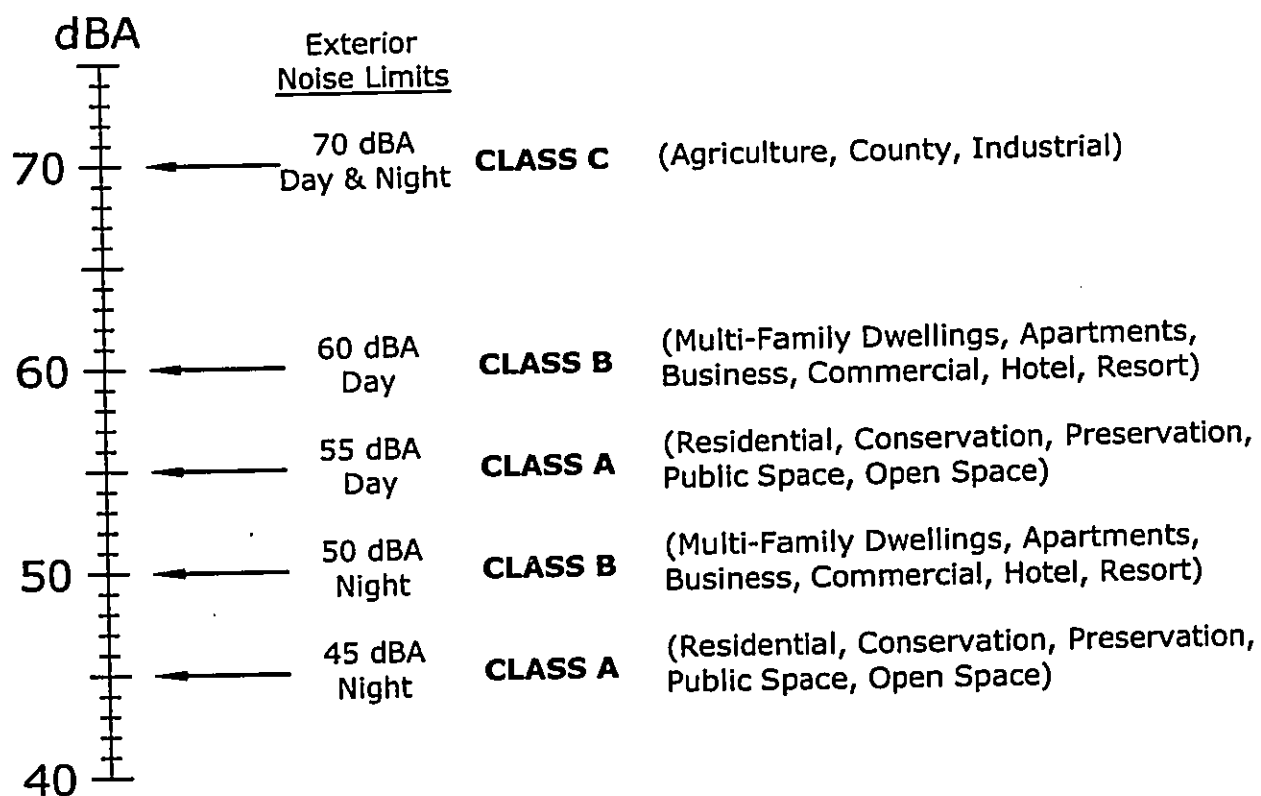
**TABLE 1**  
**Predicted Traffic Noise Levels With and Without the Project and Resulting Increases Due to the Project<sup>+</sup>**


Noise levels shown in the table are based on peak-hour traffic volumes, and are expressed in A-weighted decibels (dBA).

	Location A		Location B	
	AM	PM	AM	PM
Existing (Calculated)	68.5	70.1	58.9	59.3
Future Without Project (2010)	69.4	70.8	58.9	59.3
Future With Project (2010)	69.5	70.9	59.6	59.8
Future Increase Without Project (2010)	0.9	0.7	0.0	0.0
Future Increase With Project (2010)	1.0	0.8	0.7	0.5
<b>Future Increase Due to Project (2010)</b>	<b>0.1</b>	<b>0.1</b>	<b>0.7</b>	<b>0.5</b>

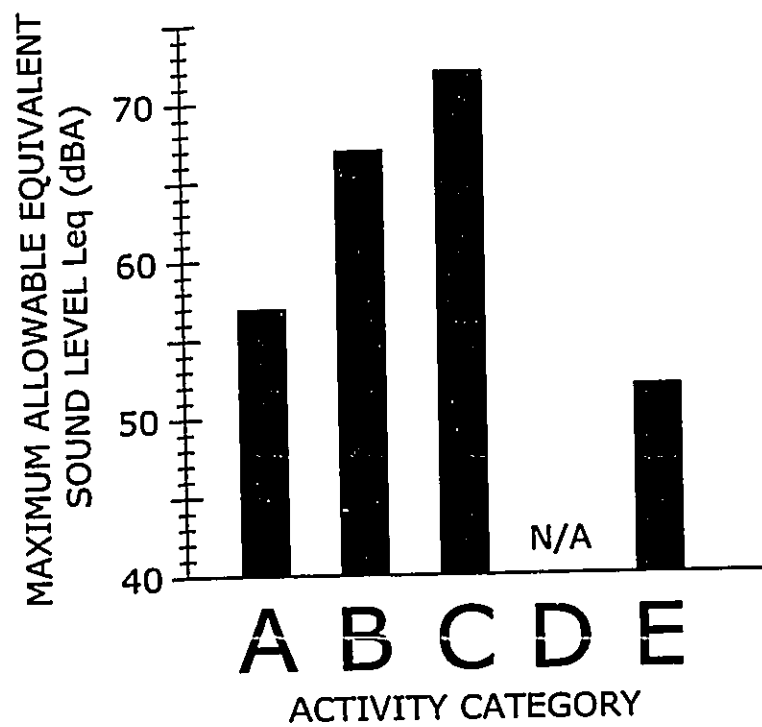
<sup>+</sup> The noise level calculations were based on the traffic study provided by Phillip Rowell and Associates [Reference 7].

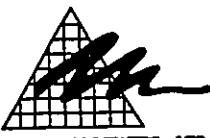
Zoning District	Day Hours (7 AM to 10 PM)	Night Hours (10 PM to 7 AM)
<b>CLASS A</b> Residential, Conservation, Preservation, Public Space, Open Space	55 dBA (Exterior)	45 dBA (Exterior)
<b>CLASS B</b> Multi-Family Dwellings, Apartments, Business, Commercial, Hotel, Resort	60 dBA (Exterior)	50 dBA (Exterior)
<b>CLASS C</b> Agriculture, Country, Industrial	70 dBA (Exterior)	70 dBA (Exterior)

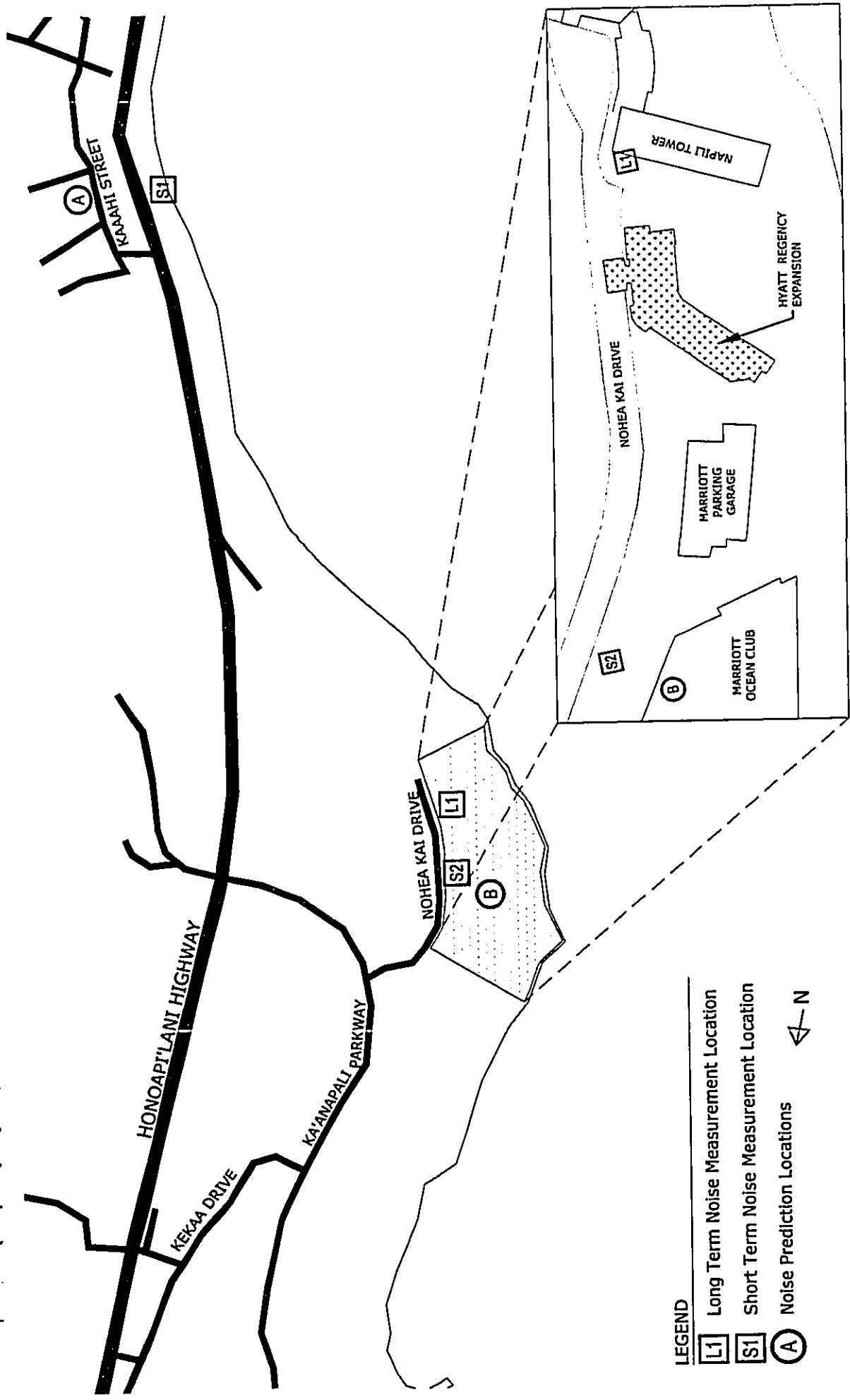


 <p><b>D. L. ADAMS ASSOCIATES, LTD.</b> 970 N. KALANEO AVE., A-311 KAILUA, HAWAII 96734 808/254-3318 FAX 808/254-8296</p>	<b>Hawaii Maximum Permissible Sound Levels for Various Zoning Districts</b>			Figure No <b>1</b>
	Hyatt Regency Expansion			
	Not to Scale			
	Date March 2006	Project No. 04-59	Drawn By TRB	

ACTIVITY CATEGORY	ACTIVITY CATEGORY DESCRIPTION	MAXIMUM EQUIVALENT SOUND LEVEL L <sub>eq(h)</sub>
<b>A</b>	LANDS ON WHICH SERENITY AND QUIET ARE OF EXTRAORDINARY SIGNIFICANCE AND SERVE AN IMPORTANT PUBLIC NEED AND WHERE THE PRESERVATION OF THOSE QUALITIES IS ESSENTIAL IF THE AREA IS TO CONTINUE TO SERVE ITS INTENDED PURPOSE.	57 dBA (EXTERIOR)
<b>B</b>	PICNIC AREAS, RECREATION AREAS, PLAYGROUNDS, ACTIVE SPORT AREAS, PARKS, RESIDENCES, MOTELS, HOTELS, SCHOOLS, CHURCHES, LIBRARIES, AND HOSPITALS.	67 dBA (EXTERIOR)
<b>C</b>	DEVELOPED LANDS, PROPERTIES, OR ACTIVITIES NOT INCLUDED IN ACTIVITY CATEGORIES A OR B ABOVE.	72 dBA (EXTERIOR)
<b>D</b>	UNDEVELOPED LAND	N/A
<b>E</b>	RESIDENCES, MOTELS, HOTELS, PUBLIC MEETING ROOMS, SCHOOLS, CHURCHES, LIBRARIES, HOSPITALS, AND AUDITORIUMS.	52 dBA (INTERIOR)



 <p><b>D. L. ADAMS ASSOCIATES, LTD.</b> 970 N. KALANEO AVE. A-311 KAHOLA, HAWAII 96734 808/254-3318 FAX 808/254-8296</p>	Federal Highways Administration Recommended Equivalent Hourly Sound Levels Based on Land Use			Figure No <b>2</b>
	Hyatt Regency Expansion			
	Not to Scale			
	Date March 2006	Project No. 04-59	Drawn By TRB	



- LEGEND**
- L1 Long Term Noise Measurement Location
  - S1 Short Term Noise Measurement Location
  - A Noise Prediction Locations

**Noise Measurement and Prediction Locations**

Figure No  
**3**

Hyatt Regency Expansion

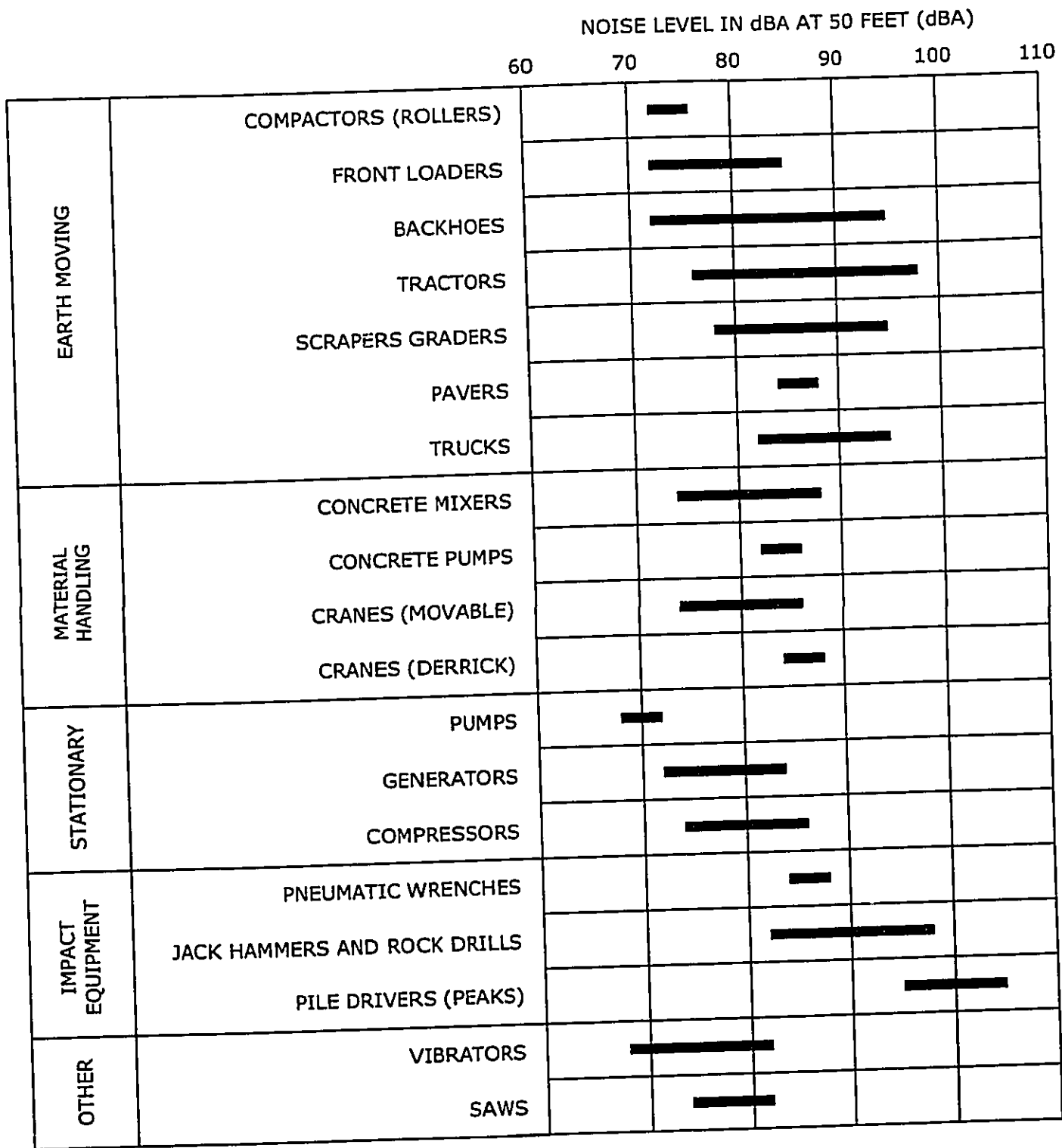
Not to Scale

Drawn By  
DFD


Project No.  
04-59

Date  
March 2006

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NOTE: BASED ON LIMITED AVAILABLE DATA SAMPLES

 <b>D. L. ADAMS ASSOCIATES, LTD.</b> 970 N. KALANEOA AVE., A-311 KAILUA, HAWAII 96734 808/254-3310 FAX 808/254-5298	<b>Typical Sound Levels from Construction Equipment</b>		Figure No
	Hyatt Regency Expansion		<b>4</b>
	Not to Scale		
	Date March 2006	Project No. 04-59	Drawn By TRB

**APPENDIX A**  
**Acoustic Terminology**



## Acoustic Terminology

### Sound Pressure Level

Sound, or noise, is the term given to variations in air pressure that are capable of being detected by the human ear. Small fluctuations in atmospheric pressure (sound pressure) constitute the physical property measured with a sound pressure level meter. Because the human ear can detect variations in atmospheric pressure over such a large range of magnitudes, sound pressure is expressed on a logarithmic scale in units called decibels (dB). Noise is defined as "unwanted" sound.

Technically, sound pressure level (SPL) is defined as:

$$\text{SPL} = 20 \log (P/P_{\text{ref}}) \text{ dB}$$

where P is the sound pressure fluctuation (above or below atmospheric pressure) and  $P_{\text{ref}}$  is the reference pressure, 20  $\mu\text{Pa}$ , which is approximately the lowest sound pressure that can be detected by the human ear. For example:

If P = 20  $\mu\text{Pa}$ , then SPL = 0 dB

If P = 200  $\mu\text{Pa}$ , then SPL = 20 dB

If P = 2000  $\mu\text{Pa}$ , then SPL = 40 dB

The sound pressure level that results from a combination of noise sources is not the arithmetic sum of the individual sound sources, but rather the logarithmic sum. For example, two sound levels of 50 dB produce a combined sound level of 53 dB, not 100 dB. Two sound levels of 40 and 50 dB produce a combined level of 50.4 dB.

Human sensitivity to changes in sound pressure level is highly individualized. Sensitivity to sound depends on frequency content, time of occurrence, duration, and psychological factors such as emotions and expectations. However, in general, a change of 1 or 2 dB in the level of sound is difficult for most people to detect. A 3 dB change is commonly taken as the smallest perceptible change and a 6 dB change corresponds to a noticeable change in loudness. A 10 dB increase or decrease in sound level corresponds to an approximate doubling or halving of loudness, respectively.

### A-Weighted Sound Level

Studies have shown conclusively that at equal sound pressure levels, people are generally more sensitive to certain higher frequency sounds (such as made by speech, horns, and whistles) than most lower frequency sounds (such as made by motors and engines)<sup>1</sup> at the same level. To address this preferential response to frequency, the A-weighted scale was developed. The A-weighted scale adjusts the sound level in each frequency band in much the same manner that the

---

<sup>1</sup> D.W. Robinson and R.S. Dadson, "A Re-Determination of the Equal-Loudness Relations for Pure Tones," *British Journal of Applied Physics*, vol. 7, pp. 166 - 181, 1956.  
(Adopted by the International Standards Organization as Recommendation R-226.)

human auditory system does. Thus the A-weighted sound level (read as "dBA") becomes a single number that defines the level of a sound and has some correlation with the sensitivity of the human ear to that sound. Different sounds with the same A-weighted sound level are perceived as being equally loud. The A-weighted noise level is commonly used today in environmental noise analysis and in noise regulations. Typical values of the A-weighted sound level of various noise sources are shown in Figure A-1.

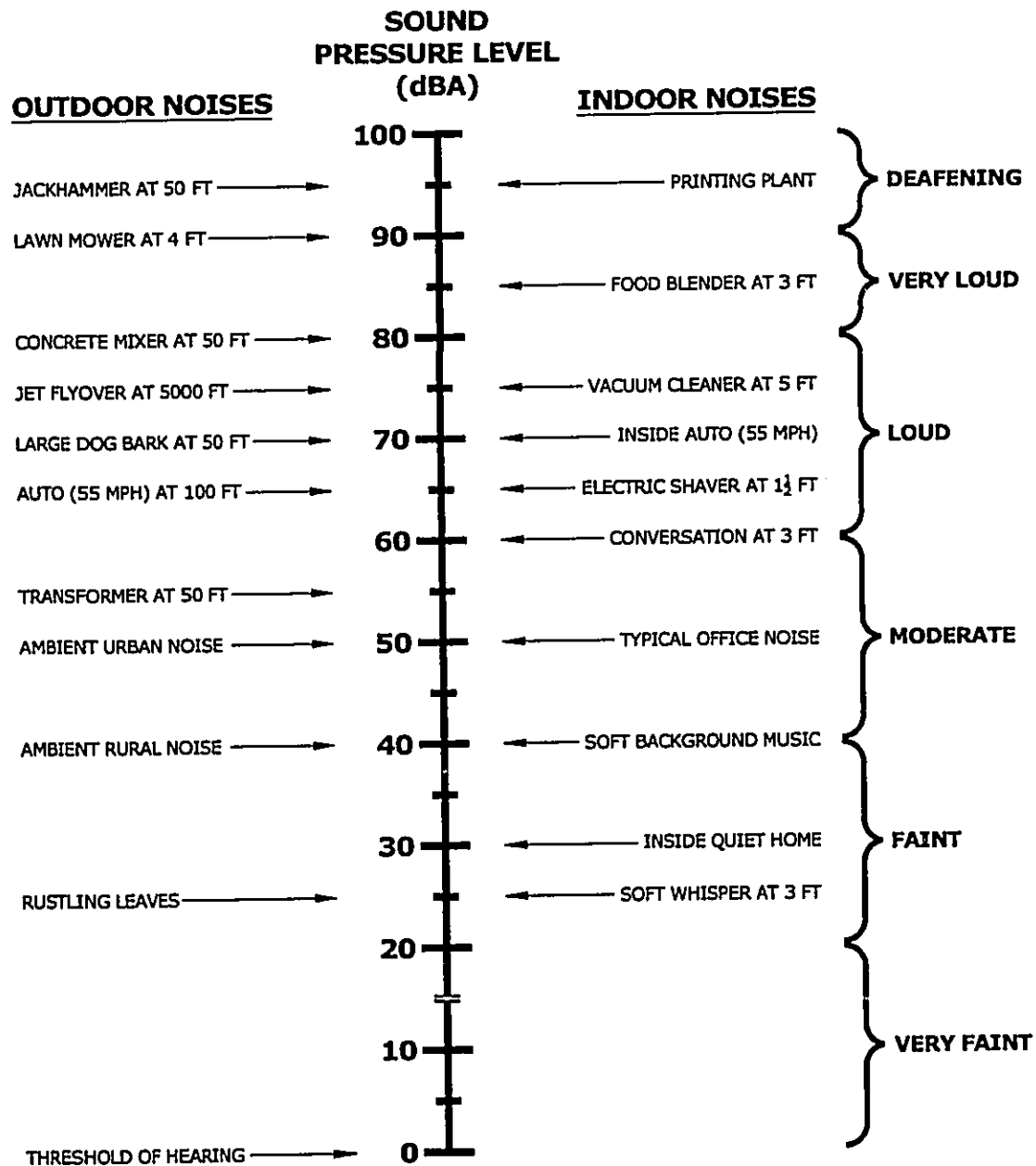


Figure A-1. Common Outdoor/Indoor Sound Levels

### Equivalent Sound Level

The Equivalent Sound Level ( $L_{eq}$ ) is a type of average which represents the steady level that, integrated over a time period, would produce the same energy as the actual signal. The actual *instantaneous* noise levels typically fluctuate above and below the measured  $L_{eq}$  during the measurement period. The A-weighted  $L_{eq}$  is a common index for measuring environmental noise. A graphical description of the equivalent sound level is shown in Figure A-2.

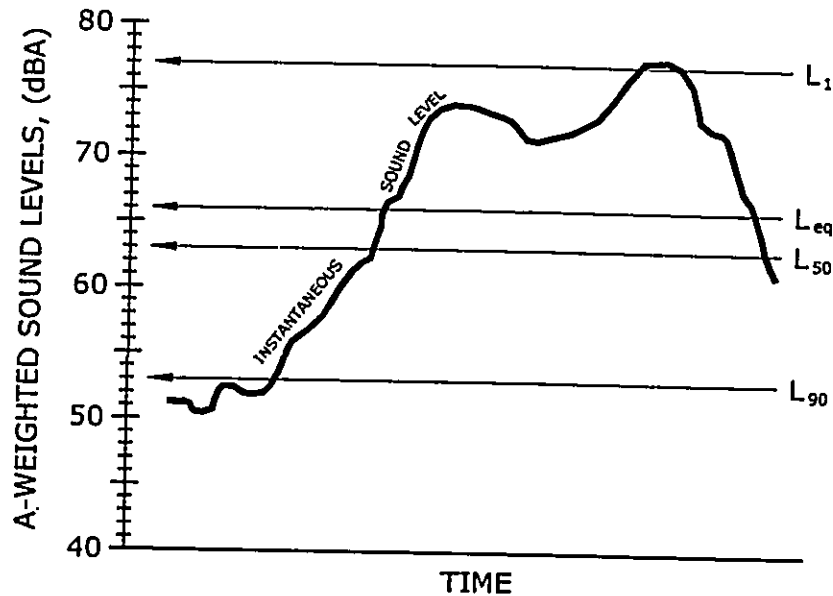


Figure A-2. Example Graph of Equivalent and Statistical Sound Levels

### Statistical Sound Level

The sound levels of long-term noise producing activities such as traffic movement, aircraft operations, etc., can vary considerably with time. In order to obtain a single number rating of such a noise source, a statistically-based method of expressing sound or noise levels has been developed. It is known as the Exceedence Level,  $L_n$ . The  $L_n$  represents the sound level that is exceeded for  $n\%$  of the measurement time period. For example,  $L_{10} = 60$  dBA indicates that for the duration of the measurement period, the sound level exceeded 60 dBA 10% of the time. Typically, in noise regulations and standards, the specified time period is one hour. Commonly used Exceedence Levels include  $L_{01}$ ,  $L_{10}$ ,  $L_{50}$ , and  $L_{90}$ , which are widely used to assess community and environmental noise. A graphical description of the equivalent sound level is shown in Figure A-2.

### Day-Night Equivalent Sound Level

The Day-Night Equivalent Sound Level,  $L_{dn}$ , is the Equivalent Sound Level,  $L_{eq}$ , measured over a 24-hour period. However, a 10 dB penalty is added to the noise levels recorded between 10 p.m. and 7 a.m. to account for people's higher sensitivity to noise at night when the background noise level is typically lower. The  $L_{dn}$  is a commonly used noise descriptor in assessing land use compatibility, and is widely used by federal and local agencies and standards organizations.

**Appendix C**  
*Shoreline Evaluation Report*

**SHORELINE EVALUATION**  
**MAUI MARRIOTT HOTEL**

**Prepared For:**  
**Chris Hart & Partners**  
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**Prepared By:**  
**Sea Engineering, Inc.**  
**Waimānalo, Hawai'i**

**March 1999**

**#99-05**

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(Courtesy of Air Survey Hawai'i, Inc.)
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(Courtesy of Air Survey Hawai'i, Inc.)

## **I EXECUTIVE SUMMARY**

The Maui Marriott Hotel, located near the center of Hanaka`ō`ō Beach, is proposing to implement minor structural and landscaping changes, and some of them are within the shoreline setback area. This study was conducted to describe the historical vegetation line changes at the site and to predict, to the extent possible, the vegetation line position 30 years from now.

The north and middle sectors of Hanaka`ō`ō Beach are dynamic, responding to the seasonally varying wave climate. In the summer, the sand moves from Hanaka`ō`ō Point to the north due to the influence of the prevailing south swell. The pattern reverses in the winter when the north Pacific swell is present. While the seasonal changes at Hanaka`ō`ō Point are pronounced, the vegetation line is relatively stable.

Hanaka`ō`ō Beach was included in a study which evaluated long term shoreline changes on many of the beaches in the State of Hawai`i (Makai Ocean Engineering, Inc. and Sea Engineering, Inc., 1991). The method involved computer rectification of available aerial photographs, followed by digitization and plotting of the vegetation line. That 1991 study was updated for this evaluation by adding two additional photos and three shoreline certification surveys to the data base.

The results of the analysis show a relatively stable vegetation line at the hotel, with a range of movement of only 25 feet over the 50 year record period. The net change since 1949 at the three transects selected for evaluation was less than 5 feet. The historical vegetation line changes were used as a basis for the prediction of the vegetation line position in 30 years. Since future storms and wave patterns that affect the vegetation line cannot be predicted, a probabilistic model was utilized to calculate the probability distribution of future vegetation line positions.

The mean predicted position of the vegetation line at the project site in 30 years is within 3 feet of its present position. Fluctuations about the mean position corresponding to those that have occurred in the past should be anticipated.



## II COASTAL SETTING

The Maui Marriott Hotel is located along the middle sector of Hanaka`ō`ō Beach on the northwest coast of the island of Maui. Hanaka`ō`ō Beach extends south from Keka`a Point to Hanaka`ō`ō Beach Park, a distance of approximately 8,000 feet. The coastal sector between Lahaina and Kapalua is one of the major resort areas on Maui and Hanaka`ō`ō Beach is one of several long, narrow sandy beaches in this area. Extensive construction has taken place along the beach in the past 30 years and, except for Hanaka`ō`ō Beach Park, the backshore is fully developed with resort hotels and condominiums.

The Maui Marriott was built in 1980-1981. The hotel consists of a single large horseshoe shaped structure, with the open side facing the ocean. The hotel property extends along approximately 1,400 feet of the shoreline. Minor hotel structures (beach center, grill and swimming pool) are located in the open central area between the two wings of the hotel. The Kā`anapali Ali`i condominium is located on the each north of the hotel, with the Westin just north of the Alii. The Hyatt Regency Maui is the neighboring property to the south.

As along most of Kā`anapali Beach, there is a concrete sidewalk, located just behind the vegetation line, which provides easy lateral access along the shoreline.

Hanaka`ō`ō Point, a seasonally varying sand feature, is located directly off the hotel's tennis courts, which are next to the north property line. A fringing reef lies off Hanaka`ō`ō Point and the central part of the beach. The reef extends along the length of the hotel shoreline, with typical widths ranging from 200 to 300 feet. The reef has numerous sand pockets and small channels (Clark, 1980).

Photos 1 to 6 show typical shoreline conditions observed during a site visit conducted on March 16, 1999. Photos 1 and 2 were taken from Hanaka`ō`ō Point just off the south end of the hotel tennis courts. Photos 1 and 2 were taken looking north and south, respectively. The measured beach width (vegetation line to high water line) at this location was approximately 120 feet. The beach is widest at Hanaka`ō`ō Point, and narrows steadily with distance to the south along the hotel property. This tendency can be seen in Photo 2.



Photo 1: View to North from Hanaka'ō'ō Point



Photo 2: View to South from Hanaka'ō'ō Point

Photos 3 and 4 were taken looking north and south, respectively, from the beach off the center of the property. The beach width at this point was approximately 55 feet.

Photos 5 and 6 were taken looking north and south, respectively, from the south property line. The beach width at this location was approximately 25 feet. The beach in this area also becomes noticeably steeper, as shown in Photo 6. The beach remains narrow from the south end of the Marriott property to the start of Hanaka'ō'ō Beach Park.

The Beach Management Plan for Maui (1997) identified erosion hotspots and watchspots. An erosion hotspot was defined as a location where erosion has threatened shoreline development or infrastructure. A watchspot was defined as an area where the coastal environment will soon be threatened if shoreline erosion trends continue. Along Hanaka'ō'ō Beach the Hyatt Regency was identified as a hotspot and the Maui Surf - Westin was identified as a watchspot. Both these areas have undergone localized erosion and in the past applied for emergency shoreline protection permits. The areas affected were small, and the erosive events were associated with specific wave occurrences. The Maui Marriott has never applied for an emergency shoreline protection permit.

### III COASTAL PROCESSES AND SHORELINE HISTORY

Hanaka`ō`ō Beach is a dynamic beach, and portions of it undergo pronounced seasonal changes. The beach is exposed to North Pacific swell and Kona storm waves in the winter and south swell in the summer. The waves approach the beach at an angle and the breaking waves generate longshore currents which transport sand along the shoreline. The predominant transport direction in the winter months is to the south, under the influence of the prevailing north Pacific swell. This southward transport moves sand from the north end of the beach toward the south; the north end of the beach erodes while the south end accretes. There is one important exception to this winter pattern. Waves generated by irregularly occurring winter season Kona storms approach from the south and southwest and move sand northward along the beach, temporarily reversing the pattern. The alongshore transport direction reverses in the summertime, with the prevailing south swell moving the sand to the north. This seasonally varying wave climate results in pronounced shifts in the winter/summer sandy beach widths. The effects are most apparent at the north end of the beach near Keka`a Point and at Hanaka`ō`ō Point. Hanaka`ō`ō Point accretes during the winter months and erodes during the summer months. Moberly and Chamberlain in their 1964 report noted that the beach at the point would narrow to 30 feet in the summer. During the summer of 1963 the northward transport resulted in a 15 foot high scarp at the beach. Seasonal variations of 100 to 150 feet in sandy beach width at this location are not unusual. Correspondingly large changes also occur at the north end of the beach, fronting the Sheraton Maui Hotel. Seasonal changes in beach width in other locations along the beach are usually not as pronounced. Although the varying seasonal wave climate results in large changes in the sandy beach widths at some locations, the long term changes in the vegetation lines have typically been more subtle.

The above description of the seasonal shoreline variations at Hanaka`ō`ō Point agrees with anecdotal reports from long term staff members at the Maui Marriott Hotel. They have observed the seasonal transport of sand toward the Sheraton in the summer, and the accumulation of sand at the point in the winter months. One of the most severe recent erosive events occurred during the summer of 1995 when the beach retreated to the vegetation line and 6 to 10 feet of the vegetation line was lost from a small area just south of the hotel pool. According to staff reports, the summer season south swell typically causes more shoreline retreat than during the occurrence of Kona storms or the offshore passage of hurricanes. During the passage of Hurricane `Iwa in 1982 and `Iniki in 1992, the shoreline landscaping was damaged by salt water "burn" but there was only minor erosion of the vegetation line.



Photo 3: View to North from Center of Hotel Property



Photo 4: View to South from Center of Hotel Property



Photo 5: View to North from South Property Line



Photo 6: View to South from South Property Line

### III COASTAL PROCESSES AND SHORELINE HISTORY

Hanaka`ō`ō Beach is a dynamic beach, and portions of it undergo pronounced seasonal changes. The beach is exposed to North Pacific swell and Kona storm waves in the winter and south swell in the summer. The waves approach the beach at an angle and the breaking waves generate longshore currents which transport sand along the shoreline. The predominant transport direction in the winter months is to the south, under the influence of the prevailing north Pacific swell. This southward transport moves sand from the north end of the beach toward the south; the north end of the beach erodes while the south end accretes. There is one important exception to this winter pattern. Waves generated by irregularly occurring winter season Kona storms approach from the south and southwest and move sand northward along the beach, temporarily reversing the pattern. The alongshore transport direction reverses in the summertime, with the prevailing south swell moving the sand to the north. This seasonally varying wave climate results in pronounced shifts in the winter/summer sandy beach widths. The effects are most apparent at the north end of the beach near Keka`a Point and at Hanaka`ō`ō Point. Hanaka`ō`ō Point accretes during the winter months and erodes during the summer months. Moberly and Chamberlain in their 1964 report noted that the beach at the point would narrow to 30 feet in the summer. During the summer of 1963 the northward transport resulted in a 15 foot high scarp at the beach. Seasonal variations of 100 to 150 feet in sandy beach width at this location are not unusual. Correspondingly large changes also occur at the north end of the beach, fronting the Sheraton Maui Hotel. Seasonal changes in beach width in other locations along the beach are usually not as pronounced. Although the varying seasonal wave climate results in large changes in the sandy beach widths at some locations, the long term changes in the vegetation lines have typically been more subtle.

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The recent El Nino event caused severe erosion of the north end of the beach during the winter of 1997-1998. In spite of the large seasonal variations in width at the north end of the beach, the vegetation line fronting the Maui Sheraton Hotel had been stable over a 40 year period from 1949 to 1988 (Makai Ocean Engineering, Inc. and Sea Engineering, Inc, 1991). By March 1998 the hotel vegetation line had eroded as much as 50 feet, and the concrete sidewalk providing lateral access along the shoreline was undermined and collapsed. The winter of 1997-1998 was one of unusually large north Pacific swell, due at least in part to the strongest El Nino event on record. The frequent occurrence of large waves from the north resulted in more sand transport to the south than usual. During the same period, there were no Kona storms to temporarily slow down or reverse this seasonal transport. The shoreline at Hanaka`ō`ō Point accreted at the same time that the Sheraton shoreline eroded.

With the arrival of the summertime south swell, the sand moved rapidly back to the north. Between May 4 and August 6, 1998, the width of the sandy beach fronting the Sheraton Maui Hotel increased by up to 140 feet. During the same period, the width of the beach at Hanaka`ō`ō Point decreased by up to 160 feet. No erosion of the vegetation line at Hanaka`ō`ō Point occurred during this shift of sand.

The southern part of the beach, below Hanaka`ō`ō Point, also undergoes seasonal changes, but they are more subtle than those described above. During the winter of 1997-1998, while the middle and north sectors of the beach were dramatically changing, no significant changes occurred south of Hanaka`ō`ō Point.

Photos 7 and 8, taken in October 1982 and May 1997, respectively, were used to analyze vegetation line changes for this report. The two photos illustrate the pronounced seasonal changes that occur at Hanaka`ō`ō Point. Photo 7 represents typical end of summer conditions and Photo 8 represents typical end of winter conditions. Photo 7 also illustrates the extreme angle at which incoming waves can approach the point. Sand transport volumes are a function of wave height and approach angle. The waves shown approaching the north side of Hanaka`ō`ō Point in Photo 7 would have resulted in a significant transport of sand to the south.



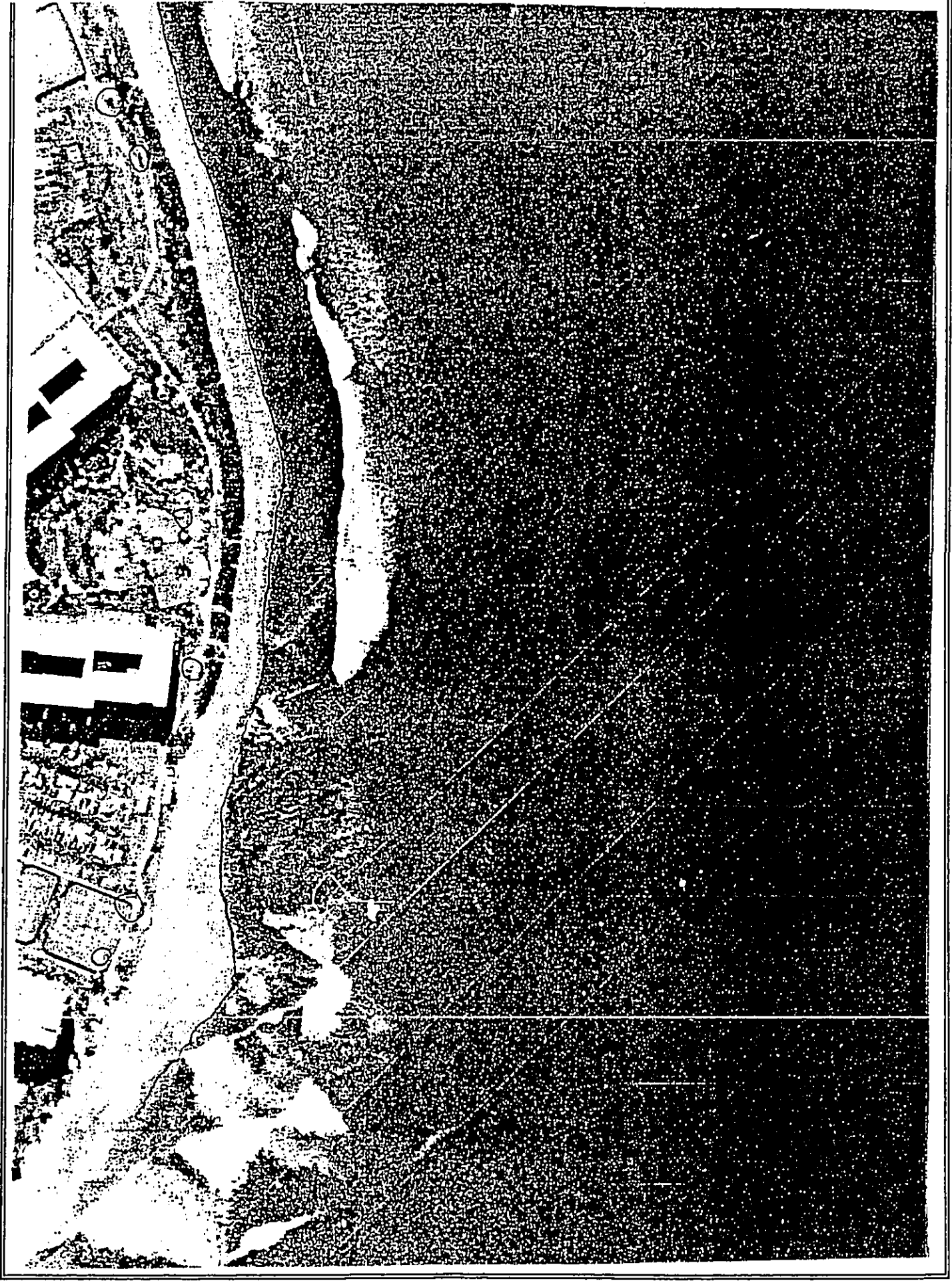


Photo 7: Project Shoreline, October 1982

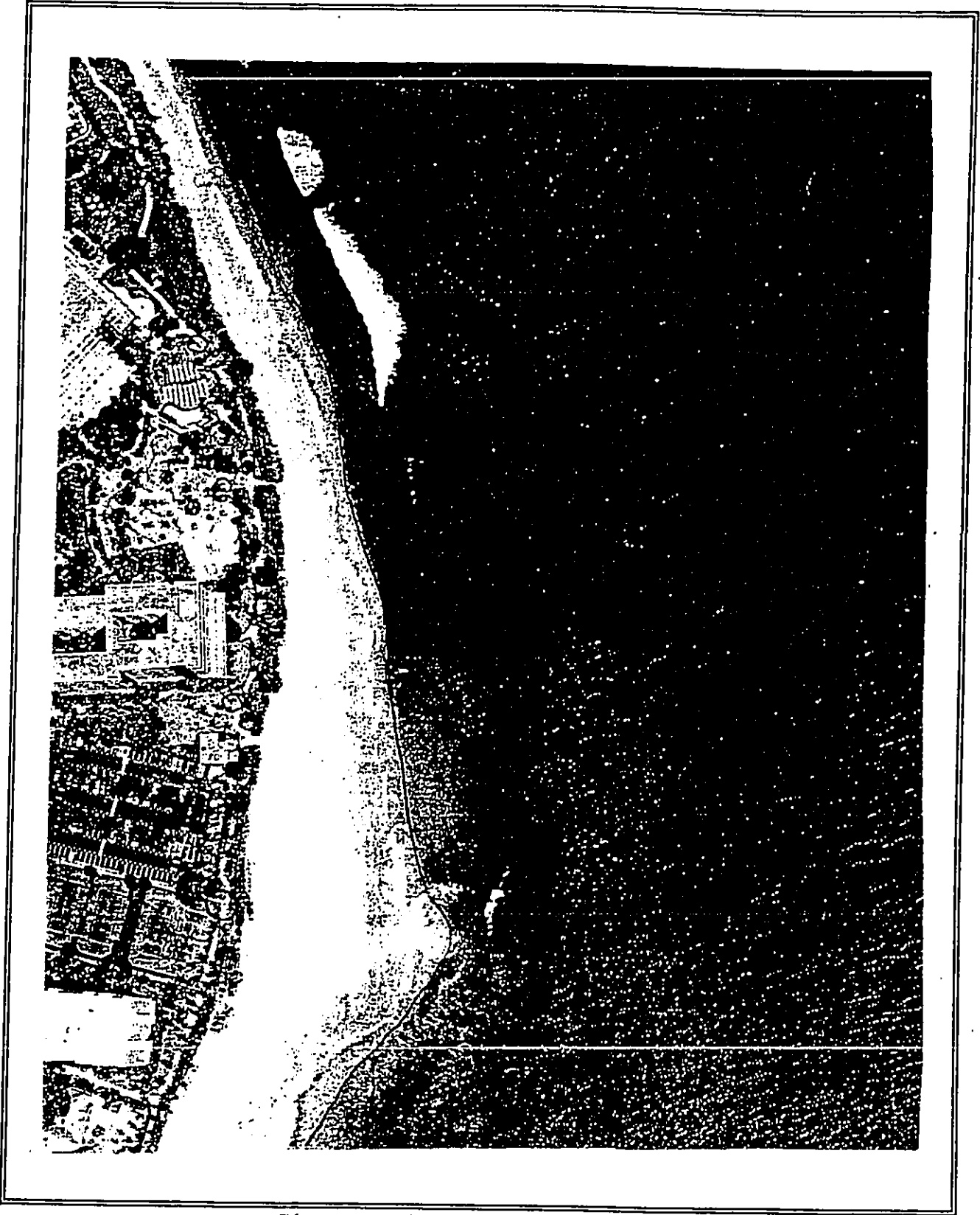


Photo 8: Project Shoreline, May 1997

#### IV ANALYSIS OF COASTAL EROSION AND ACCRETION RATES

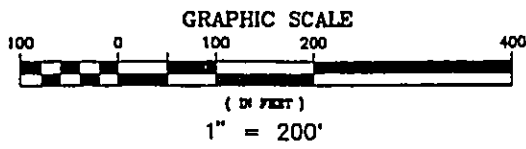
Long term beach changes are best represented by the position of the vegetation line. While sandy beach widths may fluctuate rapidly in response to seasonal or other short term events, the vegetation line typically responds to longer term or extreme changes. Vegetation line changes were evaluated for many of the sandy beaches in the state, including Hanaka`ō`ō Beach, in a study conducted for the State of Hawai`i, Office of State Planning, Coastal Zone Management Program (Makai Ocean Engineering, Inc. and Sea Engineering, Inc., 1991). The study included computer rectification of available aerial photographs, followed by digitization and plotting of the vegetation line.

The 1991 study evaluated the first available vertical aerial photograph of the Ka`anapali coastline, taken in 1949, and subsequent photographs taken in 1961, 1975, 1987 and 1988, and therefore represented 40 years of beach changes. Although the study resulted in digitized shoreline maps for each photographic series, transects were selected in specific locations to represent and describe the vegetation line changes. Figure 1 summarizes the study results for the south and central portion of Hanaka`ō`ō Beach. The transects north and south of Maui Marriott Hotel show relatively stable vegetation lines, with net changes over the 40 year period of 14 feet or less. Transect 7, located at the "hotspot" at the Hyatt Regency Maui showed the greatest net change, and erosion of 23 feet.

The 1991 report was updated for this shoreline evaluation by adding two aerial photographs (October 1982 and May 1997) and a 1998 shoreline certification surveys to the data base. The new photographs were computer rectified and the vegetation line from the photographs and surveys were digitized and added to the data base, which now represents a 49 year period. The information was summarized for an additional transect (transect 8A) in the center of the hotel property in order to provide more detail on the area of interest.

The digitized shoreline positions and the data for the individual transects are shown on Figure 2. In addition, the beach toe was digitized from the 1982 and 1997 photos, and this information is also shown on Figure 2.

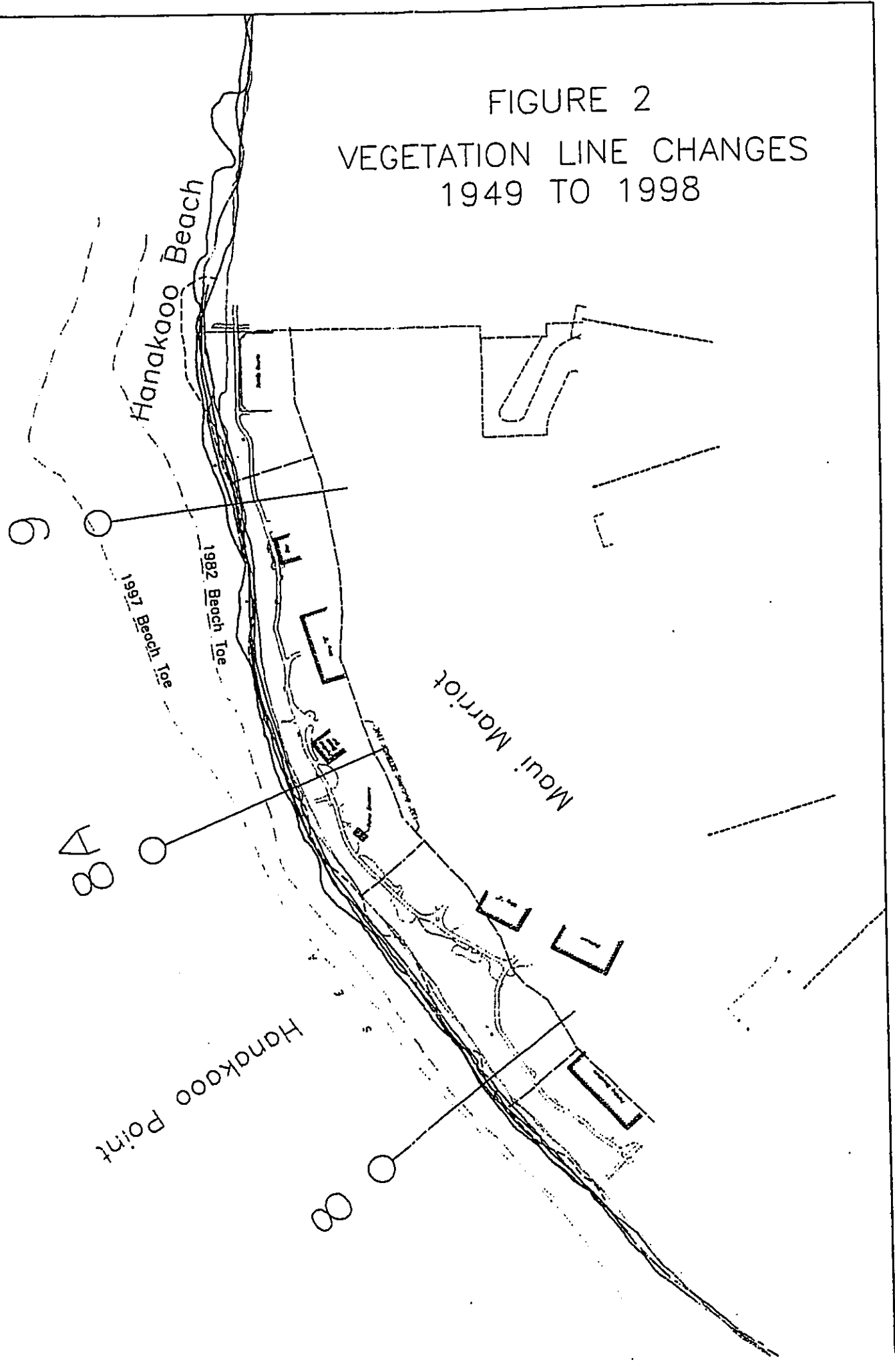
The digitized shorelines and the transect data indicate that the vegetation line has been relatively stable over the past 49 years, compared to some other locations along the beach and compared to the dynamic changes exhibited by the sandy beach. The total range of movement at each transect, and the maximum shoreward and seaward excursions of the vegetation line relative to the present positions are summarized below:

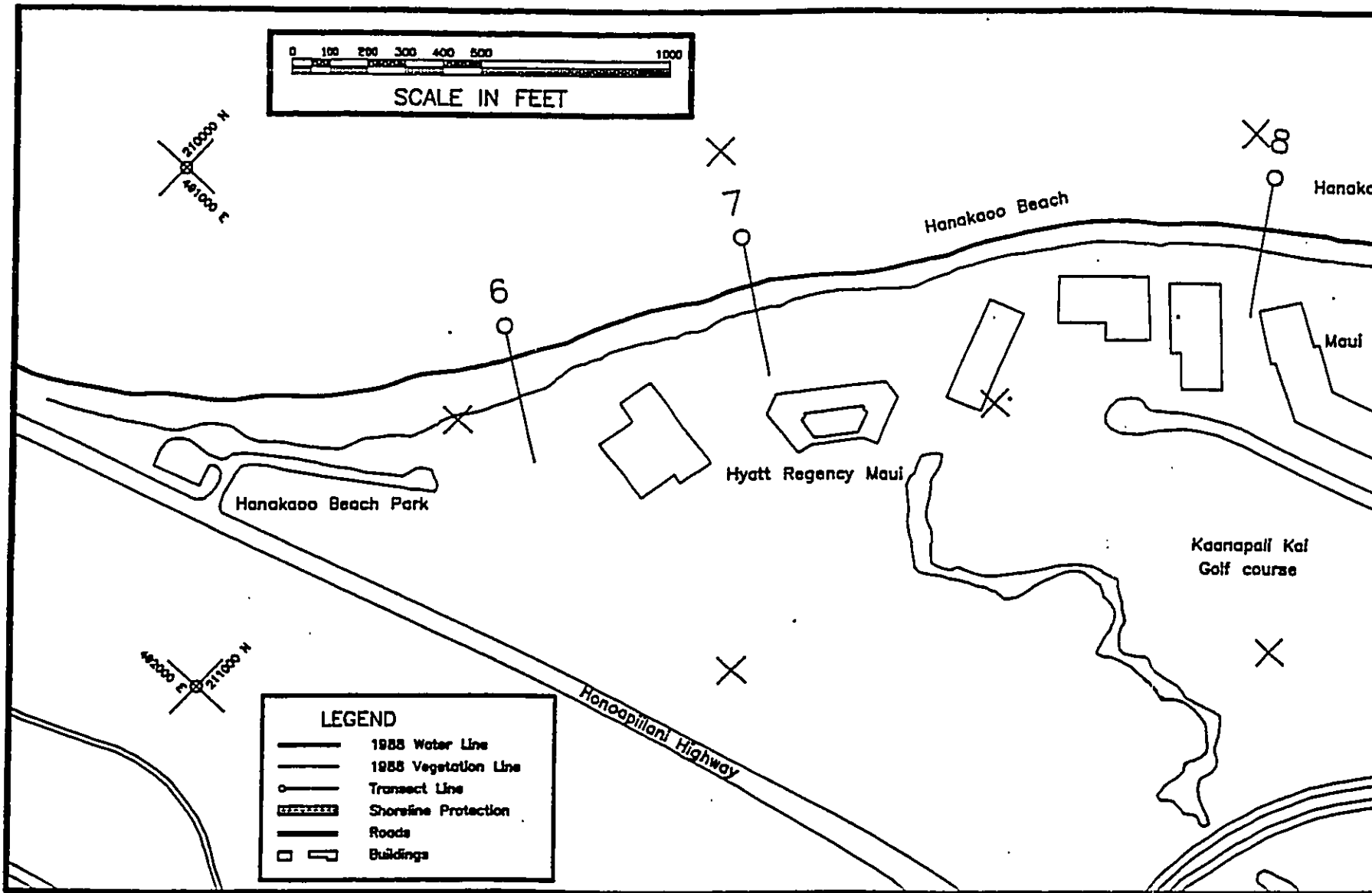


### SHORELINE ACCRETION (FT)

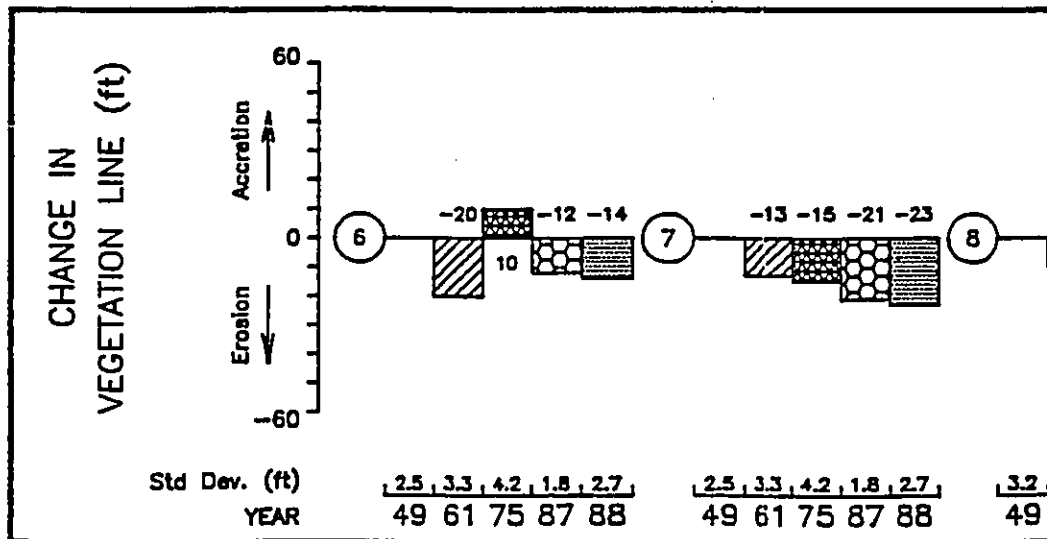
	Tran-8	Tran-8A	Tran-9
1949 ———	Baseline		
1961 ———	-9	-12	+9
1975 - - - -	-9	-16	-11
1982 ———	+6	-9	-8
1987 ———	+16	+8	+14
1988 ———	+13	-2	+6
1997 - - - -	-10	-12	-6
1998 - - - -	+5	-5	-2
Ave. Rate (ft/yr)	+0.10	-0.10	-0.04
2028 Estimate (Relative to 1998)	+3	-3	-1
Standard Dev.	18	17	18

FIGURE 2  
VEGETATION LINE CHANGES  
1949 TO 1998



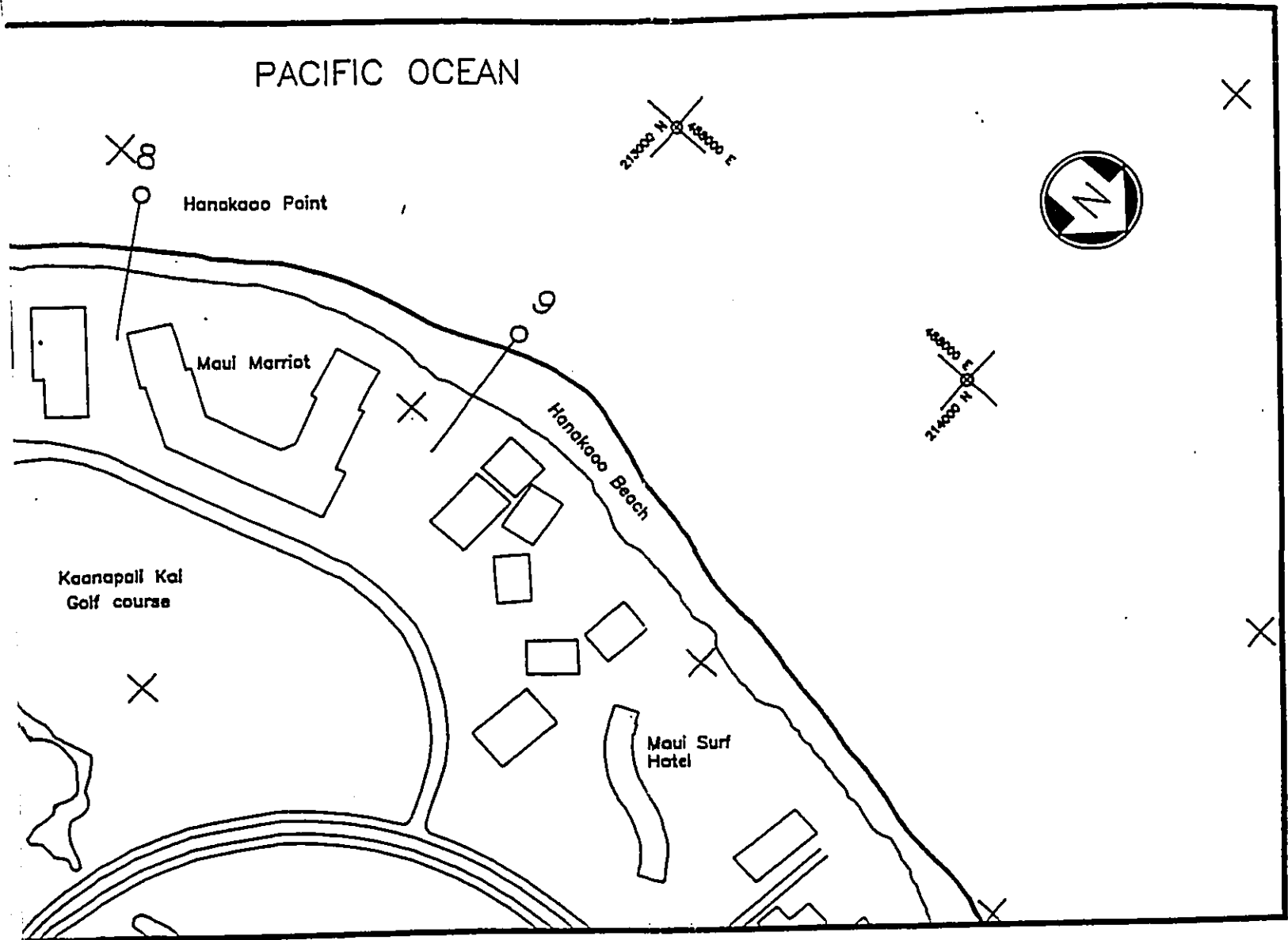


**FIGURE 1. SUMMARY OF VEGETATION**

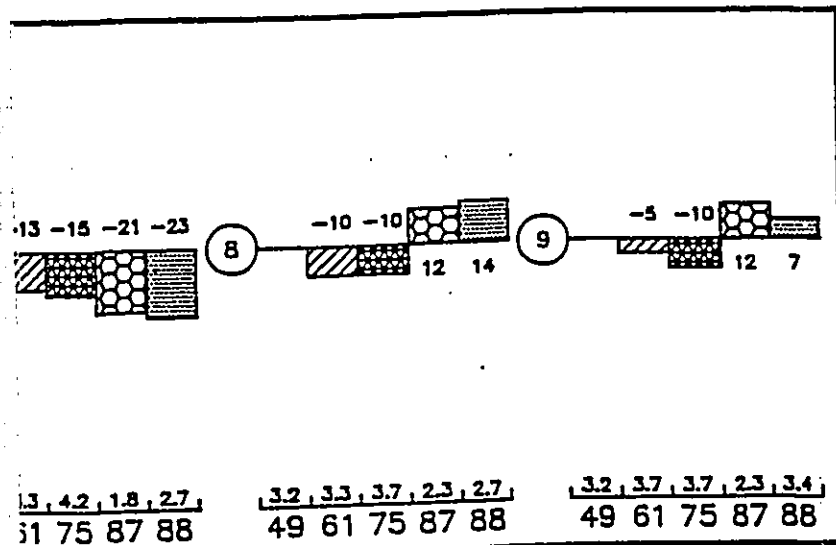


**GRAPH**

**Region Number vs Change**



**GETATION LINE CHANGES, 1949-1988**



**PHOTOS USED**  
 November, 1949  
 December, 1961  
 March, 1975  
 July, 1987  
 March, 1988

**er vs Change in Vegetation Line**

<u>Transect #</u>	<u>Maximum Range (ft.)</u>	<u>Max. Seaward From Present Position (ft.)</u>	<u>Max. Landward From Present Position (ft.)</u>
8A	24	13	11
9	25	16	9

The maximum range of movement over the 49 year period is very similar for all three transects.



## V PREDICTION OF FUTURE SHORELINE POSITION

The 1997 Beach Management Plan for Maui recommends that historical erosion rates be determined for an area and then used to project future erosion hazard areas. Historical erosion rates must be used for this type of projection, since future vegetation line positions cannot be determined on a cause and effect basis. Wave action that affects the vegetation line positively or adversely cannot be predicted in advance. A probabilistic model, the Markov Process, was therefore selected to calculate the probability distribution of future vegetation line positions. This model uses the historical data base for predictions of future vegetation line positions, and is the same as the one used for the 1991 study. This approach has also been used to predict future vegetation line positions at the Hyatt Regency Maui and the Ka'anapali Beach Hotel.

Several assumptions were made in constructing the model:

- That the behavior of the beach in any year is independent of the previous year's behavior. The model therefore ignores multi-year cyclic trends.
- That the relative changes in the vegetation line position are independent of its absolute position. In other words, the position of a vegetation line at the end of any year does not have any impact upon the next year's behavior. This assumption may not be applicable where the shoreline erodes to rock benches, where seawall have been constructed, or where onshore variations in sediment composition affect the erosion rate.
- That the past record of vegetation line changes are representative of what will occur over future years. This may or not be the case. The historical record reflects seasonal waves, Kona storms, the offshore passage of hurricanes and some tsunamis, but does not include the impact of predicted sea level rise.

The first step in calculating the 30 year probability distribution was to divide the historical record into two year periods to construct a histogram of vegetation line changes. The Markov Process is similar to a random walk through the data set, with the probability of occurrence of any single step equal to the frequency of occurrence of that size step in the data base histogram. Each step therefore represents a two year period.

Matrix calculations simulating thousands of random walks were then used to produce a 30 year probability curve, from which the mean predicted vegetation line and the standard deviation of the prediction could be determined. The mean prediction corresponds very closely to the average annual

rate. The standard deviation reflects the variability of the results of the model calculations. Vegetation line positions subject to wide swings of erosion and accretion have large standard deviations and those with steady trends have smaller standard deviations.

The results of the model are presented with the transect data on Figure 2. For transect 8A, the one closest to the proposed project area, the predicted change of the vegetation line over a 30 year period is an erosion of 3 feet; the standard deviation of the prediction is 17. All three transects show a projected changes of 3 feet or less over the next 30 years.

Although the predicted changes are small, there will be fluctuations of the vegetation line about the mean positions, with the range of the fluctuations probably corresponding to those that have been observed in the past.

Questions have been raised about the effect of the landscaping of the hotel grounds on the analysis of the shoreline changes. The landscaping that occurred during the building of the hotels along the beach may have somewhat masked the naturally occurring shoreline variations. This original landscaping and ongoing maintenance might have the effect of stabilizing the vegetation line during mild conditions, but not during extreme erosion events. Severe erosive events would quickly cut back the vegetation line, as occurred at the Sheraton Maui in 1998. The aerial photographic analysis should therefore provide a reliable indicator of risk, as the 49 year record reflects several potentially erosive events due to Kona storms, El Nino events and offshore passage of hurricanes.

## **VI REFERENCES**

Clark, John R.K. 1980. The Beaches of Maui County. The University of Hawaii Press.

Makai Ocean Engineering and Sea Engineering, Inc. 1991. Aerial Photographic Analysis of Coastal Erosion on the Islands of Kauai, Molokai, Lanai, Maui and Hawaii. Prepared for the State of Hawaii, Office of State Planning, Coastal Zone Management Program.

Moberly, Ralph Jr. and Theodore Chamberlain. 1964. Hawaiian Beach Systems. Hawaii Institute of Geophysics, University of Hawaii. HIG-64-2.

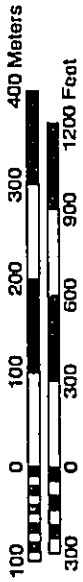
University of Hawaii Sea Grant Extension Service and County of Maui Planning Department. 1997. Beach Management Plan for Maui.

**Appendix D**

*UH Coastal Erosion Map for Ka'anapali*

# Kaanapali, Maui, Hawaii

Scale 1:3000



739200m E 93 94 95 96 97 98 99 740000 01 02 03 04 05 06 07 08 740900m E

100000m N 59 58 57 56 55 54 53 52 51 50 49 48 47 46 45 44

Kaanapali Beach is a highly developed resort area consisting of a 1.5 mile long continuous carbonate beach. The entire area has undergone a mean long-term erosion rate of  $-1$  ft/yr, with local variations. The area is bounded by Keke's Point (Black Rock) to the north and Hanakoa's Beach Park, to the south. Kaanapali Beach can be split into northern and southern sections around Hanakoa's Point fronting the Maui Marriott tennis courts. The point itself has experienced mean long-term erosion of approximately  $1$  ft/yr. This shoreline exhibits strong seasonal fluxes due to the change in dominant wave direction, with particularly large seasonal beach width changes (up to 195ft) observed at Hanakoa's Point.

The Kaanapali shoreline is generally characterized by moderate to fairly high erosion, with an overall mean long-term end point erosion rate of  $-0.89$  ft/yr and an AEHR of  $-0.99 \pm 0.4$  ft/yr. Erosion rates have not been consistent over time however. Shoreline positions from different years tend to be scattered around the trend, suggesting that this is a dynamic coastline. Erosion (AEHR and EPR) is concentrated in the southern portion of the study area around Hanakoa's Beach Park. Significant erosion rates are also observed at Hanakoa's Point and at the Sheraton Resort adjoining Keke's Point. The maximum AEHR ( $2.61 \pm 0.77$  ft/yr) is observed at the southern end of Hanakoa's Beach Park while the shoreline fronting the Westin Maui is the only area without a significant AEHR (no net erosion). Our results rate for the Kaanapali area calculated by Sea Engineering, 1991\*. The Sea Engineering results indicate a more dynamic pattern of erosion and accretion. This is likely due to their use of a different time series of photos and the use of the vegetation line rather than the toe of the beach as a reference feature of shoreline change.

End point rates reveal a similar trend as the AEHR, with the most pronounced erosion concentrated at the southern portion of the study area in Hanakoa's Beach Park. The EPRs also reveal that the shoreline at Hanakoa's Beach Park exhibits a bimodal long-term behavior. The southern half of the park has eroded at a mean of  $2.1$  ft/yr while the northern half of the beach fronting the stream mouth has accreted at a mean rate of  $0.06$  ft/yr. The area segment of shoreline in this study area to exhibit long-term (EPR) accretion. This is likely due to the seasonal offset of the 1932 shoreline, lack of any 1912 shoreline data in this area and littoral deposition by the stream. The extreme southern extent of the beach at Hanakoa's Park disappeared following hurricane Iniki in 1992 and is currently making a slow recovery.

Mean beach width, the average horizontal distance between the vegetation line and the crest of the beach toe, for the Kaanapali area has decreased significantly (29%) between 1949 and 1997. Hanakoa's Point exhibits the widest beach with a maximum mean beach width of 231 ft, followed by Hanakoa's Park and the beach fronting the Sheraton Resort (162 and 154 ft, respectively). The narrowest mean beach width (48.2 ft) is observed along the shoreline fronting the Hyatt Regency, just north of Hanakoa's Park. Change in the mean beach width is calculated by taking the ratio of the 1997 mean to the 1949 mean beach width. The area south of Hanakoa's Beach Park has exhibited the largest change in mean beach width with a 65% loss. The area fronting the Westin Maui is the only segment of beach exhibiting a net increase in mean beach width with a 6% gain.

Seasonal uncertainty, (calculated as the mean of the seasonal beach width change of the entire study area from the summer of 1997 to the winter of 1998) is estimated to be  $-45$  ft. Seasonal uncertainty is most pronounced at Hanakoa's Beach Park. Hanakoa's Point and fronting the Kaanapali Beach Hotel, while the other areas fall significantly below the mean. The dynamic nature of the seasonal uncertainty plays an important part in estimating long-term beach loss for this study area and requires that interpretation of beach width be carried out with this non-

## HISTORICAL SHORELINES

1912	Jan 1932
Nov 1949	Mar 1961
May 1963	Mar 1975
July 1987	Mar 1988
Nov 1992	May 1997
Projected 30-year erosion hazard line	Erosion rate measurement locations (shore normal transects)

Historical beach positions, color coded by year, are determined using orthorectified aerial photographs and georeferenced National Ocean Survey (NOS) topographic survey charts. The crest of the beach toe is used as the historical shoreline, or Shoreline Change Reference Feature (SCRF). The beach toe, also called the beach step, is a geomorphic feature typically present on Hawaiian beaches. The crest of the beach toe approximately marks the position of mean lower low water. For situations in which there is coastal armoring or rocky shoreline seaward of any vegetation, the vegetation line is drawn along the seaward side of the rock or armoring. If there is no sandy beach or armoring, both the vegetation line and the SCRF are delineated along the mean high water line.

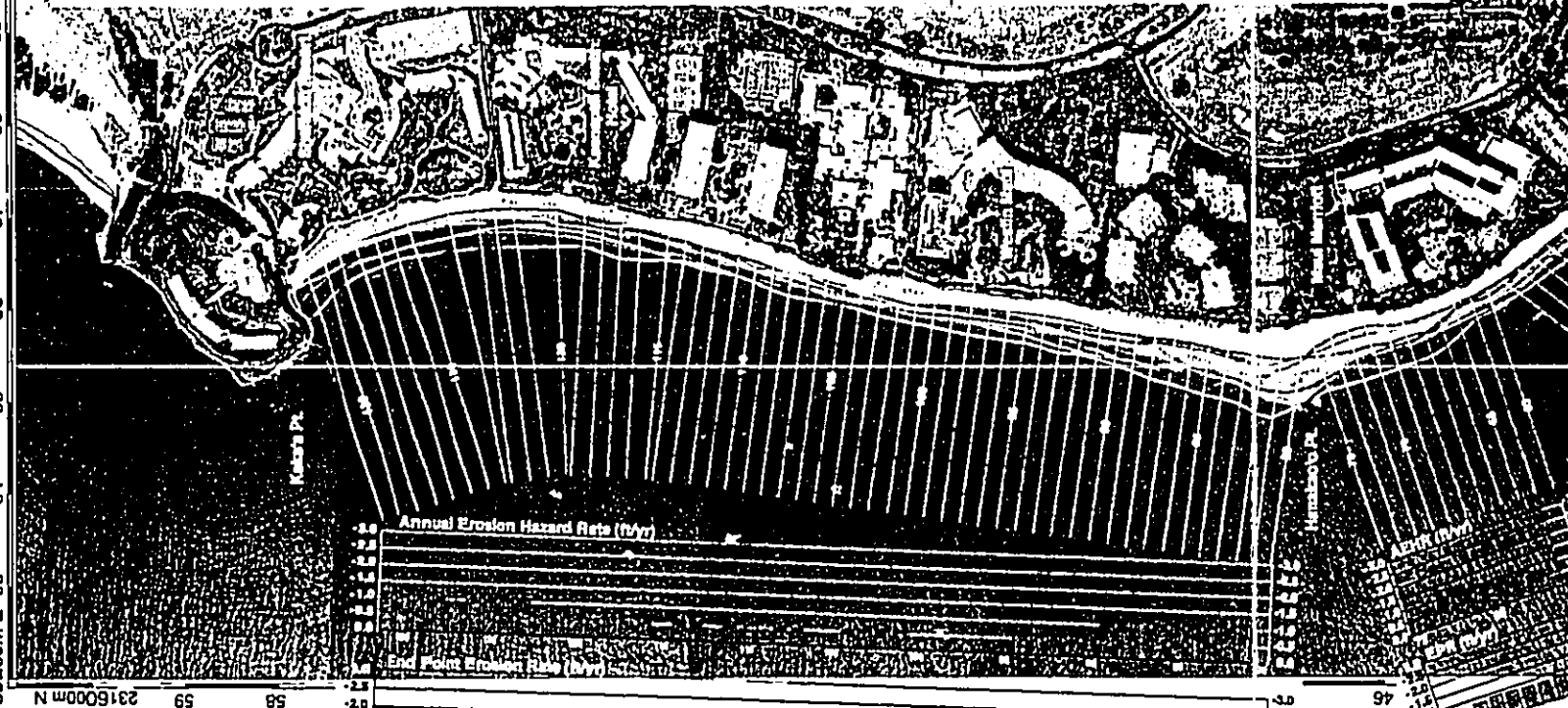
Movement of the beach toe or SCRF is used to calculate erosion rates along shore-normal transects spaced every 20 m (66 ft) along the shoreline. The projected 30-year erosion hazard line is delineated by multiplying the Annual Erosion Hazard Rate by 30 years, projected inland from the position of the vegetation line, as seen on the 1997 aerial photographs.

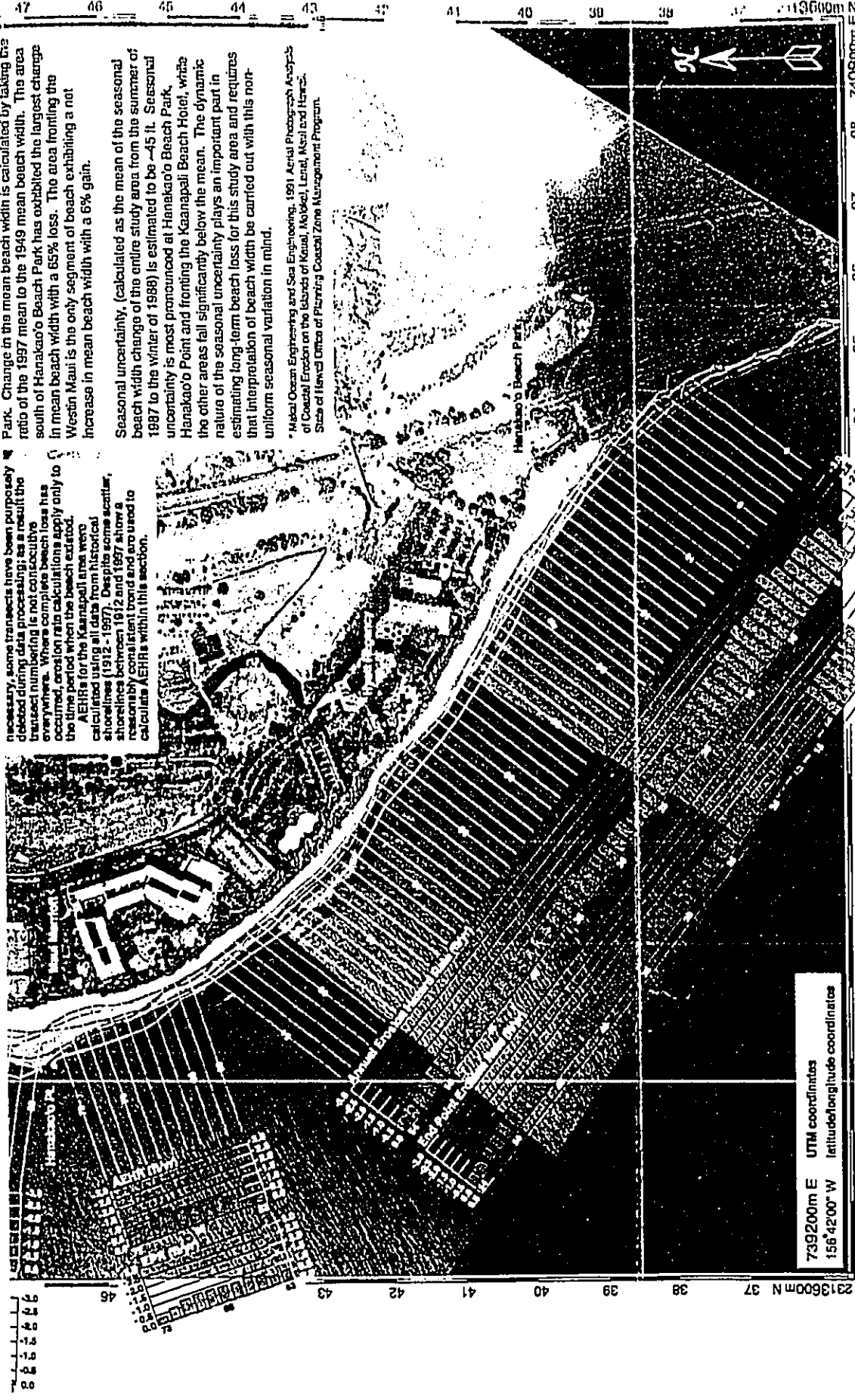
## EROSION RATES

- Annual Erosion Hazard Rate (AEHR)
- End Point long-term erosion Rate (EPR)

Historical erosion rates are measured every 20 m along the shoreline. These sites are denoted by yellow shore normal transects. Two types of erosion are calculated: the Annual Erosion Hazard Rate (AEHR), generally based on the most recent trend in shoreline position; and the End Point erosion Rate (EPR, purple). These rates are shown in the shore-parallel graphs. Colored bars on the graphs correspond to shore-normal transects; approximately every fifth transect and bar is numbered. When necessary, some transects have been purposely deleted during data processing; as a result the transect numbering is not consecutive everywhere. Where complete beach loss has occurred, erosion rate calculations apply only to the time period when the beach existed.

AEHRs for the Kaanapali area were calculated using all data from historical shorelines (1912 - 1997). Despite some scatter, shorelines between 1912 and 1997 show a reasonably consistent trend and are used to calculate AEHRs within this section.





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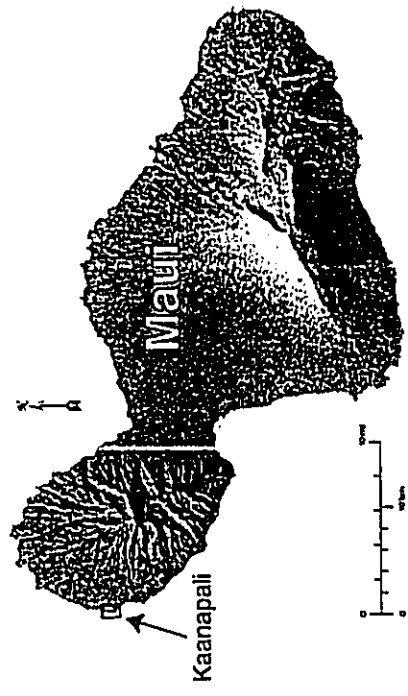
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Seasonal uncertainty, (calculated as the mean of the seasonal beach width change of the entire study area from the summer of 1987 to the winter of 1988) is estimated to be -45 ft. Seasonal uncertainty is most pronounced at Hanakoa's Beach Park, Hanakoa's Point and fronting the Kaanapali Beach Hotel, while the other areas fall significantly below the mean. The dynamic nature of the seasonal uncertainty plays an important part in estimating long-term beach loss for this study area and requires that interpretation of beach width be carried out with this non-uniform seasonal variation in mind.

\* Maui Ocean Engineering and Sea Engineering, 1991 Aerial Photograph Analysis of Coastal Erosion on the Islands of Maui, Molokai, Lanai, Maaui and Hawaii. State of Hawaii Office of Planning Coastal Zone Management Program.

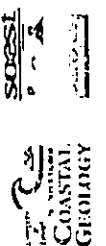
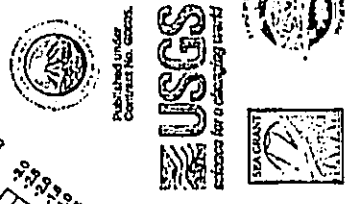
739200m E UTM coordinates  
156°42'00" W latitude/longitude coordinates  
739200m E 83 94 95 96 97 98 99  
2313600m N 37 38 39 40 41 42 43 44 45 46 47



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**Appendix E**  
*Biological Resources Study*

**BIOLOGICAL RESOURCES SURVEY**  
**for the**  
**HYATT REGENCY MAUI RESORT PROPERTIES**  
**KA'ANAPALI, MAUI**

**by**

**ROBERT W. HOB DY**  
**ENVIRONMENTAL CONSULTANT**  
**Kokomo, Maui**  
**February 2006**

**Prepared for: Chris Hart & Partners**



**BIOLOGICAL RESOURCES SURVEY  
Hyatt Regency Maui Resort Properties  
Ka'anapali, Maui**

**INTRODUCTION**

The Hyatt Regency Maui Resort lies on 36.6 acres of property along the shoreline at Hanaka'ō'ō Point in Ka'anapali, West Maui. The property is bounded on the north by adjacent resort properties, on the east by fairways of Ka'anapali Golf Course, on the south by Hanaka'ō'ō Beach Park and Hanaka'ō'ō Cemetery and on the west by the Pacific Ocean facing 'Au'au Channel and the island of Lana'i.

**SITE DESCRIPTION**

The property includes 18.4 acres occupied by the main resort complex along the ocean (TMK (2) 4-4-13:08) as well as two parcels inland of the resort that include a tennis complex and formal parking (TMK (2) 4-4-13:05, 7.4 acres) and a greenhouse and employee parking (TMK (2) 4-4-13:04, 10.8 acres). The entire property lies at about 10 feet above sea level. Soils include Beach Sands BS) along the shore, Jaucus Sand (JaC) on dunes just inland of the shore and Kealia Silt Loam (KMW) on low poorly drained flats inland of the first two (Foote et al, 1972). Rainfall averages 15 inches per year with the bulk falling between November and March (Armstrong, 1983).

During initial development the land was shaped and filled to create a useable surface and a drainage channel was dug in the inland part of the property that would become a water hazard feature of the golf course. The channel drains to the ocean via an underground culvert. The property footprint is nearly completely built out with the exception of a portion of the employee parking area. No natural landscapes remain except for the sand beach fronting the property.

## SURVEY OBJECTIVES

This report summarizes the findings of a flora and fauna survey of the Hyatt Regency Maui Resort property which was conducted in February, 2006.

The objectives of the survey were to:

1. Document what plant, bird and mammal species occur on the property.
2. Document the status and abundance of each species.
3. Determine the presence or likely occurrence of any native flora and fauna, particularly any that are Federally listed as Threatened or Endangered. If such occur, identify what features of the habitat may be essential for these species.
4. Determine if the project area contains any special habitats which if lost or altered might result in a significant negative impact on the flora and fauna in this part of the island.

## BOTANICAL SURVEY REPORT

### SURVEY METHODS

A walk-through botanical survey was conducted around the structures, landscapes, water features, parking areas and open spaces on this resort property. A complete inventory of all plant species occurring on the property was made, documenting species, status and abundance. Not inventoried, were plants growing in pots or planters in and around the resort, or within the nursery.

### DESCRIPTION OF THE VEGETATION

The vegetation on this property falls into four general categories:

Resort Landscaping – The dramatic landscaping in and around the Hyatt Regency Maui Resort is a cosmopolitan mix of tropical ornamental plant species. All parts of this 18.4 acre property have been carefully designed and planted for their visual effect. Virtually all of the selected species are originally from somewhere else in the world, with the exception of a few native and Polynesian species that have been incorporated into the landscape to provide Hawaiian ambiance and authenticity.

Shoreline Strand – Only two plant species were found growing in the shoreline sand: naupaka kahakai (*Scaevola taccada*) and pōhuehue (*Ipomoea pes-caprae*). Both of these are native and both are quite common in this habitat throughout Hawaii and the tropical Pacific.

Water Habitat – Two types of water habitat exist on the property, the water features within the resort and the drainage channel between the parking area and the golf course. A few very specialized water plants occupy the Resort water features such as the cape blue waterlily (*Nymphaea capensis*), radicans (*Echinodorus cordifolius*) and kalo (*Colocasia esculenta*) that were placed there for their ornamental effect. The plants along the water channel are mostly species that have come in on their own such as Indian fleabane (*Pluchea indica*), pickleweed (*Batis maritima*), Mexican desert palm (*Washingtonia robusta*), ung choi (*Ipomoea aquatica*) and 'ae'ae (*Bacopa monnieri*).

Parking Areas – The employee parking area is a mixture of asphalt, hedges and open field. The area is surrounded by hedges such as fastigate wiliwili (*Erythrina variegata*) and Japanese privet (*Ligustrum japonicum*), ornamentals such as bougainvillea (*Bougainvillea spectabilis*) and a variety of annual weeds growing in the parking area margins and the open field.

#### DISCUSSION AND CONCLUSIONS

All of the native plants found on the property were planted in the Resort landscape to enhance the authenticity of the Hawaiian setting. Most are concentrated around the stage where evening Hawaiian shows occur. None of these species grew on the property prior to the original development.

None of the native plant species were found to be Federally listed as Endangered or Threatened (USFWS, 1999) nor were any that are candidates for such status found. All are widespread and common in Hawaii.

The environment on the property is entirely designed and created for resort purposes. No natural environments exist on the property and no special habitats were found.

Because of the described conditions, there is little of botanical concern with regard to this property. Any developmental alterations will have little significant impact on the botanical resources in this part of Maui.

## PLANT SPECIES LIST

Following is a checklist of all those vascular plant species inventoried during the field studies. Plant families are arranged alphabetically within each of four groups: Ferns, Gymnosperms, Monocots and Dicots. Taxonomy and nomenclature of the Ferns are in accordance with Palmer (2003). The Gymnosperms and the flowering plants (Monocots and Dicots) are in accordance with Wagner et al. (1999) and Staples & Herbst (2005).

For each species, the following information is provided:

1. Scientific name with author citation
2. Common English or Hawaiian name.
3. Bio-geographical status. The following symbols are used:
  - endemic = native only to the Hawaiian Islands; not naturally occurring anywhere else in the world.
  - indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).
  - Polynesian = those plants brought to the islands by the Hawaiians during their migrations.
  - non-native = all those plants brought to the islands intentionally or accidentally after western contact.
4. Abundance of each species within the project area:
  - abundant = forming a major part of the vegetation within the project area.
  - common = widely scattered throughout the area or locally abundant within a portion of it.
  - uncommon = scattered sparsely throughout the area or occurring in a few small patches.
  - rare = only a few isolated individuals within the project area.

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<b>FERNS</b>			
DENNSTAEDTIACEAE (Bracken Family)			
<i>Microlepia strigosa</i> (Thunb.) C. Presl	palapalai	indigenous	rare
NEPHROLEPIDACEAE (Sword Fern Family)			
<i>Nephrolepis exaltata</i> subsp. <i>hawaiiensis</i> W. H. Wagner	ni'ani'au	endemic	rare
POLYPODIACEAE (Polypody Family)			
<i>Phymatosorus grossus</i> (Langsd. & Fisch) Brownlie	laua'e	non-native	common
<b>GYMNOSPERMS</b>			
CYCADACEAE (Cycad Family)			
<i>Cycas revoluta</i> Thunb.	Japanese cycad	non-native	rare
ZAMIACEAE (Coontie Family)			
<i>Zamia furfuracea</i> L. fil	zamia	non-native	rare
<b>MONOCOTS</b>			
AGAVACEAE (Agave Family)			
<i>Cordylene fruticosa</i> L.	ki	Polynesian	rare
<i>Dracaena fragrans</i> (L.) Ker-Gawler	fragrant dracaena	non-native	rare
<i>Dracaena reflexa</i> Lamarck	song of India	non-native	rare
ALISMATACEAE (Water-plantain Family)			
<i>Echinodorus cordifolius</i> L(L.) Grisebach	radicans	non-native	rare
ALOEACEAE (Aloe Family)			
<i>Aloe vera</i> (L.) N.L.Burm.	common aloe	non-native	rare
ARACEAE (Aroid Family)			
<i>Alocasia macrorrhizos</i> (L.) G.Don	'ape	Polynesian	rare
<i>Caladium bicolor</i> (W. Aiton) Ventenat	caladium	non-native	rare
<i>Colocasia esculenta</i> (L.) Schott	kalo	Polynesian	rare
<i>Dieffenbachia seguine</i> (N.Jacq.) Schott	dumb cane	non-native	rare
<i>Epipremnum pinnatum</i> (L.) Engler	taro vine	non-native	uncommon
<i>Monstera deliciosa</i> Liebmann	monstera	non-native	rare
<i>Philodendron bipinnatifidum</i> Endlicher	selloum	non-native	uncommon
<i>Syngonium auritum</i> (L.) Schott	five fingers	non-native	rare
ARECACEAE (Palm Family)			
<i>Caryota mitis</i> Loureiro	fishtail palm	non-native	rare

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<i>Cocos nucifera</i> L.	niu	Polynesian	uncommon
<i>Dypsis lutescens</i> (Wendl.) Beentjie & Dransfield	golden-fruited palm	non-native	uncommon
<i>Elaeis guineensis</i> Jacq.	oil palm	non-native	rare
<i>Phoenix roebelinii</i> O'Brien	pygmy date palm	non-native	uncommon
<i>Pritchardia pacifica</i> Seem. & Wendl.	Fiji fan palm	non-native	rare
<i>Pritchardia thurstonii</i>	Thurston's fan palm	non-native	uncommon
<i>Ptychosperma macarthurii</i> (Veitch) J.D. Hooker	Macarthur palm	non-native	rare
<i>Rhapis excelsa</i> (Thunb.) Rehder	bamboo palm	non-native	uncommon
<i>Veitchia merrillii</i> (Beccari) H.E. Moore	Manila palm	non-native	uncommon
<i>Veitchia</i> sp	-----	non-native	rare
<i>Washingtonia robusta</i> H. Wendland	Mexican desert palm	non-native	uncommon
<i>Wodyettia bifurcata</i> Irvine	foxtail palm	non-native	rare
<b>CYPERACEAE (Sedge Family)</b>			
<i>Cyperus rotundus</i> L.	nut sedge	non-native	uncommon
<i>Kyllingia nemoralis</i> (J.R.Forster & G.Forster) Dandy ex Hutchinson & Dalziel	kili'o'opu	non-native	rare
<b>LILIACEAE (Lily Family)</b>			
<i>Asparagus densiflorus</i> (Kunth) Jessop	asparagus-fern	non-native	rare
<i>Crinum asiaticum</i> L.	giant lily	non-native	uncommon
<i>Liriope muscari</i> (Decaisne) L.H. Bailey	lilyturf	non-native	rare
<i>Ophiopogon japonicus</i> (L.fil.) Ker-Gawler	mondo grass	non-native	rare
<b>MUSACEAE (Banana Family)</b>			
<i>Musa acuminata x balbisiana</i> Colla	banana	non-native	uncommon
<b>PANDANACEAE (Screwpine Family)</b>			
<i>Pandanus tectorius</i> Z.	pu hala	indigenous	rare
<b>POACEAE (Grass Family)</b>			
<i>Brachiaria subquadripara</i> (Trin.) Hitchc.	-----	non-native	rare
<i>Chloris barbata</i> (L.) Sw.	swollen fingergrass	non-native	uncommon
<i>Cynodon dactylon</i> (L.) Pers.	manienie	non-native	common
<i>Digitaria ciliaris</i> (Retz.) Koeler	Henry's crabgrass	non-native	rare
<i>Eleusine indica</i> (L.) Gaertn.	wiregrass	non-native	uncommon
<i>Panicum maximum</i> Jacq.	Guinea grass	non-native	rare
<i>Poa annua</i> L.	annual bluegrass	non-native	rare
<b>STRELITZIACEAE (Bird-of-paradise Family)</b>			

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<i>Strelitzia nicolai</i> Regel & Kornicke	white bird-of-paradise	non-native	rare
<i>Strelitzia reginae</i> Dryander	bird-of-paradise	non-native	rare
<b>ZINGIBERACEAE (Ginger Family)</b>			
<i>Alpinia zerumbet</i> (Persoon) B.L. Burtt & R.M. Smith	shell ginger	non-native	uncommon
<b>DICOTS</b>			
<b>ACANTHACEAE (Acanth Family)</b>			
<i>Asystasia gangetica</i> (L.) T.Anderson	Ganges-violet	non-native	uncommon
<i>Hemigraphis reptans</i> (G.Forster) T.Anderson	-----	non-native	rare
<i>Thunbergia grandiflora</i> Roxb.	Bengal trumpet vine	non-native	rare
<b>AMARANTHACEAE (Amaranth Family)</b>			
<i>Alternanthera pungens</i> Kunth	khaki weed	non-native	rare
<i>Alternanthera sessilis</i> (L.) DC.	sessile joyweed	non-native	rare
<i>Amaranthus spinosus</i> L.	spiny amaranth	non-native	rare
<i>Amaranthus viridis</i> L.	slender amaranth	non-native	rare
<b>ANACARDIACEAE (Mango Family)</b>			
<i>Schinus terebinthifolius</i> Raddi.	Christmas berry	non-native	rare
<b>APIACEAE (Parsley Family)</b>			
<i>Hydrocotyle sibthorpiodes</i> Lam.	pennywort	non-native	rare
<b>APOCYNACEAE (Dogbane Family)</b>			
<i>Carissa macrocarpa</i> (Eklon) DC.	Natal plum	non-native	rare
<i>Catharanthus roseus</i> (L.) G.Don	Madagascar periwinkle	non-native	rare
<i>Nerium oleander</i> L.	oleander	non-native	rare
<i>Plumeria obtusa</i> L.	Singapore plumeria	non-native	uncommon
<b>ARALIACEAE (Ginseng Family)</b>			
<i>Polyscias fruticosa</i> (L.) Harms	parsley panax	non-native	rare
<i>Schefflera actinophylla</i> (Endl.) Harms	octopus tree	non-native	uncommon
<i>Schefflera arboricola</i> (Hayata) Merrill	dwarf schefflera	non-native	rare
<b>ASTERACEAE (Sunflower Family)</b>			
<i>Bidens pilosa</i> L.	Spanish needle	non-native	rare
<i>Crassocephalum crepidioides</i> (Benth.) S.Moore	-----	non-native	rare
<i>Eclipta prostrata</i> (L.) L.	false daisy	non-native	rare
<i>Emilia fosbergii</i> Nicolson	red pualele	non-native	rare
<i>Pluchea carolinensis</i> (Jacq.) G.Don	sourbush	non-native	rare

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<i>Pluchea indica</i> (L.) Less.	Indian fleabane	non-native	uncommon
<i>Sphagneticola trilobata</i> (L.) Pruski	wedelia	non-native	uncommon
<i>Verbesina encelioides</i> (Cav.) Benth. & Hook.	golden crown-beard	non-native	rare
<i>Youngia japonica</i> (L.) DC.	Oriental hawksbeard	non-native	rare
<b>BALSAMINACEAE (Impatiens Family)</b>			
<i>Impatiens walleriana</i> J.D.Hooker	busy lizzy	non-native	rare
<b>BATACEAE (Saltwort Family)</b>			
<i>Batis maritima</i> L.	pickleweed	non-native	rare
<b>BIGNONIACEAE (Catalpa Family)</b>			
<i>Spathodea campanulata</i> P. Beauvois	African tulip-tree	non-native	rare
<i>Tabebuia heterophylla</i> (A.de Candolle) Britton	pink tecoma	non-native	rare
<b>BORAGINACEAE (Borage Family)</b>			
<i>Tournefortia argentea</i> L. fil.	tree heliotrope	non-native	rare
<b>BRASSICACEAE (Mustard Family)</b>			
<i>Rorippa sarmentosa</i> (G.Forst. ex DC.) J.F. Macbr.	pa'ihī	non-native	rare
<b>CLUSIACEAE (Mangosteen Family)</b>			
<i>Clusia rosea</i> Jacq.	autograph tree	non-native	rare
<b>COMBRETACEAE (Indian Almond Family)</b>			
<i>Bucida molineti</i> (M.Gomez) Alwan & Stace	dwarf geometry tree	non-native	rare
<i>Terminalia catappa</i> L.	tropical almond	non-native	rare
<b>CONVOLVULACEAE (Morning Glory Family)</b>			
<i>Ipomoea aquatica</i> Forssk.	ung choi	non-native	rare
<i>Ipomoea pes-caprae</i> (L.) R.Br.	pohuehue	indigenous	rare
<i>Ipomoea triloba</i> L.	little bell	non-native	uncommon
<b>CUCURBITACEAE (Gourd Family)</b>			
<i>Coccinia grandis</i> (L.) Voigt	ivy gourd	non-native	rare
<i>Momordica charantia</i>	balsam pear	non-native	rare
<b>EUPHORBIACEAE (Spurge Family)</b>			
<i>Aleurites moluccana</i> (L.) Willd.	kukui	Polynesian	uncommon
<i>Chamaesyce hirta</i> (L.) Millsp.	hairy spurge	non-native	uncommon
<i>Chamaesyce hypericifolia</i> (L.) Millsp.	graceful spurge	non-native	rare
<i>Chamaesyce prostrata</i> (Aiton) Small	prostrate spurge	non-native	rare
<i>Chamaesyce thymifolia</i> (L.) Millsp	-----	non-native	rare



<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<i>Codiaeum variegatum</i> (L.) Blume	croton	non-native	rare
<i>Jatropha integerrima</i> Jacq.	rose-flowered jatropha	non-native	rare
<b>FABACEAE (Pea Family)</b>			
<i>Acacia confusa</i> Merr.	Formosa koa	non-native	uncommon
<i>Delonix regia</i> (W.J. Hooker) Rafinesque	royal poinciana	non-native	rare
<i>Desmanthus pernambucanus</i> (L.) Thellung	slender mimosa	non-native	uncommon
<i>Erythrina variegata</i> L.	fastigate wiliwili	non-native	common
<i>Indigofera hendecaphylla</i> Jacq.	creeping indigo	non-native	rare
<i>Leucaena leucocephala</i> (Lam.) de Wit	koa haole	non-native	uncommon
<i>Pithecellobium dulce</i> (Roxb.) Benth.	'opiuma	non-native	rare
<i>Prosopis pallida</i> (Humb.& Bonpl. ex Willd.) Kunth	kiawe	non-native	rare
<i>Samanea saman</i> (Jacq.) Merr.	monkeypod	non-native	common
<b>GOODENIACEAE (Goodenia Family)</b>			
<i>Scaevola taccada</i> (Gaertn.) Roxb.	naupaka kahakai	indigenous	common
<b>LAMIACEAE (Mint Family)</b>			
<i>Leonotis nepetifolia</i> (L.) R.Br.	lion's ear	non-native	rare
<b>MALVACEAE (Mallow Family)</b>			
<i>Abutilon grandifolium</i> (Willd.) Sweet	hairy abutilon	non-native	rare
<i>Hibiscus calyphyllus</i> Cav.	-----	non-native	rare
<i>Hibiscus x rosa-sinensis</i>	hybrid hibiscus	non-native	common
<i>Malva parviflora</i> L.	cheese weed	non-native	rare
<i>Malvastrum coromandelianum</i> (L.) Garcke	false mallow	non-native	rare
<i>Talipariti tileaceum</i> (L.) Fryxell	hau	Polynesian	uncommon
<i>Thespesia populnea</i> (L.) Sol. ex Correa	milo	Polynesian	rare
<b>MORACEAE (Mulberry Family)</b>			
<i>Ficus benjamina</i> L.	weeping fig	non-native	rare
<i>Ficus lyrata</i> warburg	fiddle-leaf fig	non-native	uncommon
<i>Ficus microcarpa</i> L. fil.	Chinese banyan	non-native	uncommon
<i>Ficus pumila</i> L.	climbing fig	non-native	uncommon
<b>MYRSINACEAE (Myrsine Family)</b>			
<i>Ardisia elliptica</i> Thunb.	shoe-button ardisia	non-native	rare
<b>MYRTACEAE (Myrtle Family)</b>			
<i>Callistemon viminalis</i> (J. Gaertn.) Louden	weeping bottlebrush	non-native	rare

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<i>Psidium guajava</i> L.	common guava	non-native	rare
<i>Syzygium cumini</i> (L.) Skeels	Java plum	non-native	uncommon
NYCTAGINACEAE (Four-o'clock Family)			
<i>Boerhavia coccinea</i> Mill.	-----	non-native	rare
<i>Bougainvillea spectabilis</i> Willd.	bougainvillea	non-native	common
NYMPHAEACEAE (Water-lily Family)			
<i>Nymphaea capensis</i> Thunb.	Cape blue water-lily	non-native	rare
OLEACEAE (Olive Family)			
<i>Ligustrum japonicum</i> Thunb.	Japanese privet	non-native	uncommon
PITTOSPORACEAE (Pittosporum Family)			
<i>Pittosporum tobira</i> (Thunb.) W.F. Aiton	tobira	non-native	rare
POLYGONACEAE (Buckwheat Family)			
<i>Coccoloba uvifera</i> (L.) L.	sea-grape	non-native	rare
PORTULACACEAE (Purslane Family)			
<i>Portulaca oleracea</i> L.	pigweed	non-native	rare
RHIZOPHORACEAE (Mangrove Family)			
<i>Rhizophora mangle</i> L.	red mangrove	non-native	rare
RUBIACEAE (Coffee Family)			
<i>Gardenia taitensis</i> A.P. de Candolle	tiare	non-native	rare
<i>Ixora coccinea</i> L.	red ixora	non-native	uncommon
<i>Pentas lanceolata</i> (Forssk.) Deflers	pentas	non-native	uncommon
RUTACEAE (Citrus Family)			
<i>Citrus limon</i> (L.) N.L. Burm.	lemon	non-native	rare
SCROPHULARIACEAE (Snapdragon Family)			
<i>Bacopa monnieri</i> (L.) Pennell	'ae'ae	indigenous	uncommon
SOLANACEAE (Nightshade Family)			
<i>Cestrum nocturnum</i> L.	night-blooming jasmine	non-native	rare
<i>Solanum americanum</i> Mill.	popolo	indigenous	rare
<i>Solanum lycopersicum</i> L.	tomato	non-native	rare
STERCULIACEAE (Cocoa Family)			
<i>Waltheria indica</i> L.	'uhaloa	indigenous	rare
THYMELAEACEAE (Akia Family)			
<i>Wikstroemia uva-ursi</i> A. Gray	'akia	endemic	rare
URTICACEAE (Nettle Family)			

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<i>Pilea microphylla</i> (L.) Liebm.	artillery plant	non-native	rare
VERBENACEAE (Verbena Family)			
<i>Lantana camara</i> L.	lantana	non-native	rare
ZYGOPHYLLACEAE (Creosote Bush Family)			
<i>Tribulus terrestris</i> L.	puncture vine	non-native	rare

## FAUNA SURVEY REPORT

### SURVEY METHODS

A walk-through survey method was conducted in conjunction with the botanical survey. All parts of the project area were covered. Field observations were made with the aid of binoculars and by listening to vocalizations. Notes were made on species and abundance. In addition an evening visit was made to the area to record crepuscular activities and vocalizations and to see if there was any evidence of occurrence of the Endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*) in the area.

### RESULTS

#### MAMMALS

Not a single mammal was seen on the property during two site visits. Resort management does not create an environment conducive to mammal populations, and in fact has programs to prevent the build up of populations of scavengers and rodents.

One might expect to see the occasional rat (*Rattus rattus*) or mouse (*Mus musculus*) in the open areas in the back of the property, and the occasional cat (*Felis catus*) or mongoose (*Herpestes auropunctatus*) that would come in search of these rodents. Taxonomy and nomenclature follow Tomich (1986).

A special effort was made to look for the native Hawaiian hoary bat by making an evening survey of the area. When present in an area these bats can be easily identified as they forage for insects, their distinctive flight patterns clearly visible in the glow of twilight. No evidence of such activity was observed though visibility was excellent. This area does not represent ideal bat habitat and there have been no reports of bat sightings in the vicinity.

#### BIRDS

Birdlife was moderate on this property due to the diversity of habitats found. Some birds prefer the lush settings around the Resort Complex, some prefer the water features and some like the open fields and fairways. Fifteen species of birds were observed in the course of the surveys including one endemic water bird, one indigenous water bird, one migratory bird and twelve non-native species. Taxonomy and nomenclature follow American Ornithologists' Union (2005).

Common myna (*Acridotheres tristis*) – Many mynas, mostly in pairs, were seen in trees and in the open areas on the property.

House finch (*Carpodacus mexicanus*) – Small groups of these social birds were seen in all parts of the property.

Zebra dove (*Geopelia striata*) – These small doves were common around the resort but especially so in the open areas and fairways.

House sparrow (*Passer domesticus*) – Sparrows were most common around buildings and structures where they congregate and nest.

Japanese white-eye (*Zosterops japonica*) – Several individuals and pairs were seen and heard in trees around the property.

Gray francolin (*Francolinus pondicerianus*) – Families were seen on the fringes of cover on the open areas and fairways. They are most active in early morning and at dusk.

Northern cardinal (*Cardinalis cardinalis*) – A few individuals of these bright red birds were seen in trees and openings in the back part of the property.

Pacific golden plover/Kōlea (*Pluvialis fulva*) – A few plovers were seen feeding in open grassy areas. These migratory birds overwinter in Hawaii and other tropical islands but leave for the arctic in April to breed and raise their young.

‘Alae ke’oke’o, Hawaiian coot (*Fulica alai*) – Several coots were seen during the late afternoon and evening around the drainage channel. These endemic water birds spend much time feeding in the water but retreat to cover when disturbed. They are quite mobile and travel interisland between water habitats.

Mallard duck (*Anas platyrhynchos*) – A population of semi-domestic mallards live in and around the drainage channel where they feed on aquatic plants.

‘Auku’u, Black-crowned night-heron (*Nycticorax nycticorax hoactli*) – Three of these large herons were seen along the edges of the drainage channel during the late afternoon and evening. These secretive birds come out when human activity around the golf course dwindles in the evening to feed on small fish, snails and crustaceans.

Cattle egret (*Bubulcus ibis*) – A few egrets were seen flying over the property during the day and two landed along the drainage channel during the late afternoon. They have colonial rookeries in trees over water but this does not occur on this property.

Muscovy duck (*Cairina moschata*) – A few of these mostly black ducks live in and around the drainage channel.

Red-crested cardinal (*Paroaria coronata*) – One pair of these red-headed cardinals was seen along the bank of the drainage channel in the late afternoon.

#### REPTILES

Green anole lizard (*Anolis carolinensis*) – One green anole was seen in lush vegetation on the resort grounds. These introduced lizards are becoming widespread on Maui. Taxonomy and nomenclature follow Tinker (1980).

While not seen, it is expected that species of introduced skinks and geckoes would likely occupy this property as well.

#### FISH

Tilapia (*Tilapia mossambica*) - This introduced African species thrives in Hawai'i's streams and ponds. A large population of tilapia was observed in the drainage channel. These fish are predatory on other small fish and are themselves food for the 'auku'u. No other fish species were seen.

#### INSECTS

While insects in general were not tallied, one native Sphingid moth species, Blackburn's sphinx moth (*Manduca blackburni*), has been put on the federal Endangered species list and this designation requires special focus (USFWS 2000). Blackburn's sphinx moth was known to occur in West Maui historically but is not known to currently. Its known range is Central Maui and East Maui. Its native host plants are species of 'Aiea (*Nothocestrum* spp.) and non-native host plants are tree tobacco (*Nicotiana glauca*) and tobacco (*Nicotiana tabacum*). None of these host species were seen on or near the property and no Blackburn's sphinx moth or their larvae were observed.

## DISCUSSION AND CONCLUSIONS

Fauna surveys are seldom comprehensive due to the short windows of observation, the seasonal nature of animal activities and the usually unpredictable nature of their daily movements. Other species of animals might visit the property from time to time but these would likely be non-native species. Native species are mostly restricted to higher elevations with greater amounts of native vegetation.

One endemic and Endangered bird, the alae ke'oke'o or coot, was seen around the drainage channel. These water birds occupy this site because of the drainage channel that was excavated here. If this water feature had not been created these birds would not come. The drainage channel has enhanced habitat opportunities for these Endangered birds on West Maui. The coots have adapted well to human activities and are thriving.

The indigenous 'auku'u also uses the water features of the drainage channel and even some on the resort grounds. This native bird is widespread throughout the state in streams and around ponds and reservoirs.

The migratory kōlea is a frequent winter visitor and also widespread in a variety of habitats at all elevations. All other wildlife seen is non-native and of no particular biological concern.

No Endangered or Threatened wildlife other than the 'alae ke'oke'o was found on the property and these seem to be thriving with the enhanced habitat. As a result of this and of the nature and condition of the habitat, there is little of concern regarding the wildlife resources on this property, and further development plans are not expected to have a significant negative impact on the fauna resources in this part of Maui.

## ANIMAL SPECIES LIST

Following is a checklist of the animal species inventoried during the field work. Animal species are arranged in descending abundance within three groups: Birds, Reptiles and Fish. For each species the following information is provided:

1. Common name
2. Scientific name
3. Bio-geographical status. The following symbols are used:

endemic = native only to Hawaii; not naturally occurring anywhere else in the world.

indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).

non-native = all those animals brought to Hawaii intentionally or accidentally after western contact.

migratory = spending a portion of the year in Hawaii and a portion elsewhere. In Hawaii the migratory birds are usually in the overwintering/non-breeding phase of their life cycle.

4. Abundance of each species within the project area:

abundant = many flocks or individuals seen throughout the area at all times of day.

common = a few flocks or well scattered individuals throughout the area.

uncommon = only one flock or several individuals seen within the project area.

rare = only one or two seen within the project area.



<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>STATUS</u>	<u>ABUNDANCE</u>
<b><u>MAMMALS</u></b>			
None			
<b><u>BIRDS</u></b>			
Common myna	<i>Acridotheres tristis</i>	non-native	common
House finch	<i>Carpodacus mexicanus</i>	non-native	common
Zebra dove	<i>Geopelia striata</i>	non-native	common
House sparrow	<i>Passer domesticus</i>	non-native	common
Japanese white-eye	<i>Zosterops japonicus</i>	non-native	uncommon
Gray francolin	<i>Francolinus pondicerianus</i>	non-native	uncommon
Spotted dove	<i>Streptopelia chinensis</i>	non-native	uncommon
Northern cardinal	<i>Cardinalis cardinalis</i>	non-native	uncommon
Kōlea, Pacific golden plover	<i>Pluvialis fulva</i>	migratory	uncommon
'Alae ke'oke'o, Hawaiian coot	<i>Fulica alai</i>	endemic	uncommon
Mallard duck	<i>Anas platyrhynchos</i>	non-native	uncommon
'Auku'u, Black-crowned night-heron	<i>Nycticorax nycticorax hoactli</i>	indigenous	rare
Cattle egret	<i>Bubulcus ibis</i>	non-native	rare
Muscovy duck	<i>Cairina moschata</i>	non-native	rare
Red-crested cardinal	<i>Paroaria coronata</i>	non-native	rare
<b><u>REPTILES</u></b>			
Green anole lizard	<i>Anolis carolinensis</i>	non-native	rare
<b><u>FISH</u></b>			
Tilapia	<i>Tilapia mossambica</i>	non-native	common

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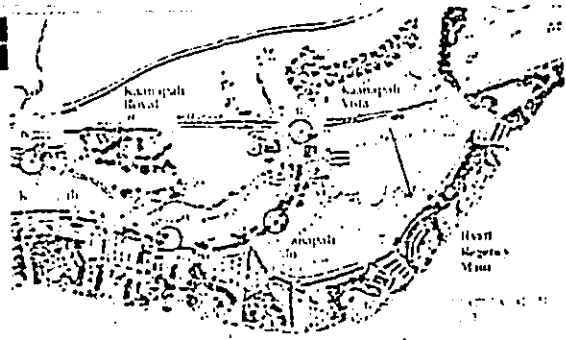
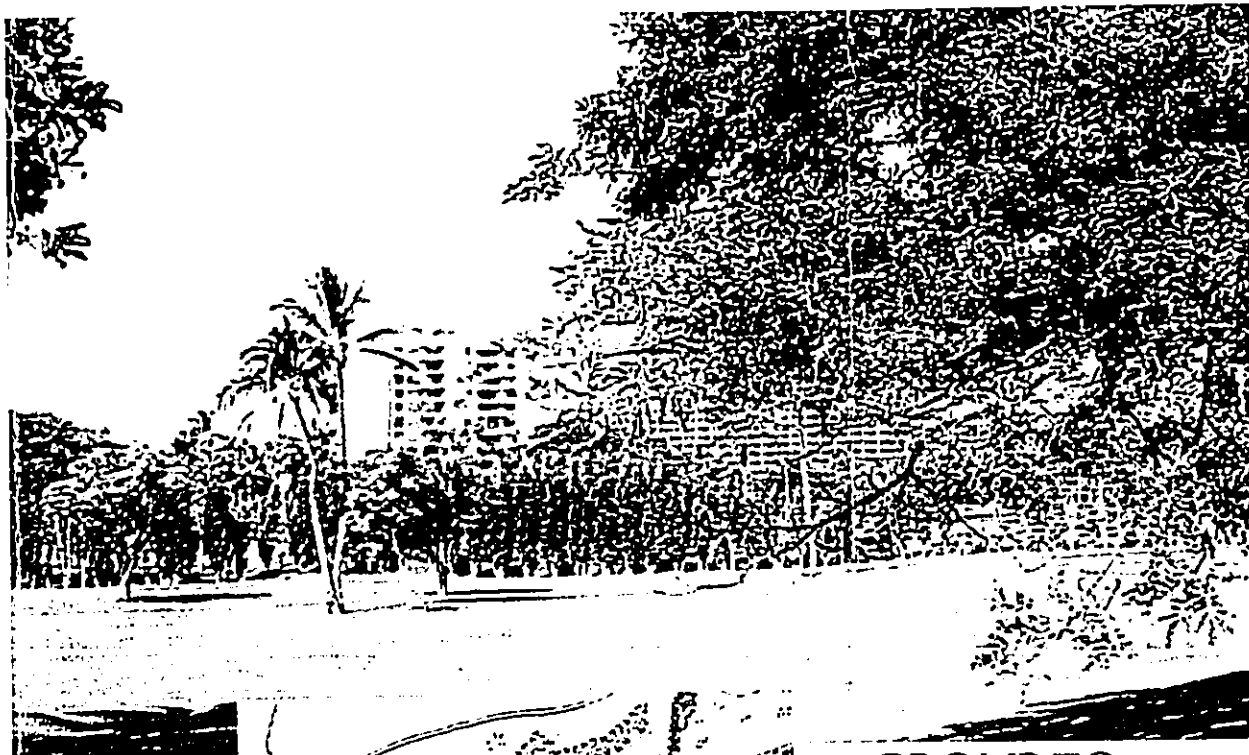
**Appendix F**  
*Photographic Viewplane Studies*



View from Honoapiilani Highway



Existing



GROUP 70  
INTERNATIONAL

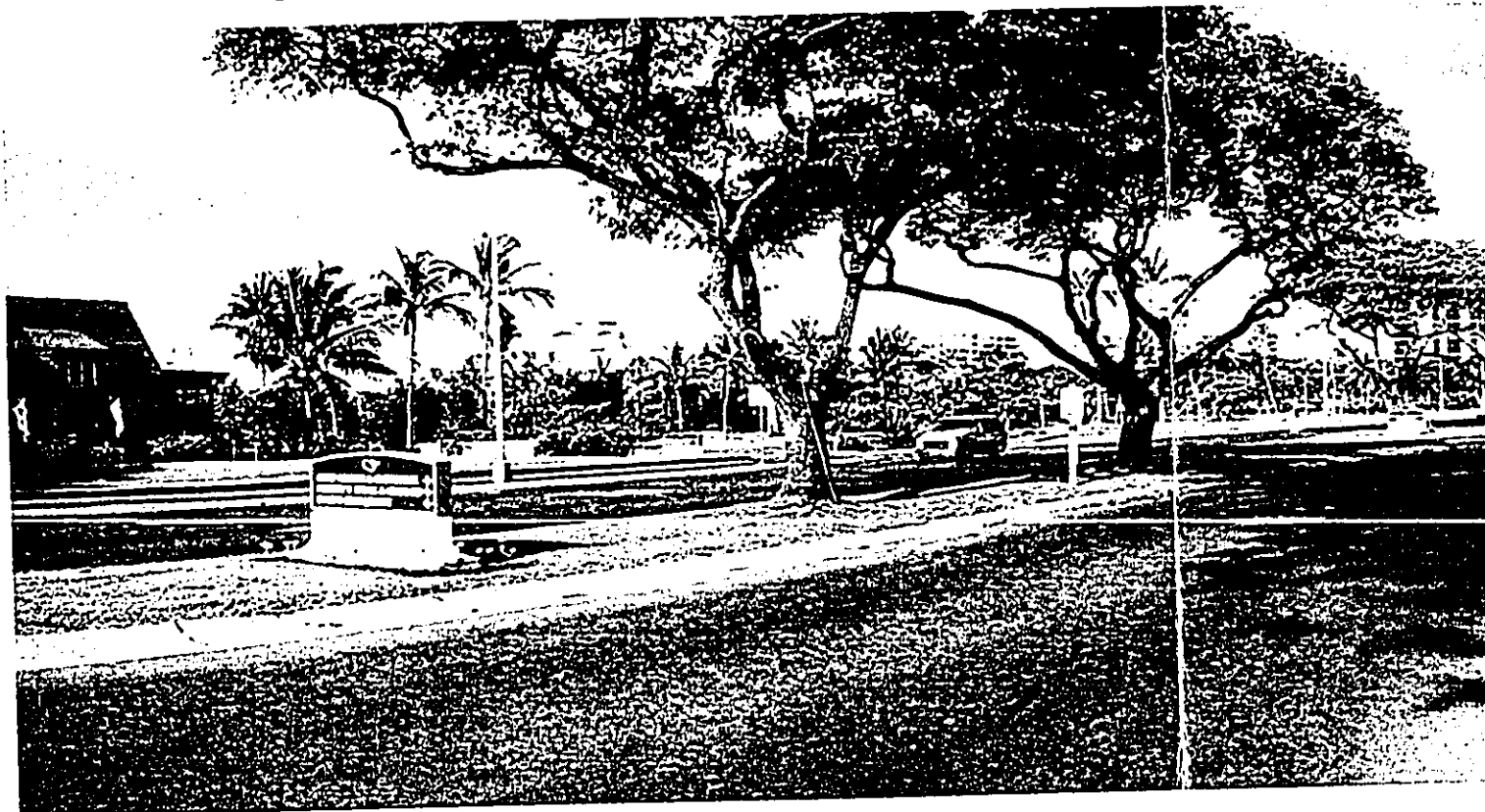
View from Honoapiilani Highway  
Maui Hyatt Vacation Club

March 21, 2006

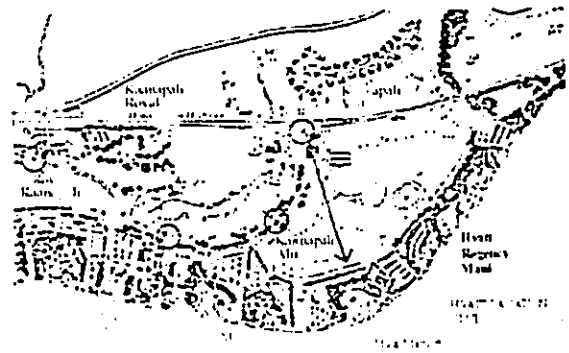
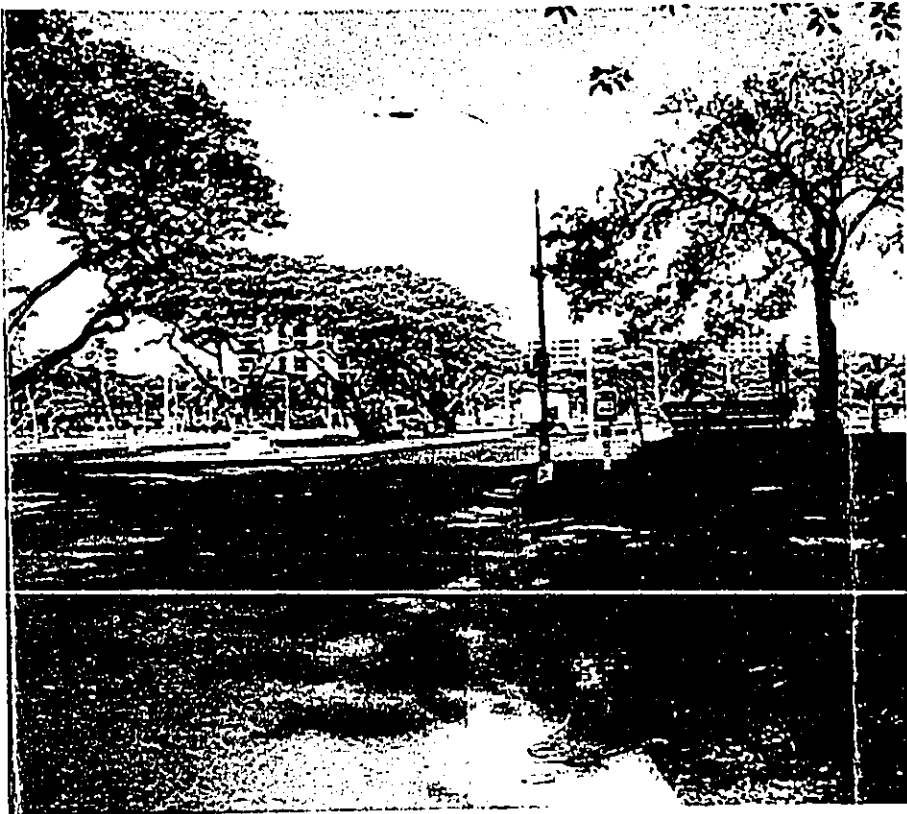
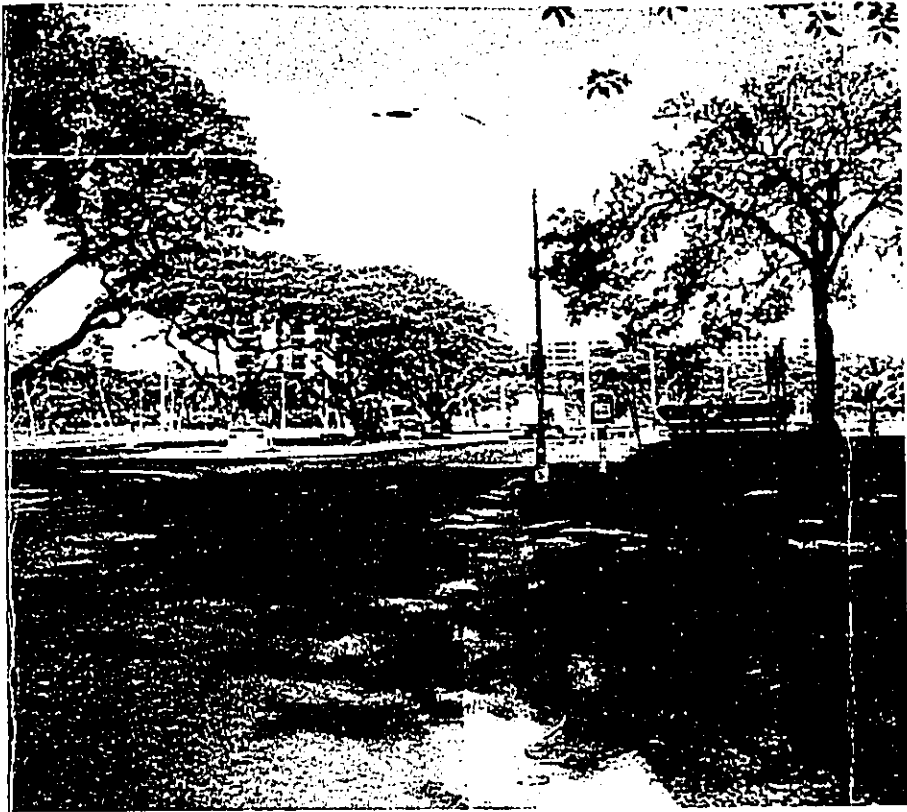
A-18



View from Kaanapali Resort Main Entrance



Existing

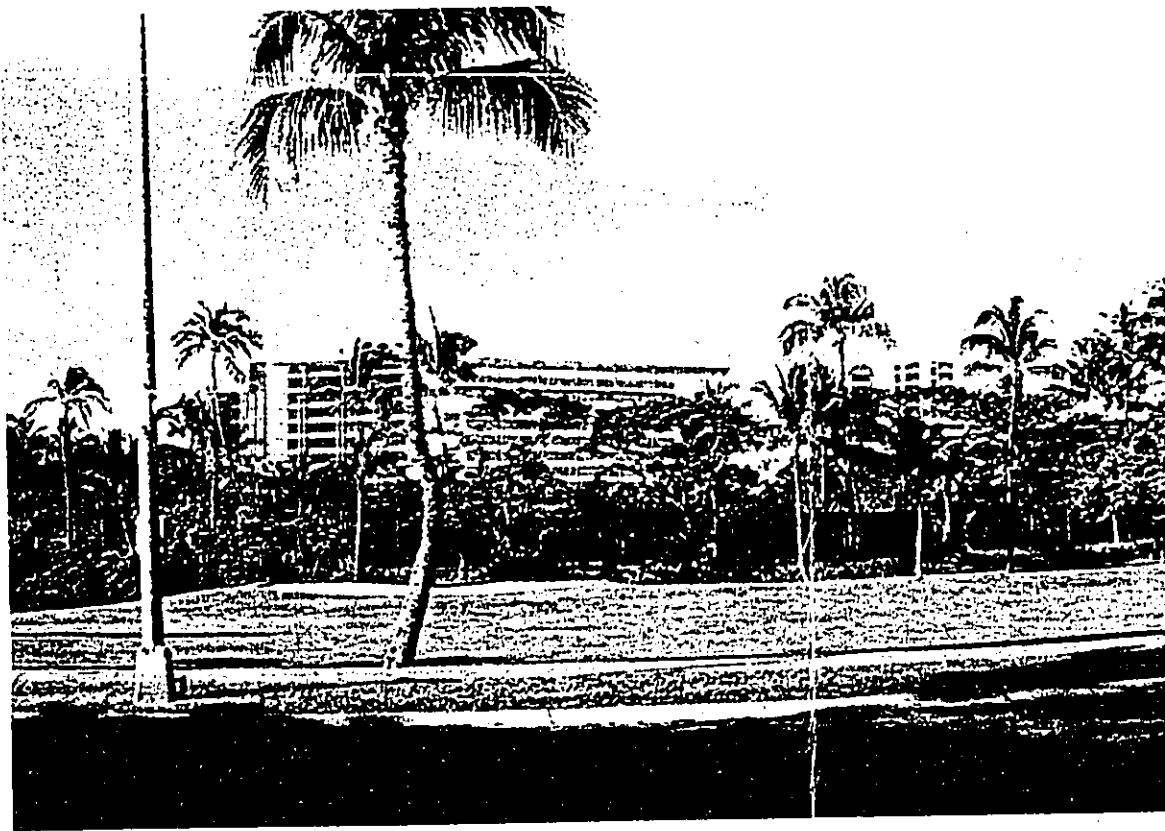


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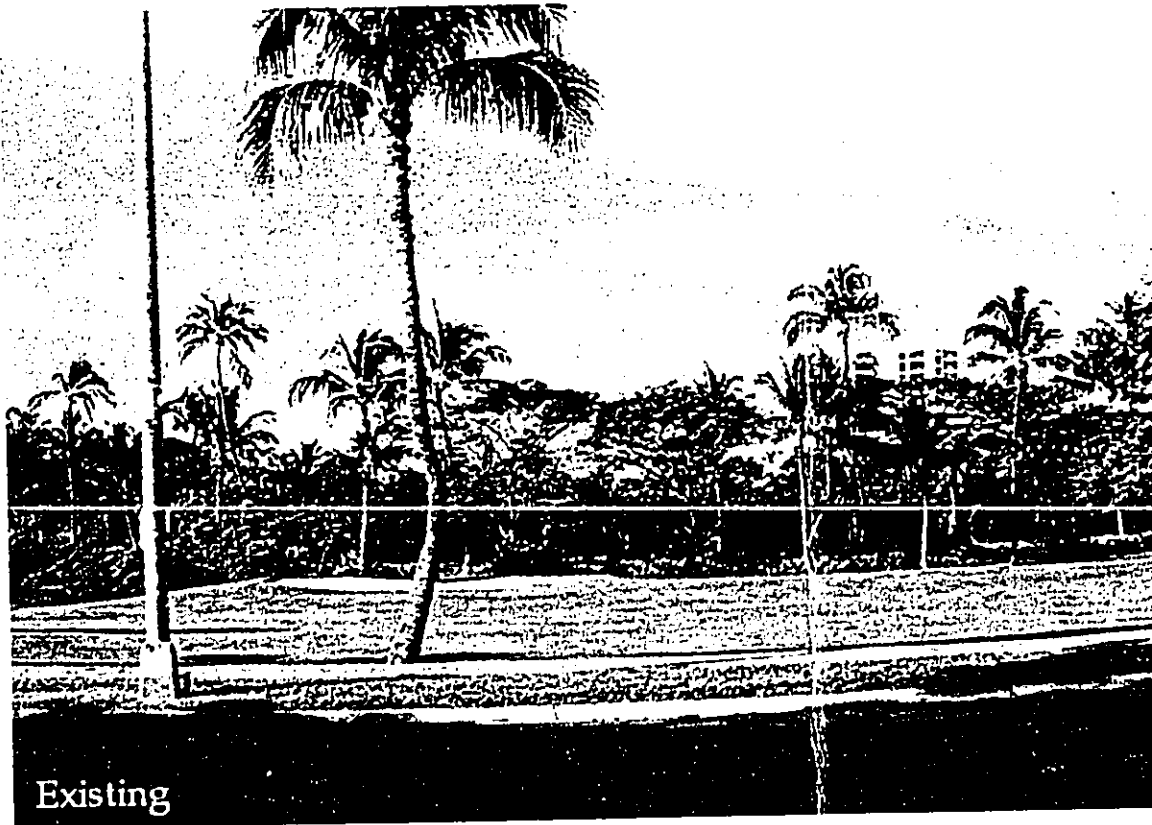
View from Kaanapali Resort Main Entrance  
Maui Hyatt Vacation Club

March 21, 2006

A-19

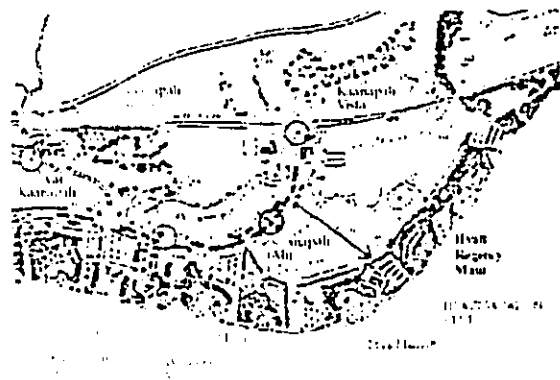


View from Kaanapali Parkway



Existing





GROUP 70  
INTERNATIONAL

View from Kaanapali Parkway  
Maui Hyatt Vacation Club

March 21, 2006

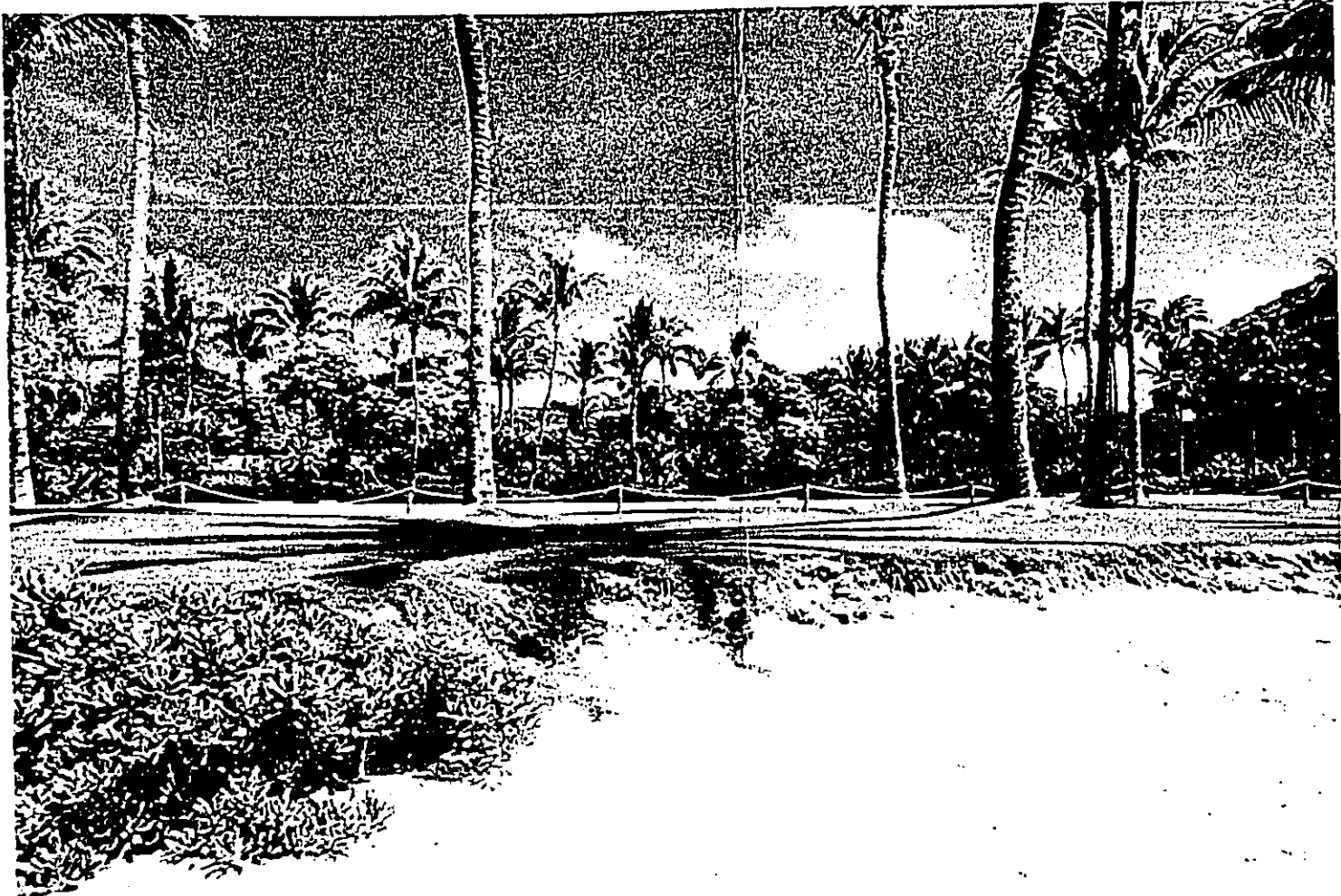
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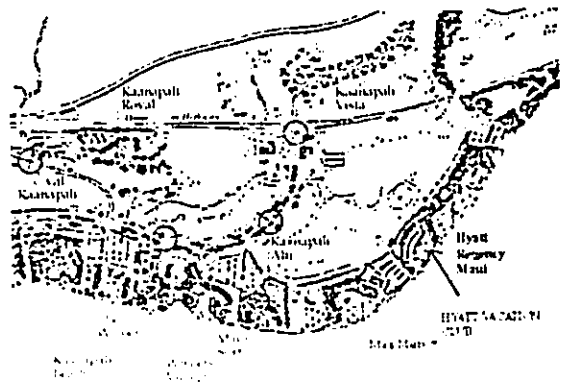
View from Beach



Existing



Existing



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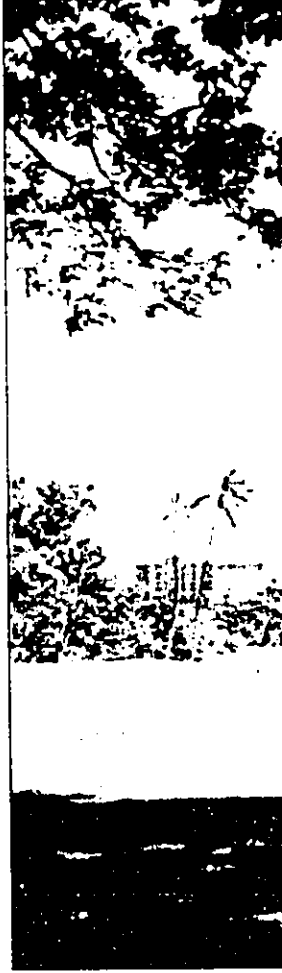
View from Beach  
Maui Hyatt Vacation Club

March 21, 2006

A-21



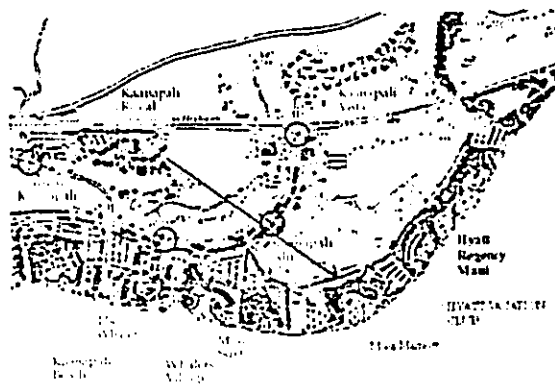
View from Kekaa Drive



Existing



Existing



GROUP 70  
INTERNATIONAL

View from Kekaa Drive  
Maui Hyatt Vacation Club

March 21, 2006

A-22



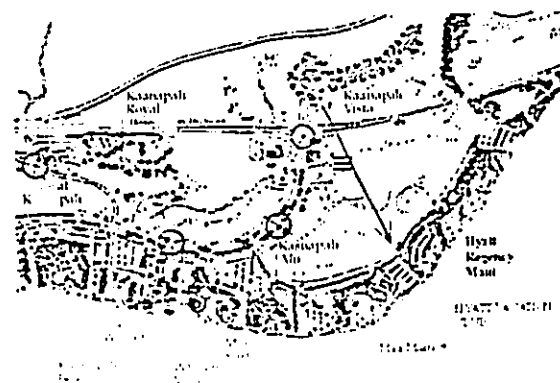
View from Hillside



Existing



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GROUP 70  
INTERNATIONAL

View from Hillside  
Maui Hyatt Vacation Club

March 21, 2006

A-23

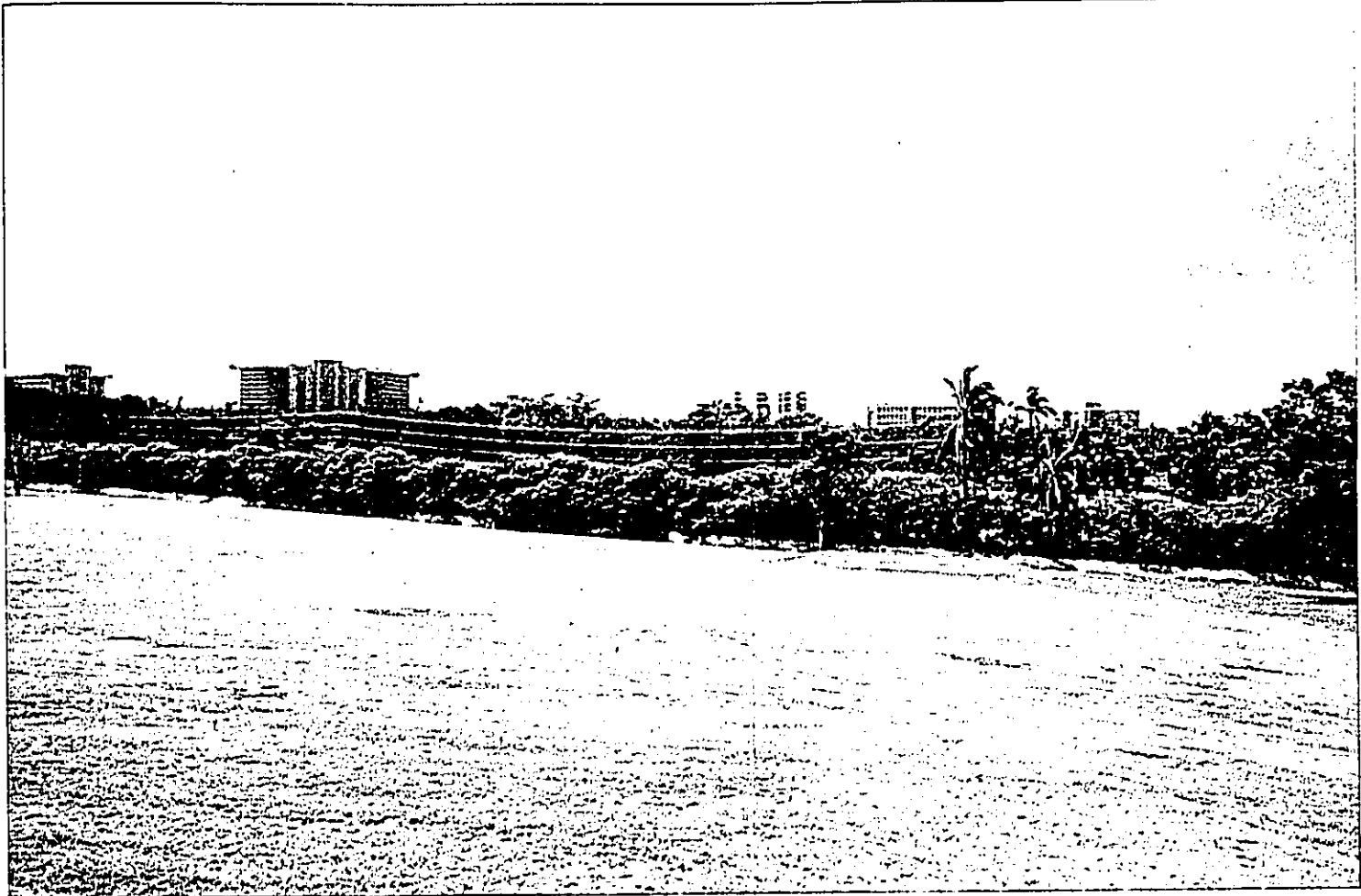


View from Hillside

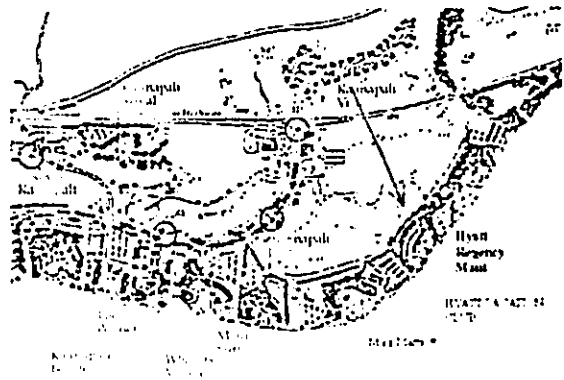


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GROUP 70  
INTERNATIONAL

View from Hillside  
Maui Hyatt Vacation Club

March 21, 2006

A-24



View from Halelo St. Residence Second Floor Lanai



Existing



GROUP 70  
INTERNATIONAL

View from Halelo St. Residence  
Maui Hyatt Vacation Club

March 21, 2006

A-25

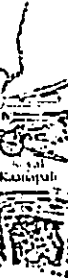


View from Halelo St. Residence Pool Deck



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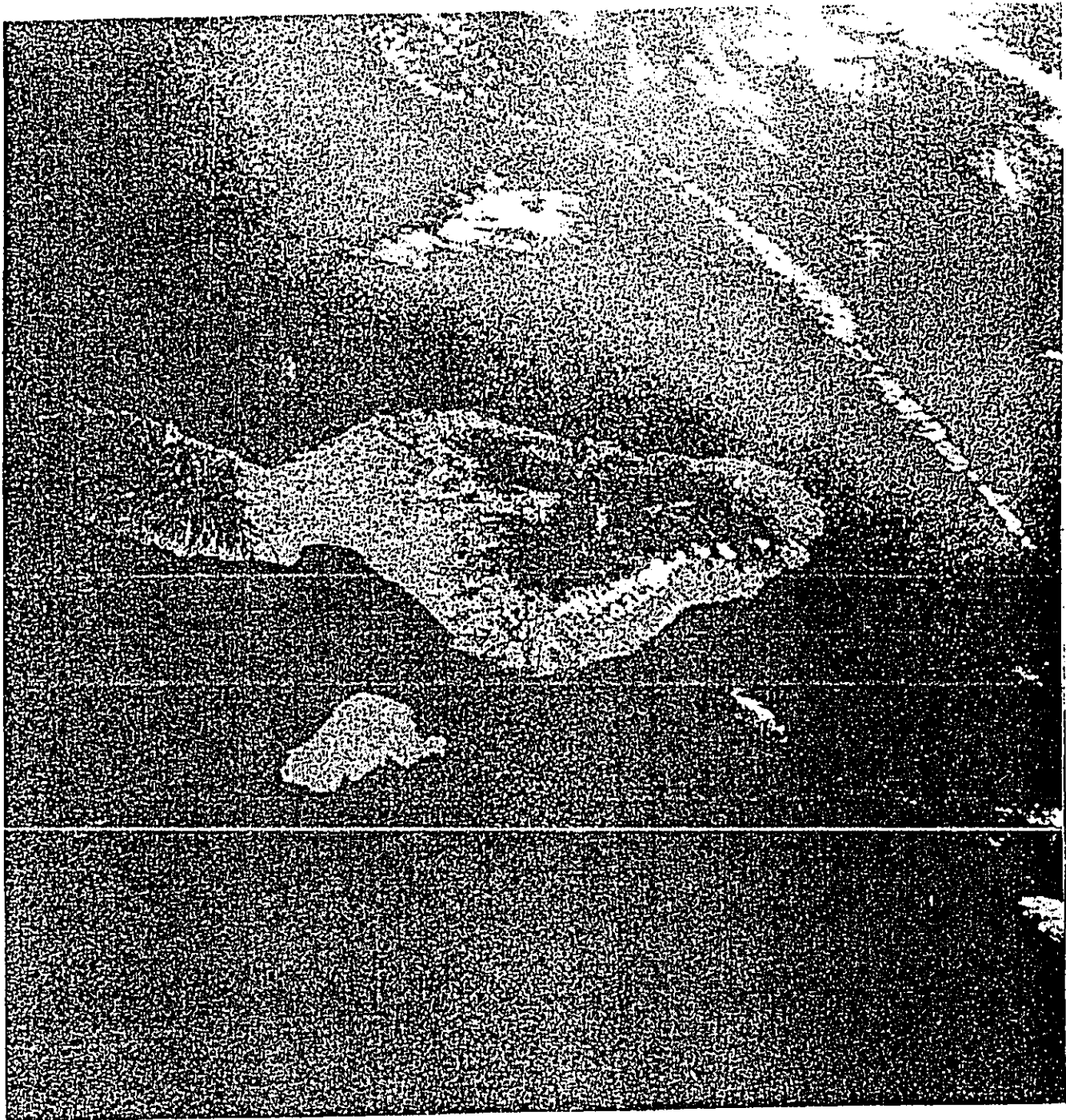


**Appendix G**

*Maui Coastal Scenic Resources Study (selection)*

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# MAUI COASTAL SCENIC RESOURCES STUDY



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**MAUI COASTAL SCENIC RESOURCES STUDY**

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**MAUI COASTAL  
SCENIC RESOURCES  
STUDY**

Prepared for

County of Maui  
PLANNING DEPARTMENT

by

Bruce Bebe, Glenn Hontz and Andrea Swanander of  
ENVIRONMENTAL PLANNING ASSOCIATES INC.

PO Box 400

Kihei, Maui, Hawaii 96753

(808) 874-0911

August 31, 1990

The preparation of this study was financed in part by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, United States Department of Commerce, through the Office of State Planning, State of Hawaii.

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## MAUI COASTAL SCENIC RESOURCES STUDY

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### 4.4 LAHAINA TO KAPALUA

This area is characterized by extensive resort development with most land mauka of Honoapiilani Highway in agriculture and most development occurring makai of the coastal highway. As a result, the remaining views of the West Maui Mountains and its several valleys dominate the attention for long stretches. In several areas, public beach parks have been developed that provide visual connection to the ocean. In other areas, where Honoapiilani Highway comes close to the shoreline, sweeping ocean vistas include the islands of Lanai and Molokai. Driving south along the highway past Kaanapali, Mala Wharf is visible from Wahikuli Park.

The Lahaina area is predominantly urban makai and agricultural mauka until Kaanapali. At the entrance to Kaanapali a golf course with a water feature provides visual relief. Continuing north, the area remains mostly urban resort, with some relief provided makai by the golf course, and occasional mauka views of sugar cane and pineapple fields fronting the West Maui Mountains. Where the ocean is visible, there are beautiful vistas of the islands of Lanai and Molokai, many boats moored offshore, and

occasional whales breaching or spouting in season.

Between Kaanapali and Honokowai lies the former site of the Kaanapali Airstrip. This area is scheduled to be developed with several hotels in the near future. Significant views could be maintained from the highway if the proposed developments were planned properly.

Grouped hotel and condominium development occurs at Honokowai, Kahana, and Napili, with some noteworthy ocean views in between. This area is being rapidly developed with single and multi-family residential projects that tend to eliminate coastal views. Mauka views are good, with the area changing from sugar to pineapple fields fronting the West Maui Mountains at Honokowai. At Napili, the highway tends mauka, where it continues until Kapalua. The development makai of the highway is well hidden because of the slope of the land and the compatible colors and design of the buildings; however, the actual shoreline is not visible. North of the entrance to Kapalua the highway again opens to an excellent view of Honolua Bay and the island of Molokai.

**MAUI COASTAL SCENIC RESOURCES STUDY**

<b>4.4.1 VISUAL RESOURCES: LAHAINA TO KAPALUA</b>		
<b>COASTAL LAND FORMS</b>	<b>DISTINCTIVE</b>	<b>NOTEWORTHY</b>
Mala Wharf from Wahikuli Park to Fleming Road		●
Hanakaoo Point-Fleming Road to Wahikuli Park		●
Lipoa Point at Honolua Bay-Kapalua entrance to Fleming Beach	●	
<b>COASTAL VIEWS</b>	<b>DISTINCTIVE</b>	<b>NOTEWORTHY</b>
Wahikuli-Fleming Road to Kaanapali/Hanakaoo Park	●	
Lanai-PuaMana Park		●
Molokai from Honokowai, Kahana, Napili and Kapalua		●
Kaanapali- across golf course north of 2nd entrance to Kaanapali		●
<b>MAUKA VIEWS</b>	<b>DISTINCTIVE</b>	<b>NOTEWORTHY</b>
West Maui Mountains-Puamana to Lahainaluna, Kahoma Stream, Honokowai to Kapalua.	●	
<b>IMPORTANT OPEN SPACES</b>	<b>DISTINCTIVE</b>	<b>NOTEWORTHY</b>
Cane Fields		●
Wahikuli Park 1, 2 and 3 and Hanakaoo Beach Park	●	
Kaanapali Golf Course just north of second entrance to Kaanapali		●
Old Kaanapali Airport		●
<b>SITES OF NATURAL BEAUTY</b>	<b>DISTINCTIVE</b>	<b>NOTEWORTHY</b>
Beach - Black Rock to Old Kaanapali Airstrip		●

MAUI COASTAL SCENIC RESOURCES STUDY

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MAP LEGEND  
8.1.6 LAHAINA — KAA NAPALI



OPEN SPACES



MAUKA VIEWS



AREA OF SCENIC BEAUTY



COASTAL VIEW



COASTAL LAND FORM

## 5. RECOMMENDATIONS

---

The following recommendations have been compiled in two ways:

1. Recommendations gleaned from the CZM legal framework (Federal CZMA, HCZM, SMAs, General Plan, etc.)
2. Conditions observed during field work.

A recommended revision of the SMA boundary is presented first. General recommendations are then presented which apply to all of Maui and specifically to the three target areas. Then specific recommendations are listed by target area and organized into three categories:

1. The natural environment
2. The constructed environment
3. Landscaping

### 5.1 SMA BOUNDARIES

The SMA boundaries were studied to determine if any changes were necessary. It is recommended that the SMA boundary be relocated in the Wailuku - Paia area to include agricultural lands between Hana Highway and the Kahului Airport from Dairy Road to Stable Road in Sprecklesville. Development in this area would affect coastal view resources, par-

ticularly the view towards the West Maui Mountains from Hana Highway.

### 5.2 GENERAL RECOMMENDATIONS

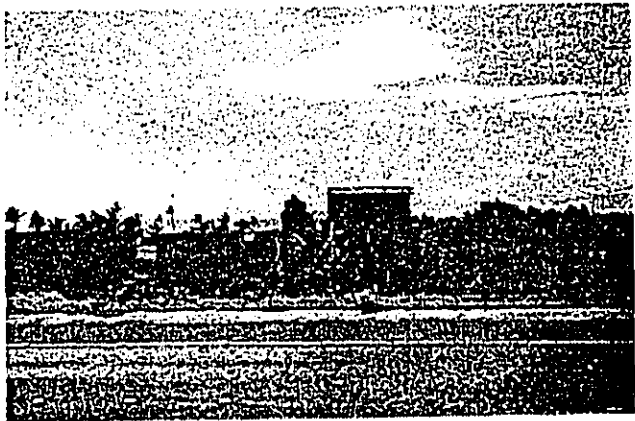
The following general recommendations can be applied to the entire island of Maui to enhance and preserve the island's scenic and open space resources.

1. Obtain a thorough knowledge of the regulatory network and its overall intent as outlined in the design manual of this study.
2. Apply this study to the proposed SMA development projects as follows:
  - A. Investigate developments on a specific property from the point of view of existing scenic resources, and take into account the preservation and protection of these resources.
  - B. Review the Principles of Design and the Guidelines in Chapter 6, and apply them to the development proposal in question.

## MAUI COASTAL SCENIC RESOURCES STUDY

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3. Design buildings to run mauka-makai where buildings built parallel to the highway would block coastal views.



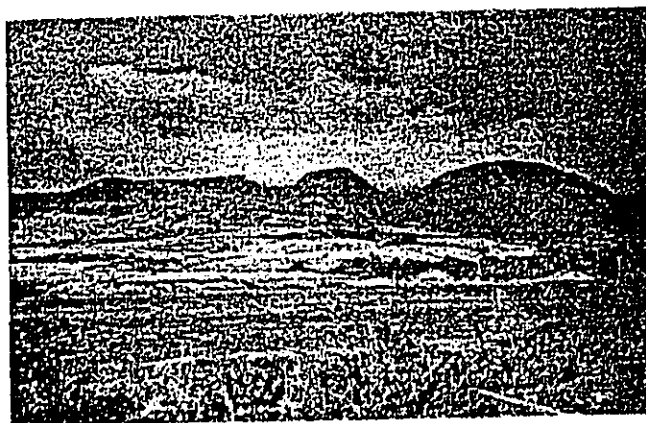
4. Walls which obscure visual resources are discouraged. Design landscaping to soften their impact in places where walls are deemed necessary.

5. Locate new utility lines underground where they impact visual resources. See specific recommendations for each area.

6. Plant open parking facilities with canopy trees to produce shaded parking areas. Landscape parking perimeters to enhance the visual image along the street.



7. Maintain agricultural lands as a major scenic resource and open space element. Recognize the scenic contributions of agriculture when evaluating proposed developments.



8. Preserve the shoreline sand dune formations.

9. Landscape stream channels and drainage ways in lieu of concrete channelization.



10. Design proposed State and County Parks appropriately to enhance visual resources and preserve open space.

## MAUI COASTAL SCENIC RESOURCES STUDY

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11. Maintain an open space system of parks, utility easements, shoreline areas, and drainage ways as a framework for the built environment.
12. A large percentage of open space should be incorporated into future development plans.
13. Require appropriate landscaping along major travel routes. "Appropriate" landscaping, meaning varieties of trees and shrubs that serve the desired purpose without blocking views. For example, false wiliwili along the cane fields provide a windbreak but block some good mauka views.

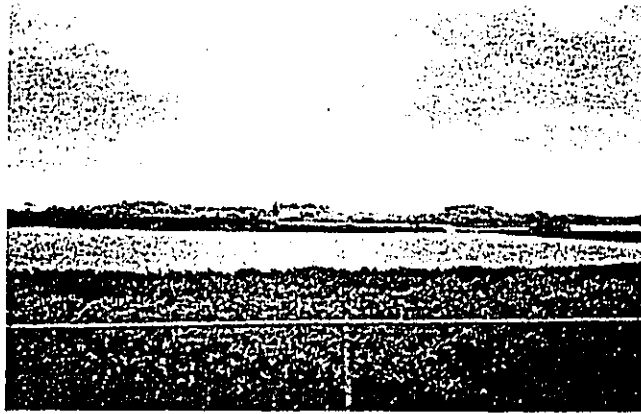


### 5.3 WAILUKU TO PAIA

#### 1. The Natural Environment

- A. Protect Kanaha wetlands as important

visual and open space resources.



#### 2. The Constructed Environment

- A. Future development be compatible in scale relationships to existing low-scale town character.
- B. Require sufficient spacing between higher buildings in order to preserve mauka-makai views.
- C. Where urban development is allowed, sensitively design taller buildings to take into account potential scenic views and desired town character.
- D. Visually maintain and enhance the low-density town character of Paia town.

## MAUI COASTAL SCENIC RESOURCES STUDY

E. Relocate utility poles and lines underground:

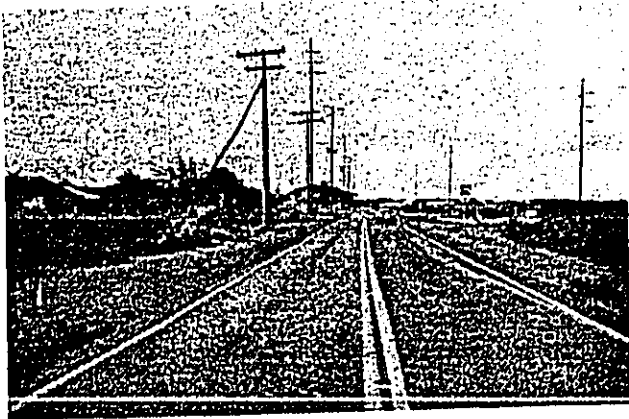
1. Along Kaahumanu Avenue.

2. Hana Highway from Dairy Road to Haleakala Highway be put underground or relocated to the airport side of Hana Highway.

3. Landscaping

A. Landscape the corridor from Kahului Airport to Wailuku Town with appropriate plantings and in such a manner so as to preserve existing views.

B. Appropriately landscape Dairy Road from Haleakala Highway to Puunene Avenue.



C. Develop a landscape plan for Kahului Harbor that beautifies the area and is sensitive to the makai view potential.



D. Landscape the campground at Baldwin Park with windbreak trees and screen plantings along that portion of Hana Highway.



## MAUI COASTAL SCENIC RESOURCES STUDY

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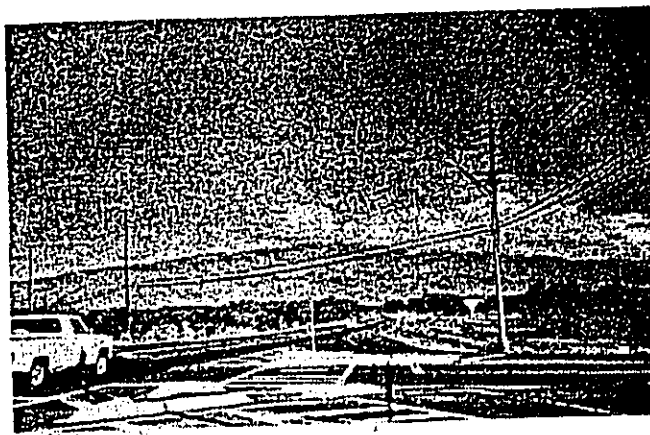
- E. More appropriately landscape the Spreckelsville Wall to lessen its harsh impact on the scenic environment.



- B. Protect what is left of the existing wetlands in Kihei Town to preserve open space.

### 2. The Constructed Environment

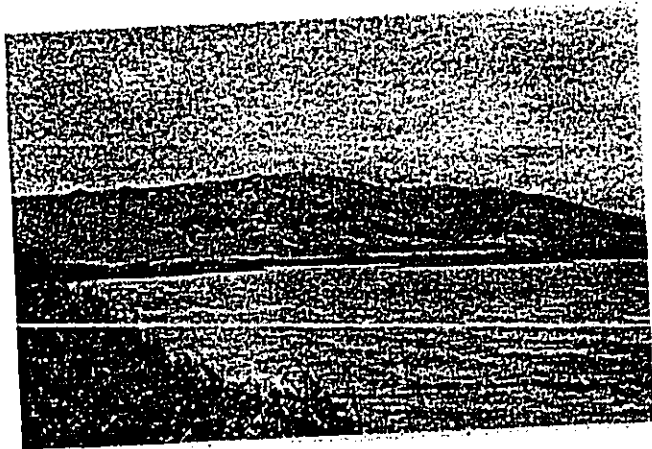
- A. Relocate existing utility lines underground where they cross Piilani Highway twice near the intersection of Uwapo Road.



## 5.4 MAALAEA TO MAKENA

### 1. The Natural Environment

- A. Protect wetland and open space resources both mauka and makai of North Kihei Road at Kealia Pond.



### 3. Landscaping

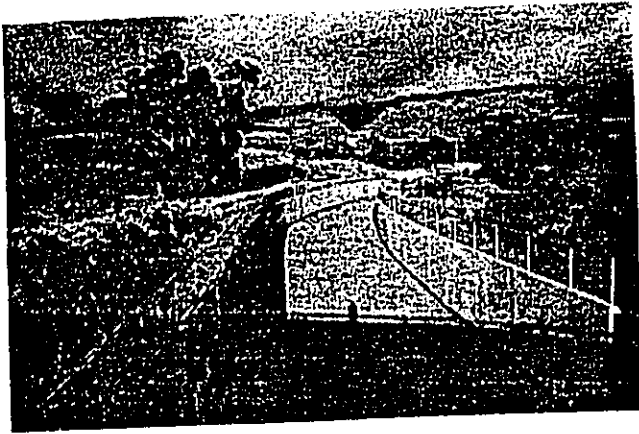
- A. Develop South Kihei Road to "parkway" standards.
- B. Provide landscaped buffer areas between Piilani Highway and adjacent communities to mitigate noise and to reduce the visual impact of development through appropriate landscaping to preserve existing views.



## 5.5 LAHAINA TO KAPALUA

### 1. The Natural Environment

- A. Appropriately landscape natural drainage ways in lieu of concrete channelization for open space visual relief. Examples of violation of this principle are Kahoma Stream and Honokowai stream which have recently been channelized. Specific drainage channels this principle applies to are: Wahikuli Gulch, Mahinahina Gulch, Kahana Stream, Kaopala Gulch, Honokeana Stream and Napili Stream.



- B. Appropriately landscape the cemetery at Honokahoo to improve scenic beauty.



### 2. The Constructed Environment

- A. Existing power lines be put underground, especially within Lahaina town.



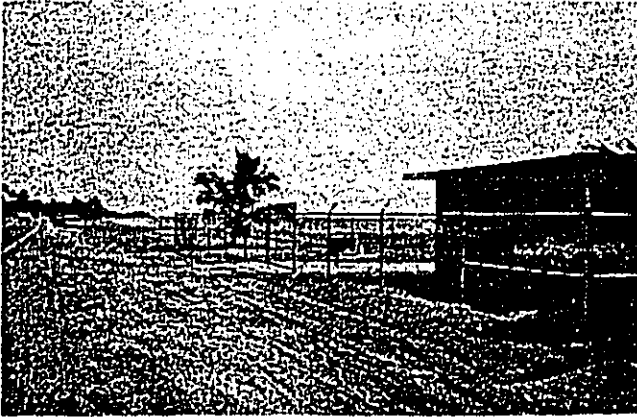
### 3. Landscaping

- A. Appropriately landscape the strip of land at sewage pumping station Lahaina

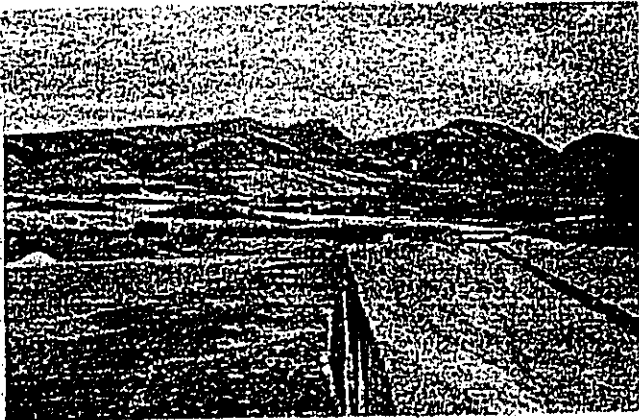
## MAUI COASTAL SCENIC RESOURCES STUDY

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side of Wahikuli Park No. 3.



B. Heavily landscape the drainage ways that have already been channelized at *Kahoma stream* and *Honokowai stream* to mitigate some of the visual impact.



### 5.6 CONCLUSION

Scenic and open space resources can be preserved and enhanced by applying the methods outlined in this study to aid in harmonizing the built and natural environments. Landscaping is a major part of enhancing the scenic environment of an area and softening the impact of the built environment.

**CHAPTER**

**6**

**SCENIC RESOURCES DESIGN MANUAL**



## 6. SCENIC RESOURCES DESIGN MANUAL

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This Chapter was prepared for use by Maui County officials in establishing and implementing design standards for the County's special management areas. The Manual is also intended to provide guidance to those seeking County approval for developments in the Special Management Area.

### 6.1 INTRODUCTION

The Manual provides a set of basic design principles, a statement of underlying values and a list of practical guidelines. Additionally, it includes a summary of the relevant portions of the regulatory network. In combination, these provide a clear basis for managing Maui's coastal scenic resources. Each of these components is discussed in greater detail below.

### 6.2 PRINCIPLES OF DESIGN

The principles of design presented here are intended for use in connection with the evaluation of natural and man-made features found in the target areas addressed in this study. The application of such design principles in evaluating the aesthetic quality of any subject is strongly influenced by our underlying values. Accordingly, values are also examined in this report as a factor in evaluation. Finally, to provide a transition from the theoretical premises of design to the realistic application of these

elements, a list of practical guidelines is provided regarding: green belts and open space buffers, avoiding major visual intrusion, site plan configuration, building design and height limitations, roof appendages, establishing flexible setback standards, enhancing viewpoints, enhancing view corridors, landscape treatments, traffic, parking, utilities, night lighting, signs, pedestrian orientation, encouraging community involvement and community plan recommendations.

These principles, values and guidelines are applied to each of the three target areas of this study for the purposes of:

1. evaluating the resources in each of these areas and;
2. creating recommendations for preserving, protecting and/or restoring these resources. Examples are offered in the following section to illustrate the relevance between these principles and their application in practical settings. Additionally, various graphic, photographic and descriptive elements are included here and in Chapters 4 and 5 to enhance understanding and clarity.

These principles are drawn from a variety of sources but primarily from the work of Duane and Sarah Preble and their book entitled Art-forms (Harper & Row, New York, 1989) which

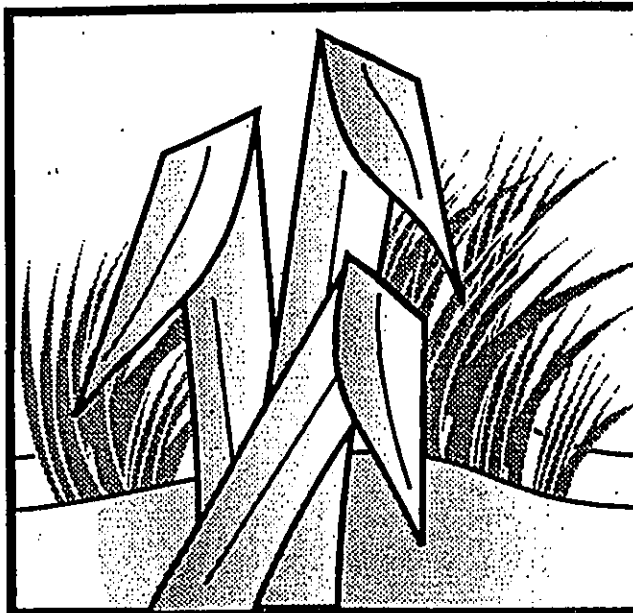
has been adopted as a text for art and design courses in over 300 colleges and universities throughout the United States. Professor Preble, who teaches in the Department of Art at the University of Hawaii at Manoa, provided direct personal consultation in the selection and preparation of the design principles presented in this report.

The following design principles are intended to provide a basis for:

- Comparative evaluations of existing visual coastal resources
- Planning and guiding developments to insure visual results of high quality
- Evaluating proposed projects in the SMA to determine how they affect scenic resources
- Creating means for enhancing, protecting and preserving scenic resources

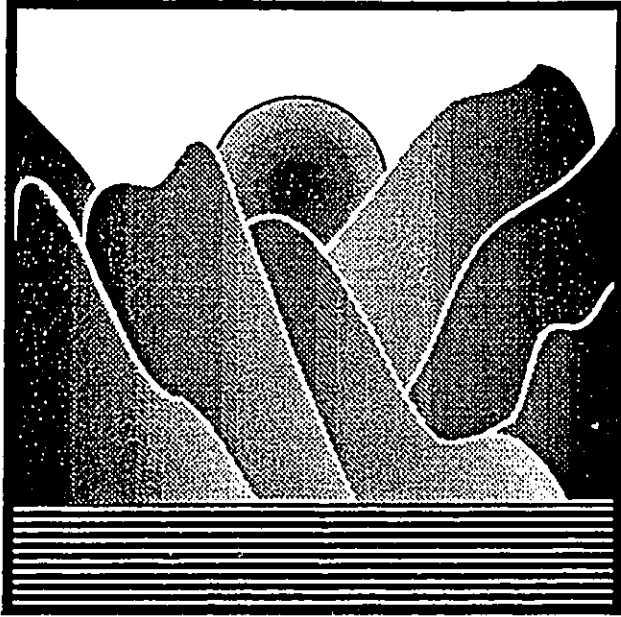
When the design principles are used in conjunction with the guidelines offered in this Manual a theoretical and practical basis for scenic resources management is established.

### THE DESIGN PRINCIPLES:



#### 1. SCALE AND PROPORTION

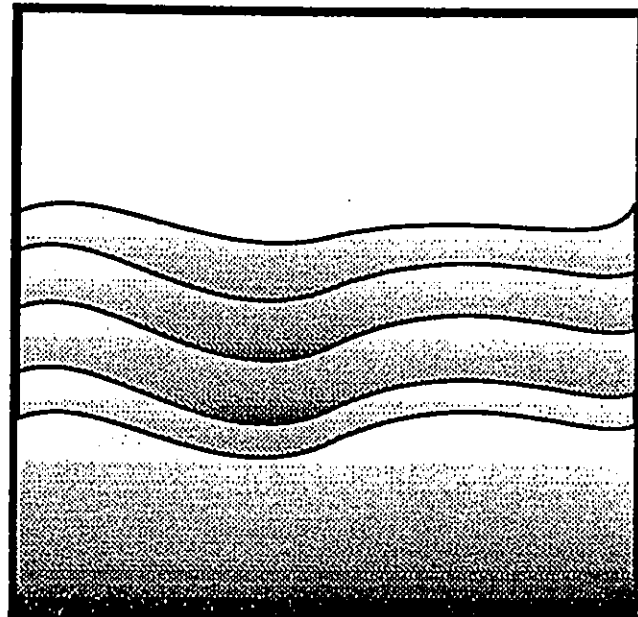
Both relate to size. Scale refers to the size of an object seen in relation to other objects. Proportion is the size relationship of parts to a whole and to one another. We tend to see only in terms of relationships (a small familiar object helps us to perceive the size of a larger unfamiliar object, etc.) The concept of proportion has been a key element in design since the era of the Greeks (i.e. the harmonic proportion as reflected in the Parthenon). Although style has changed since this era, our underlying sense of proportion has remained the same. There seems to be universal agreement regarding this principle.



## 2. UNITY AND VARIETY

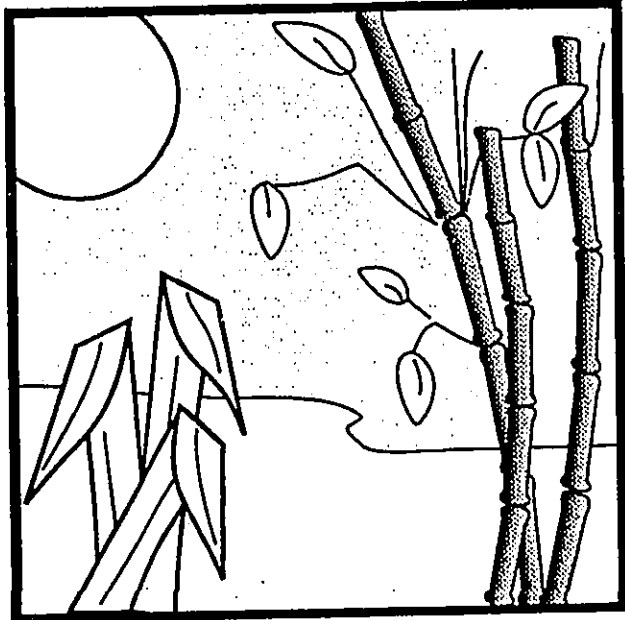
Unity is achieved through the integration of varied elements causing them to appear as parts of a whole form. Unity is the appearance or condition of oneness, usually brought about by a single motivating process or idea. When unity is present, there is integrity — the work affects us as complete in itself — a homogeneous, inseparable whole to which nothing can be added or taken away without a loss of quality.

Variety is diversity; but without unity, it is confusion. Unity results in part from similarity of visual characteristics, while variety is provided by dissimilar properties. The dynamic balance between the boredom of too much uniformity and the chaos of uncontrolled variety creates continuity, vitality and interest in both art and life.



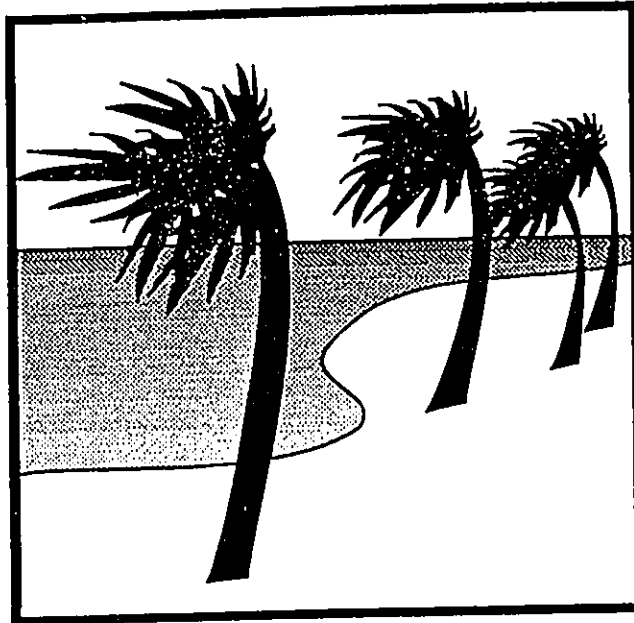
## 3. REPETITION AND RHYTHM

The recurrence of a design element provides continuity, flow and dramatic emphasis. Repetition may be exact or varied, and it may establish a regular or irregular beat. Visual rhythm, like audible rhythm, operates when there is ordered repetition. Rhythm may simply be repetitive. It may provide variations on a basic theme, or it may indicate a progressive development.



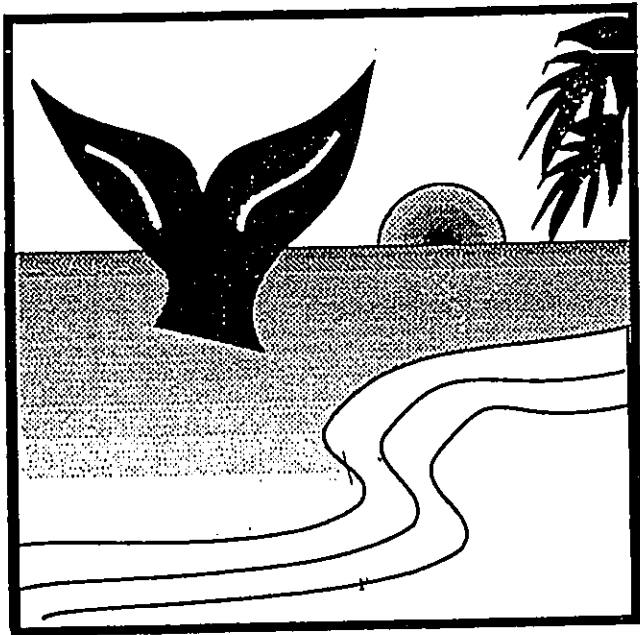
#### 4. BALANCE

Balance is the achievement of equilibrium. Lack of balance is contrary to our sense of order and need for stability. The two basic types of balance are: symmetrical (or axial balance as achieved by equal distribution of identical or very similar parts on either side of a central axis) and asymmetrical balance (or informal balance as achieved when a felt or implied center of gravity brings opposing or dissimilar elements into equilibrium).



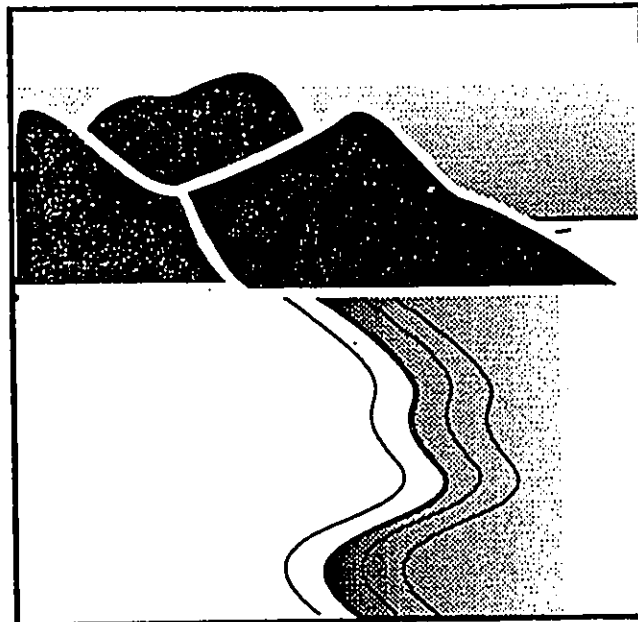
#### 5. DIRECTIONAL FORCES

Implied or actual lines produce directional lines or forces which determine the basic structure of a work or scene. Implied lines are those we feel, rather than see. They may be suggested by the imagined connection between similar or related adjacent forms, or by the implied continuation from the ends of actual lines. An implied line may also be the unseen axis line that indicates the dominant direction of a single form. (As we look at a work of art or a scene, our eyes tend to follow both implied and actual directional lines.)



### 6. EMPHASIS AND SUBORDINATION

Emphasis of certain features and subordination of others creates centers of interest that focus the viewer's attention.



### 7. CONTRAST

Contrast is the interaction of elements that express the dualities seen in opposites such as large and small, light and dark, simple and complex. Color contrasts are seen in a variety of ways according to variations in hue, intensity and value. Up to a point, such contrasts serve to emphasize certain features and provide visual interest.

Within each specific context the interaction of these design principles results in what we consider a "good" or "bad" design. Often only a few of these principles are present in a "good" design. A "bad" design usually results when one or more of these principles are violated.

Achieving an understanding of design principles and learning to apply them effectively is not a matter of "formulas" or "rules" but rather a process of both training and experience by which one develops a personal sense of "good design."



### 6.3 VALUES

Personal and social values are underlying and often hidden factors that determine how we actually apply principles of design in evaluating the aesthetic quality of any subject or view. When these values are made clear, they serve to expand our understanding of the basis upon which a visual resource is evaluated.

Numerous elements combine to produce the value which a viewer assigns to any scene. For example, as one views a valley stream on Maui the various elements comprising this scene would include the water, the rocks, the trees and other plants, the terrain, the background, the sky, etc. When all of these elements are compatible, they each contribute in their subtle way to the intrinsic sense of place (i.e. in this case "a Maui valley stream"). If any of the elements are incongruous (for example a concrete drainage way would be inappropriate in this natural scene) the integrity of the scene is diminished and the aesthetic value is reduced; the sense of place is compromised.

Although this quality of "sense of place" is subtle, and often difficult to define, it is the integrating force in any natural scene and is the force which expresses the character of that scene. It can be achieved and maintained consciously or unconsciously in human-modified or human-dominated settings.

Maui's unique sense of place stems from its character as a Hawaiian island community.

This quality is maintained and can be enhanced when man-made features give emphasis to an "island life style" and display a respect for the history and environmental uniqueness of the island. Features which seem most compatible with Maui's "sense of place" would include: buildings that reflect design features of the Hawaiian and other Pacific peoples; pathways that encourage walking as a means of access; plantings which emphasize native tropical flora; beaches that are natural and uncluttered, with buildings set far back from the shoreline, thus reflecting respect for the unpredictable power of the sea, and providing for the traditional right of public access and usage. In general, major areas of the coast would be protected from the intrusion of the technological culture and preserved for the enjoyment of residents and visitors alike in the manner of the local culture. Man made features which are incongruous with this sense of place would be avoided.

Unfortunately, some of the features expressed in Maui's coastal developments in recent decades have not reflected the island's intrinsic "sense of place." This is understandable because the planning principles and approaches of mainland development are well established, seemingly successful and familiar to those investors who are promoting major commercial enterprises in Hawaii. Accordingly, even those developments which have sought to reflect a "Hawaiian character" have often been overshadowed by the grandiose "world class" approach. This approach seems to produce

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structures similar to those that can be found in any major city anywhere. If this trend continues, Maui will not only lose its unique character and "sense of place" but will be indistinguishable from Manhattan or Tokyo.

Now that planning on Maui has matured, we are able to deal with these problems by expressing what is in fact appropriate for Maui.

The values underlying many of the recommendations of this report support developments which are "island scale," that is ones which are small, low profile and dispersed. Additionally, these recommendations are intended to encourage renovation and re-development in a manner compatible with the integrity of island-style living.

Two major features that contribute to Maui's unique quality are its coastal and mountain views. These features are an integral part of Maui's sense of place and represent a valuable aesthetic resource to be preserved. Accordingly, developments should be tied to these features in their orientation and should be compatible with these features in their design. Man-made features which are created with the clear intention of enhancing the natural environment that they occupy can contribute significantly to our visual appreciation of that environment.

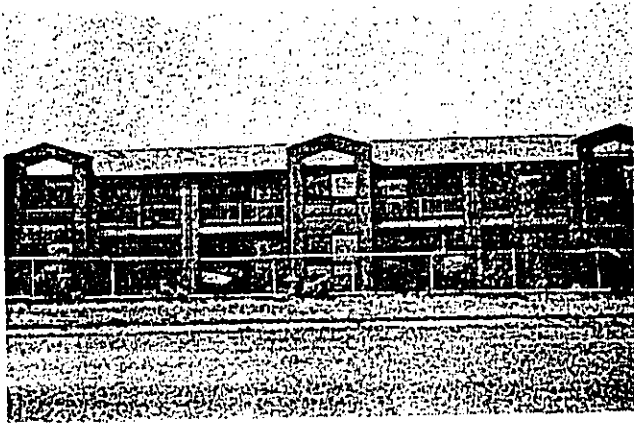
### 6.4 GUIDELINES

The following guidelines are offered as reference points for use in evaluating proposed developments in the coastal management zone.



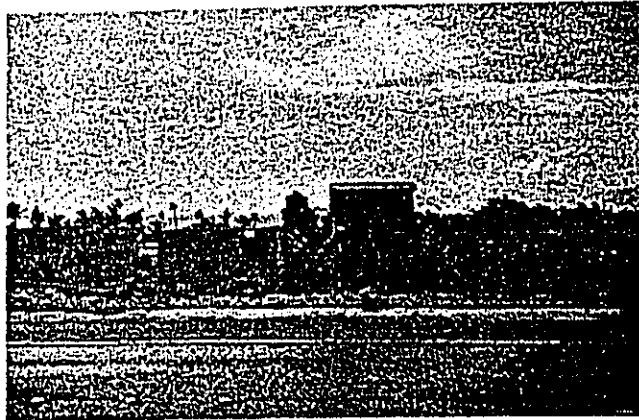
#### GREENBELTS AND OPEN SPACE BUFFERS

Maintain or provide for greenbelt or open space buffers between sectors of non-similar land use (i.e. keep residential areas separate from commercial in this manner, to provide transition from one type of area to another.) These greenbelt/open space areas may additionally provide supplementary recreational lands or park facilities and can serve as drainage ways during periods of high rainfall, storm waves or tsunami activity.



### AVOIDING MAJOR VISUAL INTRUSION

Maui is an island on which the residents have a strong visual relationship with the mountains and the sea. Thus, developments should be designed to avoid "walling-off" ocean or mountain views; there are always acceptable alternatives. The recommended approach is to insist that developments for both urban and rural areas restrict the degree of visual obstruction. Such restrictions should be greater in rural areas, the same principle of "honoring the view for all" should also be observed in urban design. Establishing hard and fast policies in this matter is not only difficult but tends to restrict creative approaches. In contrast, it seems desirable to maintain a clear understanding of the general principle, and to insist that it be observed both in new developments and in redevelopment projects.



### SITE PLAN CONFIGURATION

The arrangement of various features in the site plan of any development in the coastal zone should reflect an awareness of the desirability of creating appropriate view planes from within and from outside the site. For example, any one building should not unnecessarily obstruct the view from another. Collectively, the buildings and landscaping features of the site should enhance the view from outside the site. Additionally, running buildings mauka-makai instead of across the view plane would be an example of the application of this guideline. When appropriate approaches are used, the site plan often creates inviting view corridors or provides a foreground framing of a significant natural view in the background.

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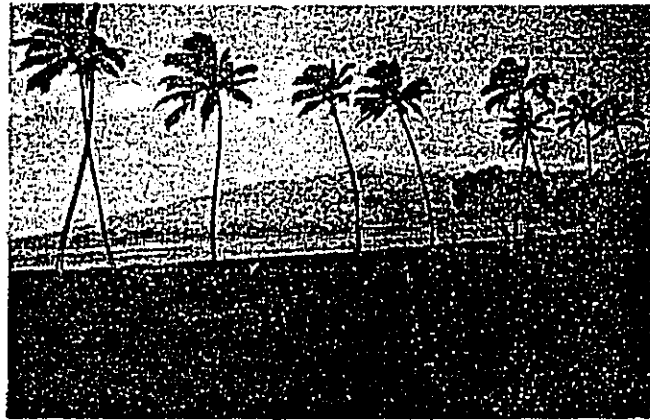


### **BUILDING DESIGN AND HEIGHT LIMITATIONS**

The overall features of building design, size, shape, height and other qualities should be required to reflect a consistency with their natural setting. Although height limitations may vary depending upon the particular location, no structure should be permitted to block or substantially obscure significant coastal or mountain vistas from places or points of common public view. Clustering buildings to create open spaces and "crenelating" or varying the roof profiles are examples of this guideline.

### **ROOF APPENDAGES**

Roof appendages (i.e. stairway or elevator towers, air conditioning units, ventilation equipment, etc.) should be screened from view or integrated into the design of the roof structure (rather than as a "box on top").



### **ESTABLISH FLEXIBLE SET-BACK STANDARDS**

Because actual coastal conditions and existing man-made features vary, it is difficult to establish arbitrary set-back standards. However, in general it is clear that deeper set-backs are more consistent with the spirit of preserving Maui's coastal view resources. Accordingly, the requirement of deeper set-backs should be applied to most new developments. A graduated, four-step set-back concept should be encouraged to include:

1. a natural terrain corridor along the ocean front,
2. a landscaped belt which is consistent with the natural sector and provides a transition to the next corridor,
3. then a corridor in which the structures not exceed one story and finally;
4. a sector in which higher structures may be allowed.

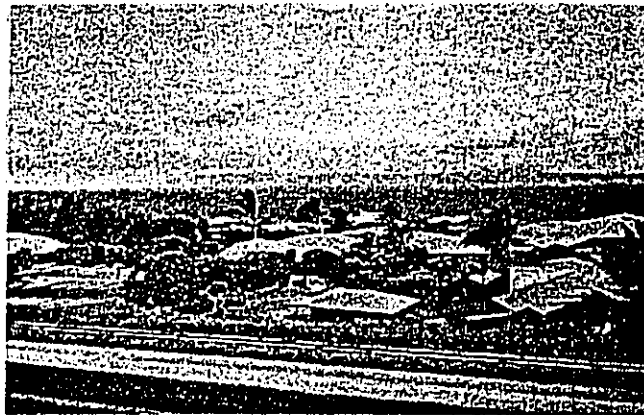
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### ENHANCING VIEW POINTS

Small landscaped plazas, mini-parks, shaded walkways and similar features enhance the coastal zone in both residential and commercial areas. Street tree plantings and other beautification programs are encouraged. Preservation of existing trees is a high priority. If removal is necessary, relocation or replacement in alternative locations should be required. Sidewalk features and textures enhance the overall consistency of the area. Fixed benches, picnic tables, shaded lanais and other open-air features in appropriate locations allow enjoyment of the coastal landscape.



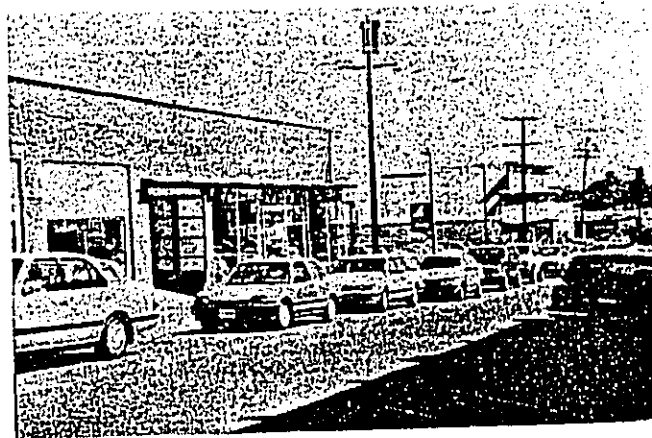
### ENHANCING VIEW CORRIDORS

Buildings and clusters of buildings and their related landscaping features should be designed to enhance the view corridor and to facilitate visual access to both coastal and mountain features. This should be accomplished by height limitations, building size/scale, set-back requirements, landscaping, plan configurations and other measures which respect the integrity of the view and the sense of place in its relationship to the ocean and mountains. Abrupt differences in scale, changes in level, color or shape should be avoided.



### LANDSCAPE TREATMENTS

Landscaping should connect the structure to the environment which it occupies. Effective landscaping softens the impact of manmade features and integrates these with their surroundings. The use of endemic species is especially recommended for these purposes. Roof plantings, large window boxes and other interior or exterior planters can be used to achieve a desirable connection to and integration with the natural surroundings. A general rule that no building be taller than a palm tree serves to soften the impact of the built environment.



### TRAFFIC

Developments should be avoided which would adversely affect traffic in areas that are currently free from congestion (i.e. existing commercial districts which are already appropriate in scale). Additionally, as opportunities occur for future renovation or urban re-design in areas currently experiencing congestion, approaches should be encouraged which will reduce traffic and parking problems in these areas. The basic concept is to encourage the preservation of "human scale" commercial and residential districts and to avoid "sprawl" and "strip commercialism" as a pattern of growth. The concept of planned unit development (such as project districts) offers an approach which can be utilized to contain or to redesign various residential or commercial areas to a more human scale. Such planned development also offers the opportunity to create new residential communities or commercial facilities rather than expanding existing ones beyond an acceptable scale. Alternative means of access to shoreline features should also be encouraged.



### PARKING

Parking facilities should be designed (and/or redesigned) to be unobtrusive parts of the landscape through canopy and peripheral screening, landscaping, plantings and any other measures that make them as attractive as possible. Off-street parking in front of commercial buildings or shops should be discouraged. Parking should be designed to go behind buildings or to other lower visibility areas. Relocating street parking when possible, wherever it intrudes upon the coastal view is recommended.



### UTILITIES

Utility lines should be placed underground whenever possible. This is especially important in historic areas, such as Lahaina, where community character predates the development of utility lines. Incongruous structures such as pump stations, utility yards and buildings can be made more acceptable by approaches such as painting or plantings designed to blend with other features of the region.



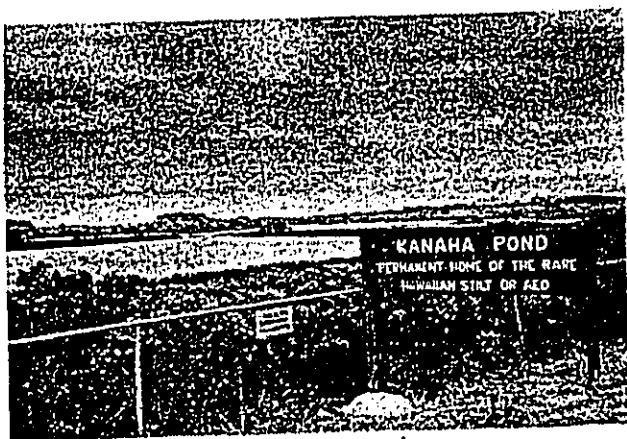
### NIGHT LIGHTING

Selective night-lighting can be used to enhance the quality of the visual experience in certain

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coastal areas. Lighted ocean-front walkways, trees, coastal features, foundation plantings and other attractive natural and man-made features can add significantly to the night-time enjoyment of Maui's coastline, especially in areas which are recreational in nature. Similarly, the absence of lighting can be a planned feature to enhance the enjoyment of the night-time sky. In situations where lighting is necessary, the sensitive design of such lighting (i.e. low lighting, limited directions, etc.) can serve to minimize its impact on neighboring areas.



### SIGNS

Use informational signs to enhance the visual experience (i.e. signs which describe historical, cultural and environmental features). Such informational signs not only contribute to public education and enjoyment but also increase public support for programs to preserve scenic resources. Similarly, avoid signs which intrude into the space of a significant view.



### PEDESTRIAN ORIENTATION

Give emphasis to a pedestrian orientation to scenic views in shoreline areas. This method of mobility affords the greatest appreciation of coastal resources. It does not preclude the provision of attractive vistas from the highway, but a casual walk along a beach side pathway is often more personally rewarding than experiencing this same view from a moving vehicle.

### ENCOURAGING COMMUNITY INVOLVEMENT

Develop cooperative efforts with neighborhood organizations and environmental groups to participate in special "clean-up" and beautification campaigns. The Community Work Day Program is a successful example of such a program and exhibits the enthusiasm of the community to participate in such programs. Encourage other such programs as "adopt-an-access" and "adopt-a-park" as a means of increasing public understanding and support. Promoting the general sense of "stewardship" for Maui's coastal scenic resources on the part



of individuals, groups and even visitors will pay rich dividends in such areas as expanded public support, curtailment of vandalism and reduced maintenance costs.

### 6.5 REGULATORY REQUIREMENTS

The regulatory requirements pertaining to Maui's coastal visual resources are very direct and straightforward. They provide the legal basis for implementing and enforcing sound approaches to environmental management of Maui's coast. Each portion of the network is interconnected and, in combination, they are mutually supportive. These regulations provide planners and developers with a set of powerful tools to create coastal developments which are environmentally appropriate.

Planners and developers will benefit from a thorough and detailed review of each document in the regulatory network. For purposes of this Manual the key elements of these documents and their applicability to scenic and open space resources are summarized below. (These documents are available in their complete form from appropriate governmental agencies on the Federal, State and County levels.)

#### 6.5.1 FEDERAL COASTAL ZONE MANAGEMENT ACT OF 1972

The Coastal Zone Management Act was originally passed by the U.S. Congress in 1972. It

encourages the individual states to develop Coastal Zone Management programs consistent with Federal policy, but specific and appropriate to their particular location. The Act promotes a balance between coastal dependent development and environmental protection. It also provides assistance to the states in developing individual coastal zone management programs consistent with the national policy. Broad guidelines and requirements were established urging the states to:

1. Identify and evaluate coastal resources that require management or protection, and accordingly.
  - Determine specific uses and special geographic areas that are to be subject to the management program.
  - Establish the uses of these resources on the basis of resource capability and suitability analysis, socio-economic considerations and public preferences.
2. Protect the special natural and scenic characteristics that are being damaged by ill-planned development.
  - Give full consideration to the aesthetic values of coastal resources.
  - States may obtain assistance in the redevelopment of aesthetic coastal features.
3. Reexamine existing policies and/or develop

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new policies to manage these resources.

- Policies must be specific, comprehensive and enforceable.
  - Policies should provide an adequate degree of predictability as to how coastal resources will be managed.
4. Provide for the consideration of the national interest in the planning for and siting of facilities that meet more than local requirements.

The Federal CZMA is the enabling act for the Hawaii State Coastal Zone Management Act (HCZMA), which, in turn is the enabling legislation for the Special Management Areas (SMA) rules and regulations.

### 6.5.2 HAWAII COASTAL ZONE MANAGEMENT ACT OF 1978

(Act 188, SLH 1977; Ch. 205A, HRS as amended)

The Hawaii Coastal Zone Management Act (HCZMA) was passed in 1977 by the Hawaii State Legislature and establishes the Office of State Planning as the lead agency in carrying out the provisions of the act. It also provides for the involvement of the State Land Use Commission, Department of Agriculture, Department of Business and Economic Development, Department of Health, Office of Environmental Quality Control, Department of Transporta-

tion, Department of Land and Natural Resources, and the County governments.

The HCZMA establishes basic state policy to guide State agencies and County government in the area of coastal zone management. This act establishes specific objectives and policies for:

1. Provision and protection of recreational opportunities
2. Protection and restoration of historic resources
3. Improvement of scenic and open-space resources
4. Protection of coastal ecosystems
5. Provision for coastal-dependent economic uses
6. Reduction of coastal hazards
7. Improvement of the review process involving development activities, including permit coordination and opportunities for public participation

Under the authority of the HCZMA, Counties were required to amend their Special Management Areas (SMA's) to include the foregoing policies and objectives.

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In terms of Hawaii's scenic and open space, the HCZMA is intended to;

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

Accordingly, this legislation establishes the following policies:

1. Identify valued scenic resources in the coastal zone management area.
2. Insure that new developments are compatible with their visual environment by designing and locating developments to minimize the alteration of natural land forms and existing public views to and along the shoreline.
3. Preserve, maintain, and where desirable, improve and restore shoreline open space and scenic resources.
4. Encourage developments which are not coastal dependent to locate inland.

The HCZMA adopted the existing Special Management Area (SMA) framework as the main vehicle for administering and enforcing these policies on a local level. The Counties were required to amend their SMA Rules and Regulations to become consistent with the objectives and policies of the act.

### 6.5.3 SPECIAL MANAGEMENT AREA RULES AND REGULATIONS

The Special Management Area Rules and Regulations of the County of Maui (SMA) were originally passed by the County Council in 1975. The Maui Planning Commission is established as the authority to carry out the intent of these rules and regulations in the target areas of this study.

The SMA Rules and Regulations encompass the objectives, policies and guidelines of the Federal and State Coastal Zone Management Policy, and are the main vehicle for enforcement of the State and Federal Acts.

The purpose of the SMA is "to preserve, protect and where possible, restore the natural resources of the coastal zone of Hawaii. The rules and regulations in this article implement the State policy by establishing special controls on development within the areas along the shoreline so as to avoid the permanent loss of valuable resources and the foreclosure of land use and management options...."

The SMA does not specifically impact other legislation, but is used concurrently with the Shoreline Setback Ordinance, Zoning Ordinance, Maui General Plan and the Community Plans.

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The SMA requires each Planning Commission, as the responsible authority, to:

- Identify valued scenic resources in the coastal zone management area.
- Insure that new developments are compatible with their visual environment by designing and locating developments to minimize the alteration of natural land forms and existing public views to and along the shoreline.
- Preserve, maintain, and where desirable, improve and restore shoreline open space and scenic resources.
- Encourage developments which are not coastal dependent to locate inland.

The SMA Rules further state: "Alterations to existing land forms and vegetation ...and construction of structures shall cause minimum adverse effect to ...scenic and recreational amenities." They further direct that the Planning Commission "shall seek to minimize where reasonable any development which would substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast, or from existing public views to and along the shoreline."

### 6.5.4 SHORELINE SETBACK RULES AND REGULATIONS

The Shoreline Setback Rules and Regulations (SSR&Rs) were passed in 1970 by the County Council and establish the Planning Commission as the authority for management.

The SSR&Rs were established in response to the increasing demands and pressures upon Maui's shoreline. They hold that uncontrolled massing of buildings is contrary to the preservation of the natural shoreline, that unrestricted mining or depositing of unnatural materials near the shoreline deteriorates the natural environment and that tsunamis and other high wave action endanger structures built too close to the shoreline. For these reasons, it was declared in the best interest of the public to establish shoreline setbacks, and to regulate uses along the shoreline.

The SSR&Rs do not directly impact other legislation, but are used concurrently with the SMA, Zoning Ordinance, General and Community Plans to make decisions regarding land use and building permits.

The SSR&Rs seek to:

- Preserve the natural shoreline environment.
- To prevent uncontrolled massing of buildings and structures along the shoreline.
- Require that landscape developments en-

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hance the natural shoreline character through the addition of trees, shrubs or ground-cover and by selected trimming and pruning of existing vegetation, and by the construction of unpaved walkways and other similar treatments as may be permitted by the Director upon finding that such activity, in accordance with submitted plans, will not substantially alter the character of the existing shoreline.

- Prevent the granting of any variance unless appropriate conditions are imposed to minimize adverse impacts on public views to, from and along the shoreline.

### 6.5.5 MAUI COUNTY GENERAL PLAN

The Maui County General Plan, originally passed by the County Council in 1980, establishes that all agencies of the County of Maui shall be guided in their official acts, decisions and program planning by this General Plan.

The Maui County General Plan was written with the understanding that the preservation of the land is also the key to preserving the quality of life on Maui, and also with a recognition of the need for improvement, growth, change, social evolution and for the harmonious integration of all segments of the community. Such factors as land ownership, agriculture, resort development, industry and commercial land uses are addressed, with the intent of bringing

about a balance between these various sectors of the community.

The General Plan is a guide to which all community plans, zoning ordinances, subdivision ordinances and administrative actions by county agencies shall conform. The following excerpts from the General Plan illustrate its impact on the various factors of community development which are relevant to the coastal scenic resources.

#### LAND USE

- Guide land use development patterns so that they sympathize with natural topographic features, eliminate as much as possible environmental hazards and enhance scenic amenities, without depleting natural resources.
- Promote land use in accordance with the individual character of the various communities and regions of the County.

#### ENVIRONMENT

- Preserve for ourselves, our children and our children's children the opportunity to experience the natural beauty of our islands.
- Encourage the preservation of scenic vistas.
- Establish programs to beautify both public and private facilities.

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- Evaluate all land based development relative to its impact on the ocean environment and ecology.

### VISITOR INDUSTRY

- Locate buildings to retain scenic vistas.
- Encourage the preservation of open beach space by maximizing the use of lands presently classified urban for visitor facilities and severely limit rezoning of other lands to visitor industry use.
- Promote water, beach and open space conservation in areas devoted to services for visitors.

### URBAN DESIGN

- To see that all developments are well designed and are in harmony with their surroundings.
- Establish urban design guidelines and standards which will meet our unique local needs.
- Encourage the creation of distinctive community identity in both new and existing developments.
- Prepare and support appropriate urban design principles, standards and guidelines.

### TRANSPORTATION

- Encourage landscape planting programs along all public highways and rights of way.

### HUMAN SERVICES

- Accelerate the expansion and upgrading of Maui County's beach access facilities.

### 6.5.6 WAILUKU-KAHULUI COMMUNITY PLAN

The Wailuku-Kahului Community Plan was passed by the Maui County Council in 1987. It is intended to provide a detailed plan for implementing the Maui General Plan objectives and policies in the Wailuku-Kahului area. In particular, it establishes a basis for determining how future growth should be accommodated. It also discusses means to deal with impacts of growth on agricultural resources, preservation of rural and agricultural communities, availability and prices of housing, and the revitalization needs of Wailuku Town.

Concern was expressed regarding the visual quality of the community, especially in terms of the lack of street trees, and the cluttered visual image of the entry road to Wailuku and Kahului from the airport.

The desire for community character was also expressed, along with a desire for enhanced public services, improved infrastructure, im-

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proved circulation and protection of the community's visual and natural resources.

The Wailuku-Kahului Community Plan provided recommendations as follows:

1. Preserve agricultural lands as a major element of open space.
2. Protect shoreline wetland resources and flood plain areas.
3. Preserve shoreline sand dune formations.
4. Maintain the State Conservation District Boundary, with the exception of Waihee, where boundary changes should reflect shoreline environmental resources. (Boundary changes are required for wetland resources, topographic features, and shoreline open space.) No other changes are anticipated for regional conservation needs over the 20 year planning period.
5. The low-rise character of the central business area should be maintained. Higher building forms up to six stories should be sited in the central portions of commercial blocks.
6. Building heights along the perimeter of commercial blocks should provide a transition in scale to adjacent public and quasi-public uses.
7. Commercial uses along the perimeters of central business area blocks should be low-rise and provide sufficient setbacks to allow landscaped buffers along street frontages.
8. A coordinated landscape theme should be established from the airport to Kahului, with landscape buffers established along Keolani place, Hana Highway, and Kaahumanu Avenue.
9. Landscaping along Dairy Road between Keolani Place and Puunene Avenue should be established and coordinated with the landscaping of the airport-Kahului roadway approach route.
10. A parkway character should be established along Kaahumanu Avenue from Kahului to Wailuku.
11. Open parking areas should be landscaped to provide visual screening and shade.
12. The perimeters of the central business area blocks should provide landscape buffers as part of a coordinated landscape theme to enhance their visual image.
13. The mature landscape character of Kahului Shopping Center should be preserved and incorporated into future development plans.
14. The landscape treatment along streets within the central business area should be extended along major collector roads serving adjacent residential neighborhoods, including Puunene, Kamehameha and Lono Avenues.

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15. Building heights for the hotel designated district fronting the ocean side of Kaahumanu Avenue range from six to ten stories in order to provide a dynamic skyline and identifiable hotel district.
16. Establish a second golf course at Waiehu with adequate provisions for continued shoreline recreation.
17. Consider changes in land use district boundaries and Conservation type land uses (i.e. expanded at Waihee) to protect important shoreline resources.
18. Design guidelines to address needed improvements to vehicular and pedestrian circulation patterns; landscaping to improve the area's visual image and provide pleasant open spaces for passive recreation; and building form guidelines for compatible building relationships.

### 6.5.7 PAIA-HAIKU COMMUNITY PLAN

The Paia-Haiku Community Plan was passed in 1983 by the Maui County Council and provides a detailed plan for implementing the Maui General Plan objectives and policies. The Paia-Haiku Community Plan shows that Paia-Haiku residents value such social qualities as the friendliness and multi-ethnic "small town" atmosphere of their community and also value such environmental qualities as clean air, coastal waters and the pastoral landscape. The plan

also identifies problems in such areas as public safety, education, water, land use, transportation, liquid and solid waste, housing, urban design, recreation and culture.

The Paia-Haiku Community Plan also calls for protection of the shoreline and other natural features, control and avoidance of erosion, flooding and water pollution.

Among the recommendations included in the plan are the following:

1. Preserve the shoreline sand dune formations throughout the planning region.
2. Maintain the current State Conservation District boundary except for Hookipa, Maliko and Pauwela Point.
3. The subdivision ordinance should be revised to provide for public review of projects with significant impacts. Subdivision approval should consider environmental, economic, and social impacts of the project including impacts on archaeological, historic and cultural resources.
4. Enhance the ocean orientation of the Lower Paia business area by establishing open space view corridors to the ocean and a passive ocean oriented park in the context of the Paia Town Plan.
5. Limit building heights to two stories or 30 feet above grade throughout the region, with the exception of the heavy industrial



## MAUI COASTAL SCENIC RESOURCES STUDY

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use area where buildings may exceed this height, subject to design review by the County.

6. Establish design control standards for special treatment areas in the commercial use areas of Paia Town and Haiku based on the following guidelines:
  - A. Visually maintain and enhance the low-density town character.
  - B. Encourage future development which is compatible with the desired scale and character.
  - C. Maintain the attractiveness of Paia and Haiku towns.
7. Provide landscape buffering along the makai side of the proposed by-pass road and along the makai and mauka edges of the heavy industrial use area.
8. Provide landscaped areas at the two points where the proposed by-pass meets Hana Highway, to define an attractive entry to the expanded urbanized area of Paia Town.
9. Design improvements should be undertaken in a coordinated fashion so as to ensure compatibility of future development projects with the desired character and should be an on-going activity. Road improvements for drainage, lighting, and safety should be coordinated with the maintenance of the

existing rural informal streetscapes, which provide character identification of Paia and Haiku Towns.

10. Insure management of the shoreline to result in the implementation of a drainage master plan, soil and water management techniques, retention of the region's natural open space and agricultural character to provide for wildlife, recreation and ecological study.

### 6.5.8 KIHEI-MAKENA COMMUNITY PLAN

The Kihei-Makena Community Plan was passed by the Maui County Council in 1985. It is intended to provide a detailed plan for implementing the objectives and policies of the Maui General Plan in the Kihei-Makena area. Issues addressed include land use, circulation, drainage and flood control, shoreline resources and human support services. Basic planning standards and principles are defined concerning the quality of the built environment, housing choices, protection of environmental quality and physical resources. The Kihei-Makena Community Plan notes that planning creates opportunities to satisfy future needs, to achieve desired community character, to maintain nearshore and shoreline environmental quality and to preserve social harmony.

## MAUI COASTAL SCENIC RESOURCES STUDY

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Recommendations in the plan include:

1. Update zoning to enhance the image of this area as a low-rise, low density shoreline community and to deal with issues such as excessive densities, building heights and aesthetic deficiencies.
2. Control the quality of the built environment to insure spacious, well-ordered neighborhoods, adequate setbacks, landscaping and building massing and height controls.
3. Integrate future planning and design with concepts of public shoreline use and sound principles of resource management.
4. Maintain the long-term availability of shoreline resources for public enjoyment through the implementation of management programs, adequate access, space, and facility provisions, and through on-going resource management programs.
5. Require that new shoreline development respect shoreline resources such as existing dune formations and indigenous or endemic strand vegetation.
6. A survey of natural and cultural resources in shoreline areas should precede development activity.
7. Establish open space provisions and recreational amenities in public shoreline areas to maintain the quality of shoreline resources.
8. Protect wetland resources at Kealia Pond, which is an important open space and wild-life habitat resource.
9. Maintain State Conservation District Boundaries.
10. Establish an open space system of parks, utility easements, shoreline areas, and drainage ways as an open space framework for the built environment.
11. Maintain and preserve the following:
  - Makena-La Perouse State Park
  - Kamaole Beach Parks
  - Kalama Park
  - The public shoreline system
  - Proposed park makai of Kealia Pond
  - 15-acre park adjacent to Kihei Elementary School
  - Proposed park adjacent to school site at Wailea I
  - North of the Makena Surf Condominium
  - At least a minimum ten-acre beach park in Project District 8
  - Approximate 17-acre park adjacent to Project District 8

## MAUI COASTAL SCENIC RESOURCES STUDY

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12. Protect and preserve wilderness areas, beach reserves, scenic areas and historic sites, open ranges, watersheds, conserve fish & wildlife and promote forestry and grazing.
13. Limit development on certain urban & non-urban open spaces to include, but not be limited to shoreline buffer areas, landscape buffers, drainage ways, view planes, flood plains, and tsunami areas.
14. Parking facilities should be planted with canopy trees to produce shaded parking areas. Parking perimeters should be landscaped to enhance the visual image along the street.
15. Landscape buffer areas between Piilani Highway and adjacent communities to mitigate noise and reduce the visual impact of development.
16. Landscaped setbacks should be implemented for future multi-family and commercial areas. Larger developments should provide space for landscaped pedestrian ways.
17. Encourage one to two story building heights for new commercial facilities, three stories maximum.
18. Encourage two to three story building heights with a maximum of three for multi-family development. Lower building heights should be required along South Kihei Road and in transition zones between multiple and single family uses where maximum heights should be kept to one to two stories.
19. All new multi-family and commercial facilities should provide a garden setting. Setback requirements should be sufficient to allow for street and sidewalk landscape buffers and interior planting areas.
20. Resort development should observe six story maximum height. Resort community planning and design should continue to integrate recreational amenities with adequate shoreline setback and public access.
21. Industrial uses should observe maximum three story building heights. Within large industrial tracts, buildings along the perimeter should be restricted to two stories, and separate industrial design guidelines should be formulated to guide development. Such guidelines should address landscaping and building design to achieve design continuity for the overall industrial development area.
22. Hotel front yard setbacks should be the height of the building or a minimum of 20 feet, whichever is greater.
23. Where business adjoins any differing use (except industrial), landscaped buffer zones including trees and shrubbery should be

## MAUI COASTAL SCENIC RESOURCES STUDY

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- incorporated into required setbacks.
24. The minimum shoreline setbacks for other uses shall be the height of the building or 40 feet, whichever is greater. These requirements should increase with development scale and density.
  25. Establish landscaping along major local travel routes to aid in orientation and to emphasize mauka-makai views. Particular attention should be given to South Kihei Road, and important cross streets. This provision will assist in establishing a street hierarchy and soften the effects of the built environment.
  26. Improve undeveloped public shoreline lands for public recreational use.
  27. Improve public access to shoreline and nearshore resources through the following measures:
    - A. Provide adequate landscaped public access to shoreline areas with significant recreational and scenic value.
    - B. Wherever possible, require setbacks to include recreational space on lands behind the legally defined public shoreline zone.
    - C. Provide setback areas with landscaping to enhance recreational use and scenic quality.
  28. Visually enhance the experience along public thoroughfares and gathering places.
  29. Protect nearshore, sand dune, and wetland resources to ensure their continuance as important open space elements, and to preserve their natural resource values.
  30. Utilize street trees to beautify the region, soften adverse effects of the built environment, and generate community spirit.

### 6.5.9 LAHAINA COMMUNITY PLAN

The Lahaina Community Plan was passed by the Maui County Council in 1983. It is intended to provide a detailed plan for implementing the General Plan objectives and policies. Some specific priorities of the Lahaina district are as follows: affordable housing, population distribution and density, agricultural concerns, traffic, water, sewage treatment, air and water quality, recreational facilities and the need for a more diversified economic base to include more "clean" industries. Planning opportunities within the region concern the resolution of residential and agricultural needs, the achievement of desired resident lifestyles, the provision of adequate economic opportunities, and the management of natural and recreational resources for public enjoyment.

The recommendations of the Lahaina Community Plan include:

## MAUI COASTAL SCENIC RESOURCES STUDY

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1. Protect plantation agriculture as an important economic activity which also provides most of the "green" backdrop important for the region's atmosphere and its marketability to visitors.
2. Balance satisfaction of human needs with the maintenance of environmental quality. The protection of open space, improvements to water supply and quality, respect for landscape characteristics, improvements to sewage treatment and the maintenance of natural resources for public enjoyment are important.
3. Develop and adopt a drainage master plan emphasizing land management techniques such as natural landscaping.
4. Integrate stream channels and gulches into the region's open space system for the purposes of safety, open space relief, and visual separation between communities. Drainage channels should not be considered for Kahoma Stream, Wahikuli Gulch, Honokowai Gulch, Mahinahina Gulch, Kahana Stream, Kaopala Gulch, Honokeana Stream and Napili Stream.
5. Preserve the shoreline and nearshore environments throughout the planning region as significant natural elements which should be protected from any adverse development actions.
6. Preserve the shoreline sand dune formations throughout the planning region. These topographic features are a significant element of the natural setting and should be protected from any actions which would detract from their scenic value.
7. Use State Conservation land to protect and preserve wilderness areas, beach reserves, scenic areas and historic sites, open ranges, and watersheds; to conserve fish and wildlife; and to promote forestry and grazing.
8. Establish and maintain parks, public and private spaces, public facilities, cemeteries, major travel routes, and public shoreline areas within an organizing framework for the town.
9. Street and area lighting, historic preservation, restoration, landscaping and other public improvements.
10. Landscaping should buffer public and quasi-public facilities and light-heavy industrial facilities from adjacent uses.
11. Buildings within the Lahaina Town Special Design District should comply with the building height requirements. Design features should reflect the prevalent town themes, materials, signs, landscaping and pedestrian amenities and the installation of underground utilities should also be taken into account.
12. Provide landscaping along major local

## MAUI COASTAL SCENIC RESOURCES STUDY

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streets in Lahaina Town to enhance the street level walking and driving experience, to aid in orientation, and to emphasize mauka-makai views. Particular attention should be given to Waivee Street and to the five mauka-makai streets giving access to Honoapiilani Highway. Landscaping should soften the effects of the built environment, provide a sense of place within town, and establish a hierarchy of streets.

13. Ensure that renovation and new buildings within the Lahaina Town Core are compatible with the Lahaina Town scale and character, public thoroughfares and gathering places are visually enhanced and establish an improvement district for the preservation/enhancement of sidewalks/streets, landscaping, parking and urban open space.
14. Street landscaping should be coordinated with design and implementation of urban open spaces to promote design continuity.

### 6.5.10 COMPREHENSIVE ZONING ORDINANCE OF MAUI (DRAFT)

The following is a summary of the pertinent points in a draft proposal for Amendments to "The Comprehensive Zoning Ordinance for the County of Maui."

This ordinance would serve to establish amended zoning requirements and to implement the zoning recommended in the community plans as open space.

Open Space "use is intended to limit development on certain urban and non-urban designated lands which may be inappropriate for intensive development due to environmental, physical, or scenic constraints; this could include but not be limited to shoreline buffer areas, landscape buffers, natural areas, drainage ways, view planes, floodplains, and tsunami areas. Appropriate urban and non-urban uses may be allowed on a permit basis."

The general purpose of establishing open space zoning districts is to preserve and maintain land for open space use, to preserve and protect lands that are environmentally sensitive, to provide visual relief and buffering from building and structural mass, to protect view planes, and to provide open areas adjacent to and contiguous to existing urban areas for future urban development. The open space zoning districts are meant to provide reasonable standards to implement the community plans and state land use laws for areas that are designated open space in the community plan, which are in essence, those state lands that are in the state rural, agricultural and urban land use districts.

It is proposed to divide the Open Space districts into two categories:

1. OS-1 Open Space Districts which seeks to protect environmentally sensitive lands such as but not limited to wetlands, swamp, gully, coulee or natural drainage courses; land subject to flooding or is unstable and

## MAUI COASTAL SCENIC RESOURCES STUDY

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land unsuitable in its natural state for development. Only limited uses shall be permitted in the OS-1 district.

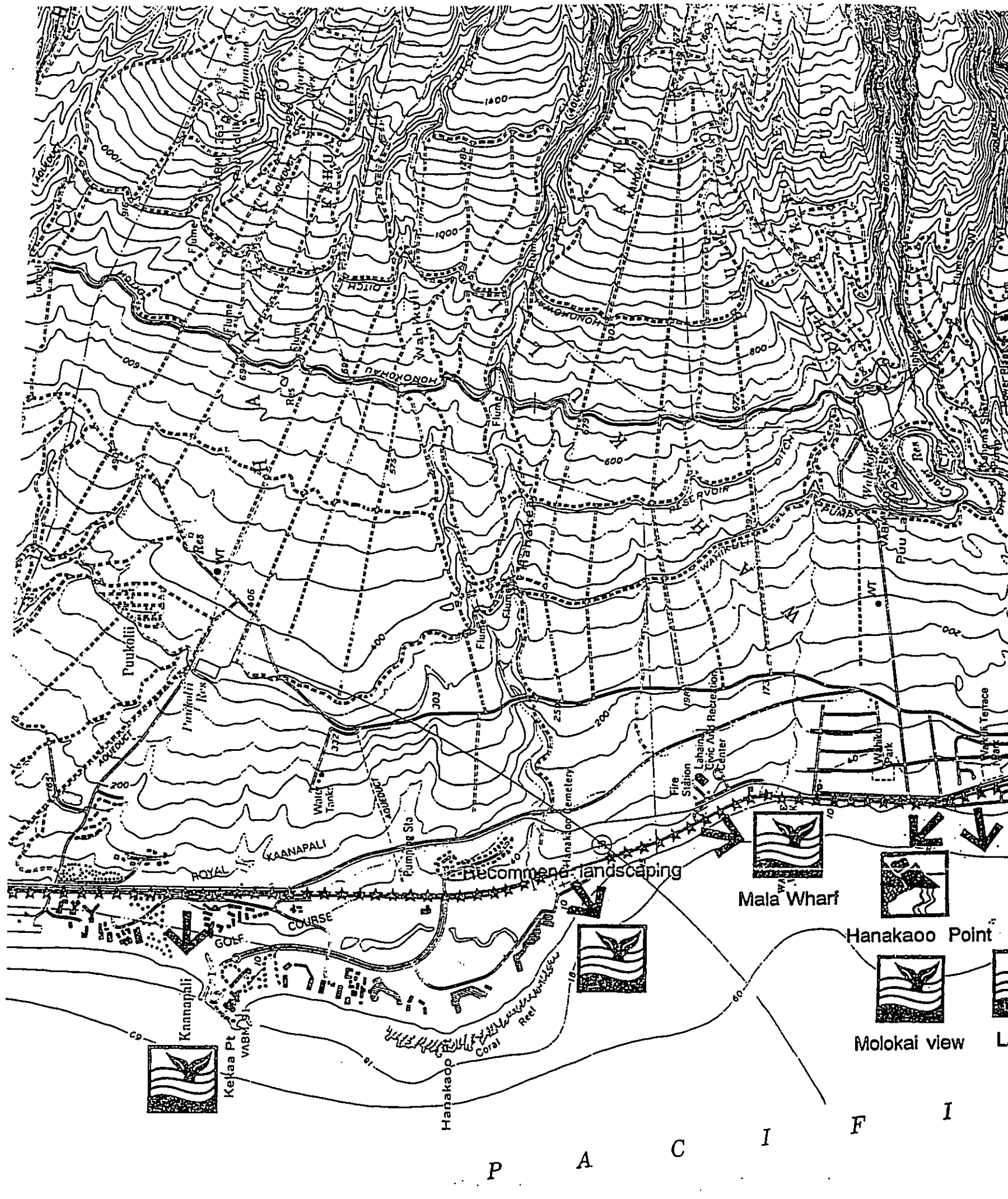
2. OS-2 Open Space District is intended to protect undeveloped lands that are contiguous to and adjacent to existing urban areas from premature development and subdivision in the OS-2 districts. It is the intent of this district to provide open space use for visual relief and buffering from building and structural mass, and to protect view planes. The lands in this district are not environmentally sensitive areas. The land use designation shall be open space in the community plan and the state land district shall be urban.

### 6.6 IMPLICATIONS AND RESPONSIBILITIES FOR MAUI COUNTY

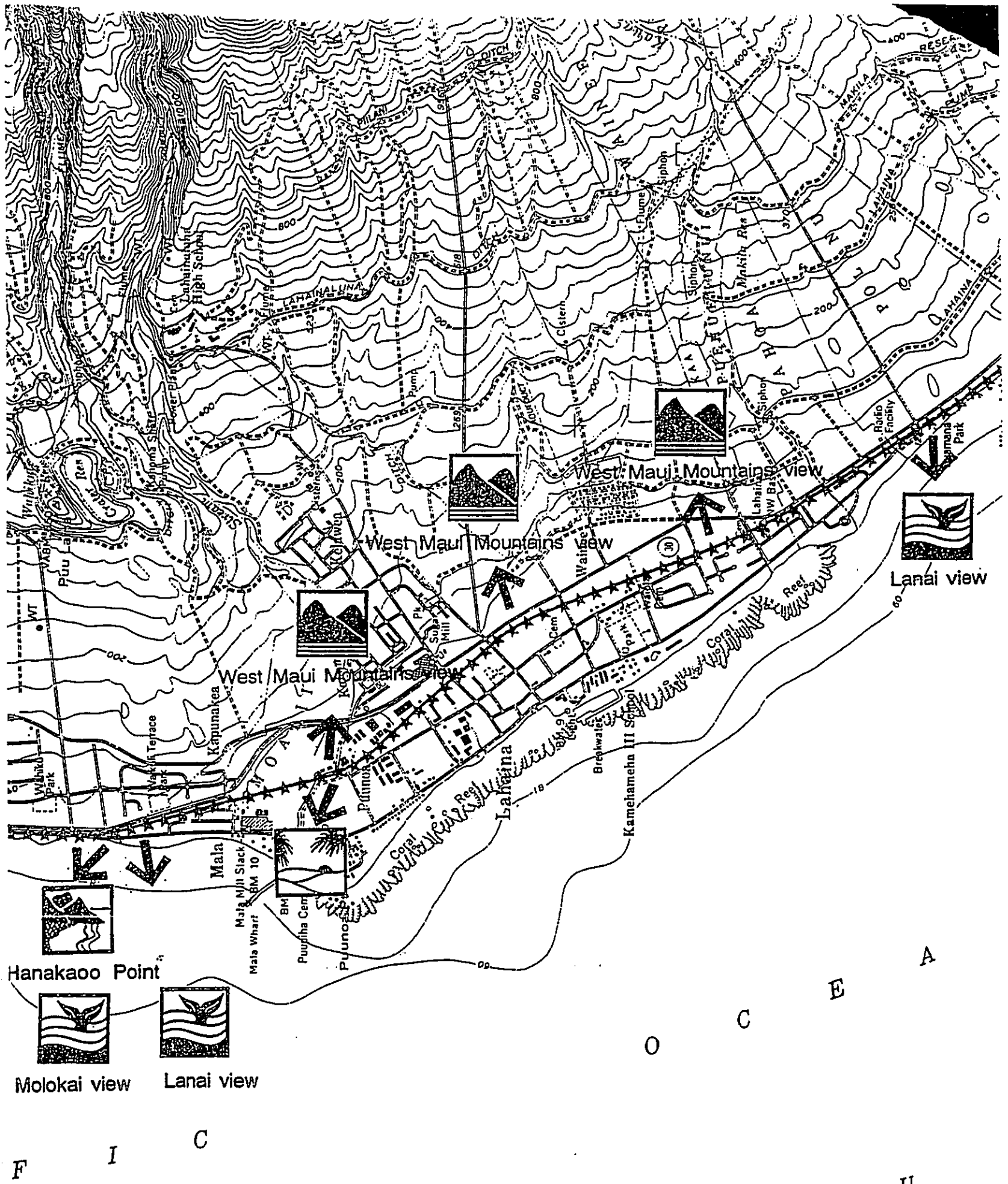
It is the legal responsibility of Maui County to comply with the body of regulations that govern Maui's coastal zone. These rules and regulations were designed to help manage and protect the coastal areas from the detrimental effects of uncontrolled development.

The Federal Act sets the standard for the protection of coastal scenic resources. The Federal Act makes the general statement that "special natural and scenic characteristics are being damaged by ill-planned development." The value of the aesthetic beauty of the coastal areas is recognized in this legislation, which stipulates that full consideration should be given to the protection of such resources. This theme is continued and expanded upon in those portions of the regulatory network at the State and County levels.

In summary, the clearly mandated responsibility of Maui County, as derived from the various components of the regulatory network, is to preserve, protect and enhance Maui's coastal scenic resources. This responsibility calls for an awareness of the significant scenic vistas that should be preserved, and calls for decisive action in requiring that any approved developments must be sensitive to the natural environment. Uncontrolled massing of buildings along the shoreline is not deemed to be beneficial to the preservation of Maui's scenic resources and more sensitive development should be encouraged. Developments are to be avoided which interfere with the mauka and makai views from the highway or other existing viewing areas.







II  
8.1.6 LAHAINA-KAANAPA

**Appendix H**  
*Archaeological Inventory Survey Report*


SCS Project Number 476-1

**AN ARCHAEOLOGICAL ASSESSMENT  
OF THREE PARCELS AT THE HYATT REGENCY MAUI RESORT  
KĀ'ANAPALI, HANAKA'Ō'Ō AHUPUA'A, LĀHAINĀ DISTRICT  
MAUI ISLAND, HAWAII  
[TMK 4-4-13:004, 005, 008]**

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March 2006

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## ABSTRACT

At the request of Chris Hart and Partners, Inc., Scientific Consultant Services (SCS), Inc. conducted an Archaeological Inventory Survey of three parcels within the Hyatt Regency Maui Resort of Kā'anapali, Hanaka'ō'ō Ahupua'a, Lāhainā District, Maui Island, Hawai'i [TMK 4-4-13: 004, 005, 008]. Additional employee parking and landscaping are planned for Parcel 004. An additional parking lot and tennis courts are planned for Parcel 005. The addition of a 12-story guestroom building of 121 units is planned for the north portion of Parcel 008. A total of 11 stratigraphic trenches were excavated with a backhoe in the areas proposed for development, four in Parcel 004, four in Parcel 005, and three in Parcel 008. As the results of the Inventory Survey were negative, this report is being written as an Archaeological Assessment.

Stratigraphic trenches were excavated throughout portions of Parcels 004 and 005 and at the northern portion of Parcel 008, the area proposed for development. The current investigations revealed no evidence of traditional Hawaiian or historic occupation. Although no cultural material was found, Stratigraphic Trench 3 in Parcel 008 showed indication of possible cultural layers based on sediment color. This information, in conjunction with the presence of at least one burial in the adjacent grounds of Maui Marriott Ocean Club and the rich history of the area, indicates the potential for cultural material may exist. On this basis Archaeological Monitoring is recommended for all further excavation/ground altering activities in the project area.

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## INTRODUCTION

At the request of Chris Hart and Partners, Inc., Scientific Consultant Services(SCS), Inc. conducted an Archaeological Inventory Survey of three parcels within the Hyatt Regency Maui Resort of Kā'anapali, Hanaka'ō'ō Ahupua'a, Lāhainā District, Maui Island, Hawai'i [TMK 4-4-13: 004, 005, 008] (see Figures 1 and 2). The existing Hyatt Regency Resort is located at 200 Nohea Kai Drive at the end of a private roadway at the south end of Hanaka'ō'ō Beach between Hanaka'ō'ō Beach Park and the Maui Marriott Ocean Club Resort. When combined, Parcels 004, 005, and 008, consisting of 10.809, 7.354, and 18.405 acres, respectively, total 36.568 acres. The project area has been intensively developed over the years; numerous buildings, parking lots, and landscaped areas are already in existence. Additional employee parking and landscaping are planned for Parcel 004 (Figure 3). Additional parking and tennis courts are planned for Parcel 005. And the addition of a 12-story guestroom building of 121 units is planned for the north portion of Parcel 008. Development on Parcel 008 will involve the most land disturbance and earthmoving.

The Archaeological Inventory Survey was conducted on January 10–11, 2006 and January 17, 2006 by SCS archaeologists Allison Chun and David Dillon. The Principle Investigator for this project was Michael Dega, Ph.D. Since the project area is highly developed testing was conducted with a mechanical backhoe. A total of 11 stratigraphic trenches were excavated within the areas proposed for development, four in Parcel 004, four in Parcel 005, and three in northern portion of Parcel 008. As the results of the Inventory Survey were negative, this report has been re-classified as an Archaeological Assessment.

## ENVIRONMENTAL SETTING

The island of Maui ranks second in size of the eight main islands in the Hawaiian Archipelago. Pu'u Kukui, forming the west end of the island (1,215 m amsl), is composed of large, heavily eroded amphitheater valleys containing well-developed permanent stream systems that watered fertile agricultural lands extending to the coast. The deep valleys of West Maui, such as the famed 'Īao Valley, and their associated coastal regions have been witness to many battles in ancient times and were highly coveted productive landscapes.

### **RAINFALL, SOILS, AND VEGETATION**

The annual rainfall for the coastal region where the project area is located averages 15 inches (Armstrong 1983:56). Soils in the project area fall into three series: Ewa, Kealia, and Jaucas (Foote *et al.* 1972:48, Map sheet 93). The soils in Parcel 004 are mainly Kealia silt loam

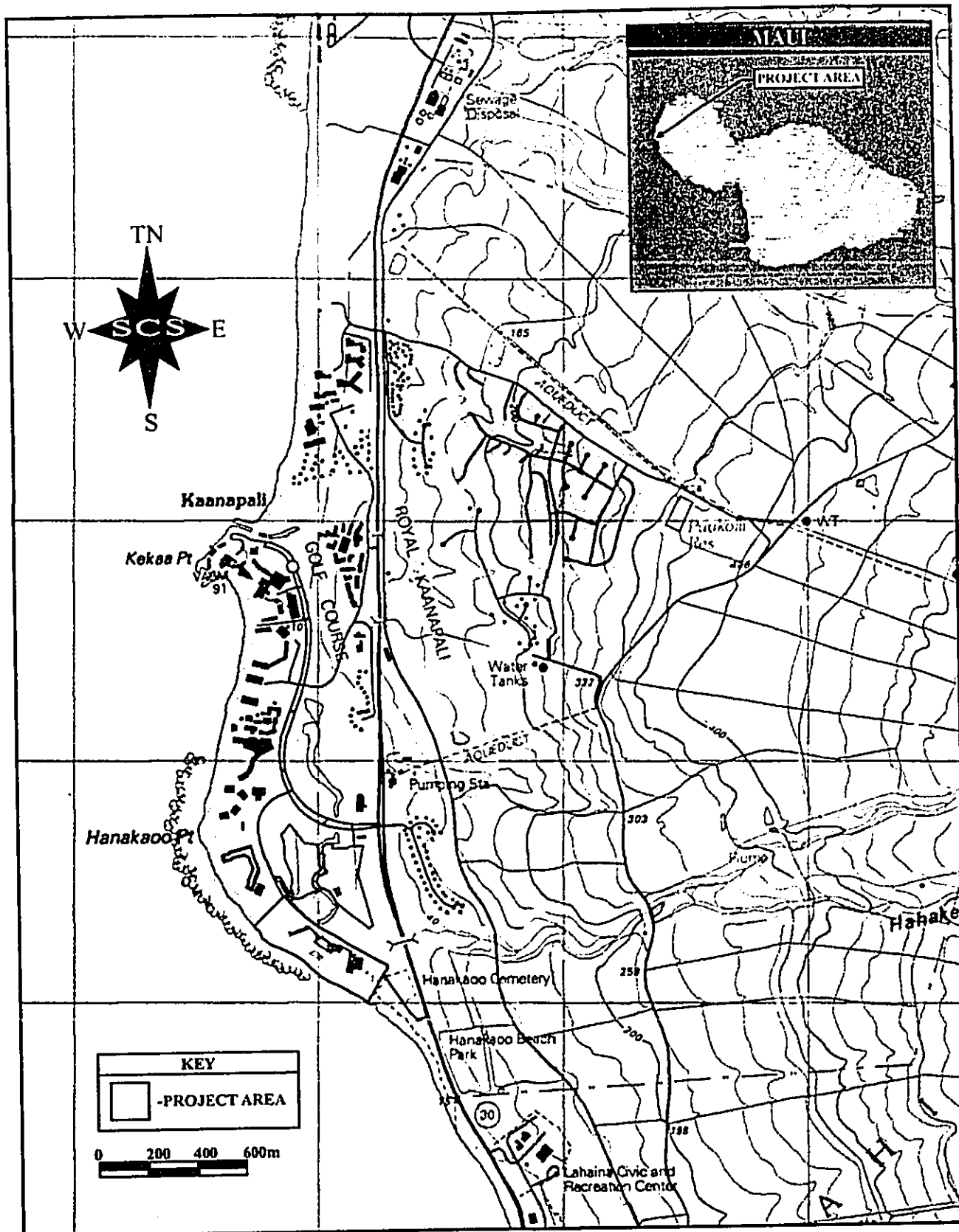


Figure 1: USGS Lāhainā Quadrangle Map Showing Project Area Location.



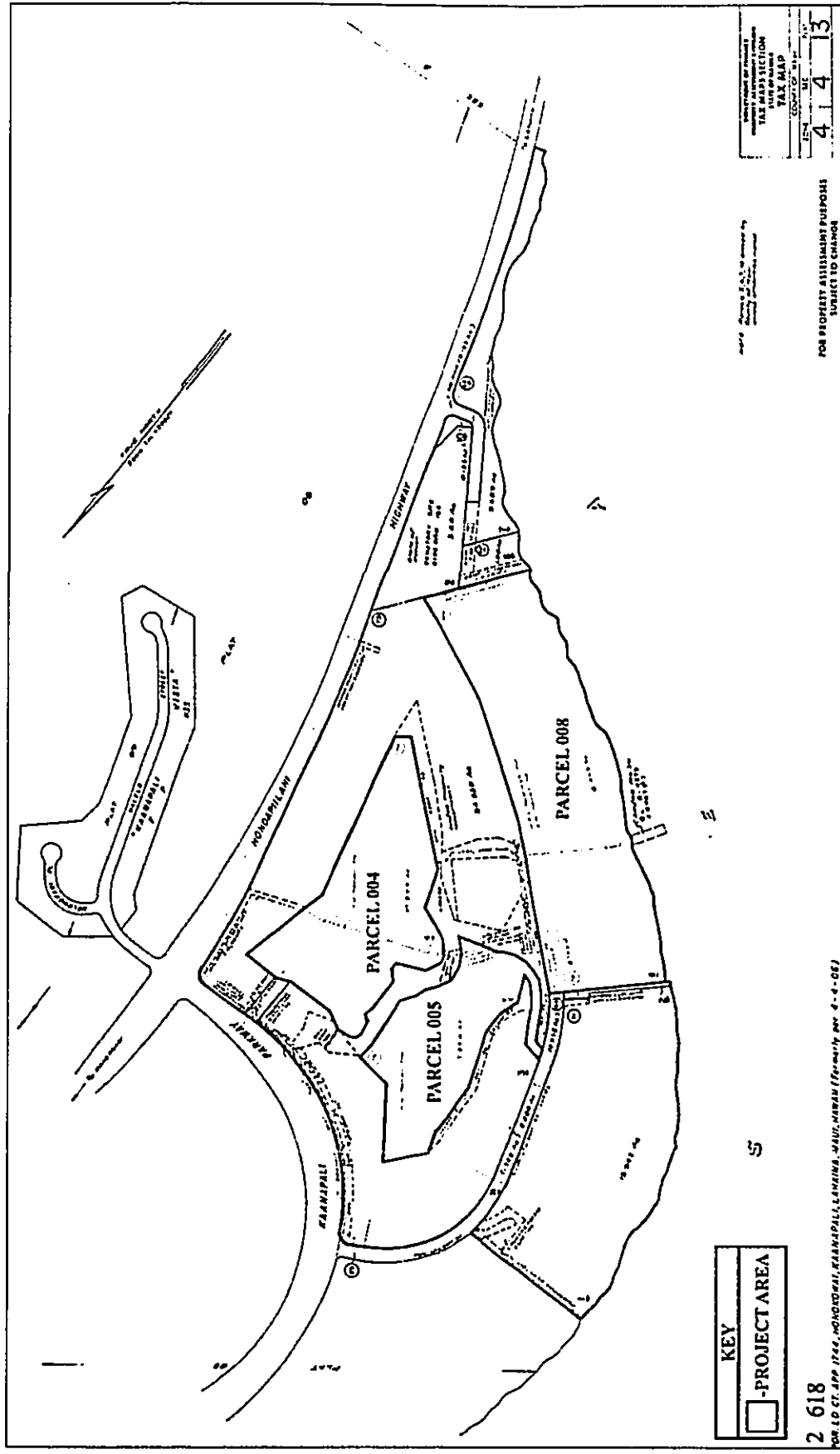


Figure 2: Tax Map Key [TMK] 4-4-13:004, 005, and 008 Indicating Project Area.

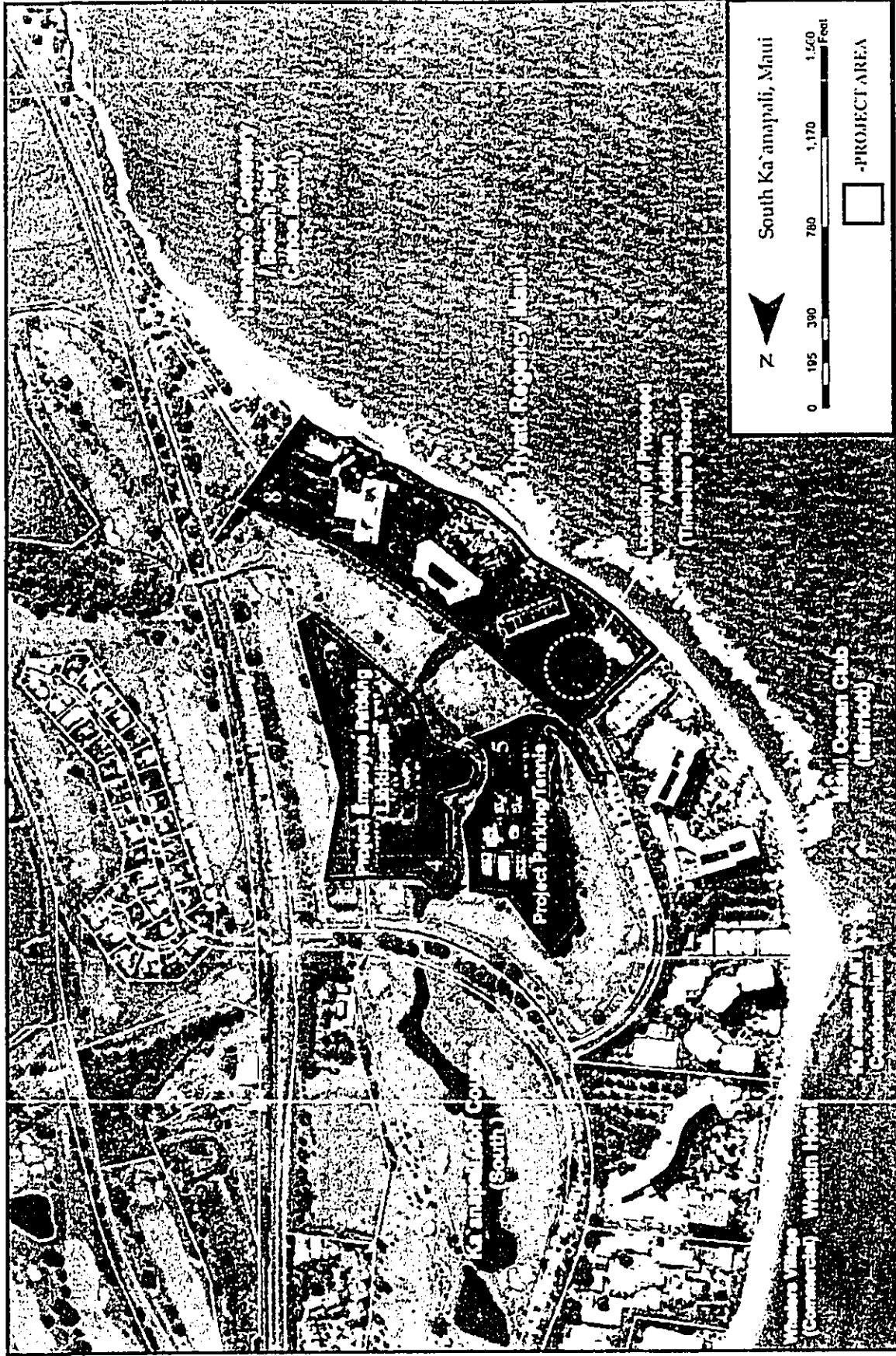


Figure 3: Map Indicating Proposed Projects In Parcels 004, 005, and 008.

(KMW) belonging to the Kealia Series, and to a lesser extent Ewa silty clay loam (EaA) belonging to the Ewa Series. The Ewa silty clay loam has a 0 to 3 percent slope, therefore, runoff is very slow and the erosion hazard is no more than slight. The Kealia silt loam is poorly drained and has a high content of salt. This soil has a brackish water table that fluctuates with the tides. The water table is higher closer to the shoreline. The soils in Parcel 005 are also Kealia silt loam. The soils in Parcel 008 are identified as Jaucas sand (JaC) belonging to the Jaucas Series. This soil has a slope range of 0 to 15 percent, but in most places does not exceed 7 percent. It is an excessively drained, calcareous soil that occurs as narrow strips on coastal plains, adjacent to the ocean.

Development of the resort and the Kā`anapali region has completely altered the natural topography of the project area. In fact, at the beginning of development along the Kā`anapali coast, red cinders were imported from Olowalu Quarry by AMFAC in the 1950–60s to be used as fill. Subsequently more fill has been imported further altering the topography. The present vegetation consists of introduced landscaped flora.

## CULTURAL HISTORICAL CONTEXT

### **PAST POLITICAL BOUNDARIES**

Traditionally, the division of Maui's lands into districts (*moku*) and sub-districts was performed by a *kahuna* (priest, expert) named Kalaiha`ōhia, during the time of the *ali`i* Kaka`alaneo (Fornander places Kaka`alaneo at the end of the 15th century or the beginning of the 16th century [Fornander 1919-20, Vol. 6:248]; Beckwith 1940:383). Land was considered the property of the king or *ali`i`ai moku* (the *ali`i* who eats the island/district), which he held in trust for the gods. The title of *ali`i`ai moku* ensured rights and responsibilities pertaining to the land, but did not confer absolute ownership. The king kept the parcels he wanted then distributed larger parcels to higher chiefs and smaller parcels to lesser chiefs. The *maka`āinana* (commoners) worked the individual plots of land.

In general, several terms, such as *moku*, *ahupua`a*, *`ili* or *`ili`āina* were used to delineate various land sections. A district (*moku*) contained smaller land divisions (*ahupua`a*) which customarily continued inland from the ocean and upland into the mountains. Extended household groups living within the *ahupua`a* were therefore, able to harvest from both the land and the sea. Ideally, this situation allowed each *ahupua`a* to be self-sufficient by supplying needed resources from different environmental zones (Lyons 1875:111). The *`ili`āina* or *`ili* were smaller land divisions next in importance to the *ahupua`a* and were administered by the chief who controlled the *ahupua`a* in which it was located (Lyons 1875:33; Lucas 1995:40). The

*mo`o`āina* were narrow strips of land within an *ili*. The land holding of a tenant or *hoa`āina* residing in an *ahupua`a* was called a *kuleana* (Lucas 1995:61). The project area is located in the *ahupua`a* of Hanaka`ō`ō, which translated means literally “the digging stick bay” and perhaps refers to the gardens known in the area (Pukui *et al.*:74).

#### **TRADITIONAL SETTLEMENT PATTERNS**

The Hawaiian economy was based on agricultural production and marine exploitation, as well as raising livestock and collecting wild plants and birds. Extended household groups settled in various *ahupua`a*. During pre-Contact times, there were primarily two types of agriculture, wetland and dry land, both of which were dependent upon geography and physiography. River valleys provided ideal conditions for wetland *kalo* (*Colocasia esculenta*) agriculture that incorporated pond fields and irrigation canals. Other cultigens, such as *kō* (sugar cane, *Saccharum officinarum*) and *mai`a* (banana, *Musa* sp.), were also grown, and where appropriate, such crops as *u`ala* (sweet potato, *Ipomoea batatas*) were produced. This was the typical agricultural pattern seen during traditional times on all the Hawaiian Islands (Kirch 1985; Kirch and Sahlins 1992, Vol. 1:5, 119). Agricultural development on the leeward side of Maui was likely to have begun early in what is known as the Expansion Period (A.D. 1200–1400) (Kirch 1985).

#### **WAHI PANA (LEGENDARY PLACES)**

Scattered amongst the agricultural and habitation sites were other places of cultural significance to the *kama`āina* (native-born) of the district. At least eight *heiau* were recorded in the vicinity of the ancient village of Lāhainā, fishing *ko`a* (shrine) were present along the beach and on the slopes above the bays, and petroglyphs were inscribed in many places whose meanings have yet to be fully understood (Thrum 1908, 1916, 1917; Walker 1930:103). Pearl shell was gathered from Makaiwa Beach for the eyes of the *ki`i* (image, picture) and battles were fought along the coast (Sterling 1998:45). A portion of the paved trail built by Kihapi`ilani, son of the great chief Pi`ilani, was identified along the Kā`anapali coast (Sterling 1998).

To the north close to the project area is Pu`u Keka`a (Black Rock), famous for being the birthplace of the sons of chiefs. Pu`u Keka`a has also long been associated with ghosts, strange occurrences, and the skeletons of defeated invaders (Fornander 1918-19, Vol. 5:542). In Fornander, S. Kaha states:

Concerning the great amount of human bones at this place. On account of the great number of people at this place there are numerous skeletons [this was the vicinity of several bloody

battles], as if thousands of people died there; it is there that the Lahainaluna students go to get skeletons for them when they are studying anatomy. The bones are plentiful there; they completely cover the sand.

This is a ghostly place. Some time a number of people came from Kaanapali (from the other side) going to Lahaina in the dark. When they came to Kekaa stones rolled down from the top of the hill without any cause. Listening to it, it seemed as if the hill was tumbling down; the people going along were startled and they explained, "Kekaa is ghostly! Kekaa is ghostly!" Certainly this is a strange thing for this hill to do [*ibid*].

It was also believed that Pu`u Keka`a was a *leina a ka`uhane*, or soul's leap similar to O`ahu's Ka`ena Point. Kaha says:

It is said that when a person dies his spirit journeys to Kekaa; if he has a friend there who had previously died, that one would drive it away when the spirit is nearing Kekaa. Sometimes the spirit of a person would return and re-enter the body, and cause it to come to life again; that is what happened to those who are living again. Many souls came to this place Kekaa. It is called the Leina-a-ka-uhane, the leaping place of the soul... [*ibid*].

According to legend, the lands surrounding Pu`u Keka`a were once areas of intense cultivation and the capital and home of the Maui chief, Kaka`alaneo, when he ruled West Maui. Kaka`alaneo lived on the *pu`u* with his wife, a chiefess from Moloka`i.

Kekaa was the capitol of Maui when Kakaalaneo was reigning over West Maui... Many houses were constructed and people cultivated a great deal of potatoes, bananas, sugar cane, and things of a like nature. I have been told that the country from Kekaa to Hahakea and Wahikuli—that country now covered by cactus, in a northwesterly direction from Lahaina—was all cultivated. This chief [Kakaalaneo] also planted bread fruit and kukui trees down at Lahaina. Some of these trees southwest of the Lahaina fort, were called the bread fruit trees of Kauheana [Fornander 1918-19, Vol. 5:540-541].

Kaka`alaneo's possessions included fishponds in Hana and a famous breadfruit grove he planted outside of Lāhainā (Handy and Handy 1972). His son, Ka`ulula`au, became famous for traveling around Lāna`i fighting ghosts (Sterling 1998). Maui, the demi-god himself, was associated with the hill:

At Kekaa lived Maui and Moemoe...The great desire of one [Moemoe] was to sleep. The other [Maui] desired to travel. When Moemoe slept, Maui was traveling, each according to his taste...[Moemoe] made up his mind...to search for his friend, Maui. A road on the northeast side of Kekaa was named after one of these men; it is called "Ke alanui kikeekee a Maui"—the zig zag pathway of Maui" [Fornander 1918-19, Vol. 5:540-544].

Another story concerning Pu`u Keka`a is related in "Tales from the Temples" (Thrum 1908). According to Thrum, Wahine-o-Manu`a was badly treated by her husband. She ran away to the temple of Haluluko`ako`a in the *ahupua`a* of Wahikuli. An owl-god guided her from the *heiau, mauka* of Pu`u Keka`a where she rested before escaping. The stone by which she rested is even today called Pöhaku-o-Wahine-o-Manu`a (the stone of the woman of Manu`a).

It is recorded that Pu`u Keka`a is the burial place of Kekaulike's oldest son, Kauhi`aimoku-a-kama, who was defeated by his brother and uncle at the Battle of Koko-o-namoku further south at Makaiwa Beach (Sterling 1998). Kahekili, brother and successor of Kamehameha-Nui as ruler of Maui, leapt from the U-ha-ne lele or Soul-Leaping Place of Maui to prove he was a true descendant of the gods. No ordinary man would dare to do this (Sterling 1998). Kamakau records a burial site used by the *maka`āinana* of the district:

Waiuli...is a deep pit where the corpses of the common people were thrown...It is directly mauka of Honokohau, Honolua, and Honokahua, and for those from Lahaina to Kahakuloa, it was the common burial place. The body of anyone from those places who had died on Molokai was brought back to that place [Kamakau 1964:39].

#### LĀHAINĀ DISTRICT SETTLEMENT PATTERNS

In Hawai`i, much of the coastal lands were preferred for chiefly residence. Easily accessible resources, such as offshore and onshore fish ponds, the sea for its fishing and surfing (known as the sports of kings), and some of the most extensive and fertile wet taro lands were located in the area (Kirch and Sahlins 1992, Vol. 1:19). Inland resources necessary for subsistence could easily be brought to the *ali`i* residences on the coast from nearby inland plantations. The majority of farming was situated in the lower portions of stream valleys where there were broader alluvial flat lands or on bends in the streams where alluvial terraces could be modified to take advantage of stream flow. Dry land cultivation occurred in colluvial areas at the base of gulch walls or on flat slopes (Kirch 1985; Kirch and Sahlins 1992, Vol. 2:59;).

Trails extended from the coast to the mountains, linking the two for both economic and social reasons. A trail known as the *alanui* or “King’s trail” built by Kihapi’ilani, extended along the coast passing through all the major communities between Lāhainā and Mākena. After the conquest of Maui by Kamehameha I, Lāhainā became the capitol of the Hawaiian Kingdom until it moved to Honolulu in 1855.

Situated on the western side of the island, Lāhainā had the added advantage of a calm anchorage area for ships and close proximity to Lāna`i and Moloka`i (Handy and Handy 1972), both of which contributed to the popularity of the area. Most of the *ahupua`a* on the coast have been overshadowed by the famous roadstead and village of Lāhainā.

A high percentage of archaeological sites in the Lāhainā District have been impacted by early historic and modern day agricultural activities. Therefore, little is known about the *settlement patterns outside of the city*. However, ethnographic and historic literature reveals that the lands around Lāhainā were rich agricultural areas irrigated by aqueducts originating in well-watered valleys with permanent occupation predominately on the coast. Handy and Handy (1972) have estimated the space cultivated by the natives of Lāhainā to be about “...three leagues [9 miles] in length, and one in its greatest breadth. Beyond this all is dry and barren; everything recalls the image of desolation” (1972:593). Crops cultivated included coconut, breadfruit, paper mulberry, banana, taro, sweet potato, sugar cane, and gourds.

Menzies, the naturalist and surgeon on board HMS Discovery during Captain George Vancouver’s 1793 tour, made these observations of the Lāhainā coast and village:

[We]...soon entered the verge of the woods where we observed the rugged banks of a large rivulet that came out of the chasm cultivated and watered with great neatness and industry. Even the shelving cliffs of rock were planted with esculent roots, banked in and watered by aqueducts from the rivulet with as much art as if their level had been taken by the most ingenious engineer...[Menzies 1920:105].

...to see the village of Lahaina, which we could see scattered along shore on a low tract of land that was neatly divided into little fields and laid out in the highest state of cultivation and improvement by being planted in the most regulated manner with the different esculent roots and useful vegetables of the country, and watered at pleasure by aqueducts that ran here and there along the banks

intersecting the fields, and in this manner branching through the greatest part of the plantation [Menziés 1920:112].

Little had changed twenty-six years later when J. Arago visited Hawai'i with Captain Louis de Freycinet in 1819. He recorded:

The environs of Lahaina are like a garden. It would be difficult to find a soil more fertile, or a people who can turn it to greater advantage...various sorts of vegetables and plants...amongst which we distinguish the Caribee-cabbage, named here taro; double rows of banana, bread-fruit, cocoa-nut, palma-christi, and the paper-mulberry trees...[Arago cited in Handy and Handy 1972:493].

Rev. C.S. Stewart, a missionary in 1823 assigned to the Lāhainā station, also commented on the attractiveness of the environs:

The settlement is far more beautiful than any place we have yet seen on the Islands. The entire district stretching nearly three miles along the seaside, is covered with luxuriant groves, not only of the cocoanut, the only tree we have before seen except on the tops of the mountains, but also of the breadfruit and the kou...while the banana plant, kappa and sugar-cane are abundant, and extend almost to the beach, on which a fine surf constantly rolls [Taylor 1928:42].

...The breadfruit trees stand as thickly as those of a regularly planted orchard, and beneath them are kalo patches and fishponds, 20 or 30 yards square, filled with stagnant water, and interspersed with kappa trees, groves of banana, rows of the sugar cane, and bunches of the potato and melon...It scarcely ever rains, not oftener, we are told, than half a dozen times during the year, and the land is watered entirely by conducting streams, which rush from the mountains, by artificial courses, on every plantation. Each farmer has a right, established by custom, to the water every fifth day [Taylor 1928:43].

#### **THE GREAT MĀHELE**

In the 1840s, traditional land tenure shifted drastically with the introduction of private land ownership based on western law. While it is a complex issue, many scholars believe that in order to protect Hawaiian sovereignty from foreign powers, Kamehameha III was forced to establish laws changing the traditional Hawaiian economy to that of a market economy (Kuykendall 1938, Vol. I:145; Daws 1968:111; Kelly 1983:45; Kame'eleihiwa 1992:169-70,



176; Kelly 1998:4). The Great Māhele of 1848 divided Hawaiian lands between the king, the chiefs, the government, and began the process of private ownership of lands. The subsequently awarded parcels were called Land Commission Awards (LCAs). Once lands were thus made available and private ownership was instituted, the *maka`āinana* (commoners), if they had been made aware of the procedures, were able to claim the plots on which they had been cultivating and living. These claims did not include any previously cultivated but presently fallow land, *`okipu`u* (forest clearing on O`ahu), stream fisheries, or many other resources necessary for traditional survival (Kelly 1983; Kame`eleihiwa 1992:295; Kirch and Sahlins 1992). If occupation could be established through the testimony of two witnesses, the petitioners were awarded the claimed LCA and issued a Royal Patent after which they could take possession of the property (Chinen 1961:16). The entire *ahupua`a* of Hanaka`ō`ō (LCA 7715) was awarded to Lot Kamehameha (Kamehameha V). Kā`anapali is the name of an ancient *kalana* that was obliterated by the Hawaiian Legislature in 1859 by combining its lands in a new Lāhainā District (Clark 1989:60-61). There were no LCAs in the vicinity of the present project area.

#### **HISTORIC LAND USE**

Lāhainā, long the port of choice and where commercial endeavors had succeeded the traditional economy, suffered from the decline of the whaling industry and the movement of the Hawaiian Kingdom capitol to Honolulu. By the mid-1800s the Kā`anapali area was being converted from traditional agriculture to commercial sugar cane. As early as 1849, Judge A.W. Parsons operated a sugar mill in Lāhainā. Henry Dickenson began a sugar plantation in 1859 that was quickly followed by the Pioneer Mill Company. By 1883, Pioneer Mill Company had assets in excess of \$50,000,000 (Simpich 1974). Pioneer Mill Company's railroad extended from the center of Lāhainā Village to a point north of the town of Pu`ukoli`i in Hanaka`ō`ō and was as low as 350 feet above mean sea level at its northern end (Condé 1975). Pioneer Mill Company reorganized in 1900 at which time its cane fields were located along the coast for 10 miles with some areas extending back as far as two and one half miles:

The bulk of the crop is raised on lands that range from 10 feet to 700 feet elevation above sea level; the highest being cultivated at 1500 feet [Condé and Best 1973:254].

Sugar was processed and bagged at the mill in Lāhainā and then taken by train to the landing at Pu`u Keka`a. Other structures were constructed to aid in plantations activities, such as oil and molasses tanks, as well as a pavilion and some beach cottages for the use of Pioneer Mill Company's personnel (Clark 1989:61). Additionally, a quarter-mile track was constructed on the tidal flats (previously the site of the Battle of Koko-o-na-moku) behind Hanaka`ō`ō for horse

racing on holidays. The Kā`anapali Landing was abandoned before World War II and by 1957 plans were in motion for a multi-million dollar resort to be built around Pu`u Keka`a. The shift to tourism in the 1950s sent the plantations into decline, however, the development of golf courses, hotels, condominiums, and shops have helped maintain the popularity of the Kā`anapali region up to present.

### PREVIOUS ARCHAEOLOGICAL RESEARCH

Early archaeological studies recorded *heiau* and other religious features (Thrum 1908, 1916, 1917; Walker 1930) but it was not until the 1970s and 80s with the increase in urbanization and resort development that archaeological research accelerated in West Maui. Surveys were conducted in Hāhākea and Kahoma Gulches resulting in the identification of a petroglyph complex, rock shelters, terraces, and a possible *auwai* (Hommon 1982:19-20; Barrera 1989:9). Although much traditional agriculture was recorded for West Maui in conjunction with marine activities, the impact of cultivating historic cane and pineapple has greatly disturbed the archaeological record. Some remains are still evident inland within gulches where the cane did not reach. Archaeological studies conducted in Hanaka`ō`ō Ahupua`a and in the vicinity of the project area are shown in Figure 4.

A reconnaissance survey conducted in 1986 on portions of the Sheraton Maui revealed that all of the project area had been fully developed, leaving only the barren coastal flats and the exposed faces of Pu`u Keka`a (Rosendahl 1986). Monitoring of construction work along the beachfront at the site of the Kā`anapali Alii Condominiums, north of the current project area, revealed the presence of prehistoric burials (Dobyns and Allen-Wheeler 1982). Construction crew members who had worked at other projects along the beachfront in Kā`anapali reported that they had uncovered burials in the past.

The Hanaka`ō`ō Beach Park (south of the project area), previously known as 'Sand Boxes', was well-known before the 1950s for nighttime pole casting for *ulua, awa, pāpio*, and *ōi`o*. *Limu* (seaweed) was gathered from the coastal area (Neller 1982). Local informants spoke of salt making, but saltpans were not located. The beach park was used by the Lāhainā Civic Club who built their *halau wa`a* (canoe shed) on its shores (Neller 1982). A 1982 reconnaissance (Neller 1982) identified the Hanaka`ō`ō grinding stones (Site 50-03-1204), the Chinese cemetery, and rock crusher ruins as the only sites of historic/archaeological significance on the property. It was reported that there might have previously been a pre-Contact house site

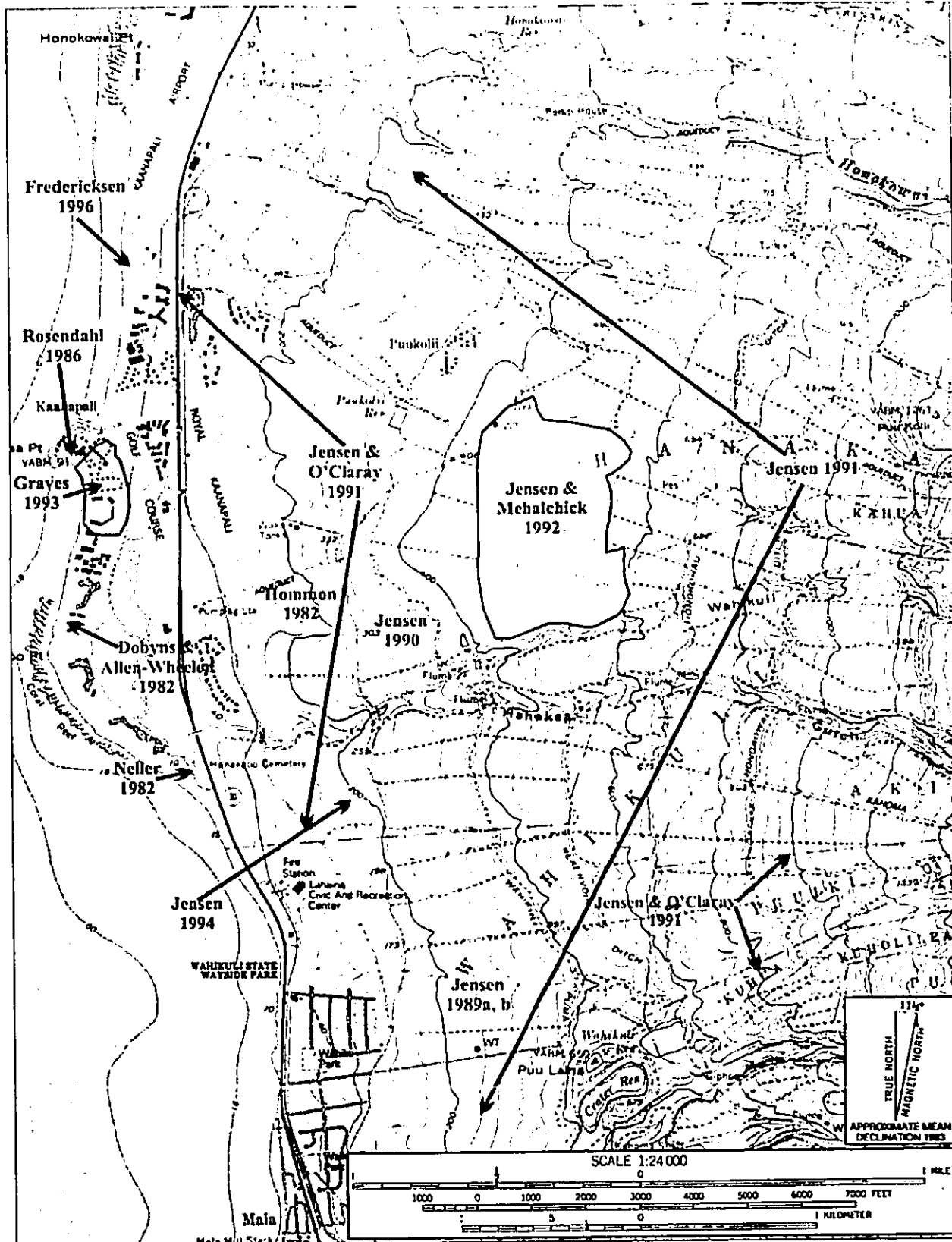


Figure 4: Archaeological Studies Conducted in the Vicinity of the Project Area.

in the area of the Hyatt Regency Hotel because of the identification of traditional artifacts, including a stone adze and a stone *poi* pounder.

An inventory survey of 1,200 acres in North and South Beach resulted in the discovery of 12 new sites containing 44 component features. Sites possess single and multiple components. The range of feature types include overhangs and caves, platforms, walled enclosures, petroglyphs, graves, agricultural terraces, and a single historic agricultural access road alignment (Jensen 1989a). Functional types are categorized as habitation, agriculture (prehistoric and historic), ceremonial, burial, and recreation.

Re-evaluation and additional recording of earlier work that identified cultural resources along Kahoma Stream, in the Land of Wahikuli, was conducted in 1989 (Jensen 1989b). A complex of 38 petroglyphs, a rockshelter, terraces, and a possible *`auwai* were recorded. In addition, one habitation site was identified in Hāhākea Gulch, two site complexes were recorded

Within Hanaka`ō`ō Ahupua`a, an inventory survey of approximately 340 inland acres resulted in the identification of nine sites containing 49 component features (Jensen 1990). Walled enclosures, terraces, a possible burial, possible boundary walls, and a footpath were among the features identified. Functional types are categorized as habitation, prehistoric and contemporary agriculture, burial, and transportation. Habitation sites in Hāhākea Gulch are associated with extensive agricultural features situated on both sides of the gulch. Agricultural terraces are present on the steep margins and near the bottom of major gulches in areas that were unsuitable for pineapple or sugar cane cultivation.

An archaeological inventory survey along a seven mile-long corridor cross-cutting 10 *ahupua`a*, including Hanaka`ō`ō, extended through lands already extensively developed and intensively impacted by modern agricultural activities (Jensen 1991). However, the corridor passed through several natural drainages where four sites containing 28 component features were identified. Three of the sites were previously identified. Features include terraces, walled enclosures, walls, rock mounds, and a trail. Interpreted functions are habitation, agriculture, possible water storage, possible burial, and transportation. Six additional sites were identified outside the area of potential effect. No subsurface testing was conducted.

An archaeological inventory survey was conducted for the Lāhainā Bypass Highway New Connector Roads project (Jensen 1994). The study included a pedestrian field survey and backhoe trenching. No significant cultural materials were identified, primarily because of the

extensive disturbance within the project area. Another archaeological inventory survey of 260 inland acres yielded no new sites (Jensen and Mehalchick 1992). An inventory survey was conducted along the lower cane haul road, crossing Hanaka`ō`ō Ahupua`a, in 1991 (Jensen and O'Claray 1991). Approximately 90 percent of the lands had been fully developed for agricultural use and were planted in sugar cane. No prehistoric or historic archaeological sites were identified within the areas of potential effect for the proposed construction. Six previously unidentified historic-era features relating to sugar cane irrigation were identified.

During a subsurface inventory survey at the Sheraton Maui, a total of 15 backhoe trenches were excavated in three specified areas to test for possible subsurface cultural deposits (Graves 1993). Stratigraphic deposits within the trenches varied from as few as five layers to as many as nine. Most layers appeared to be introduced fill. No prehistoric subsurface cultural deposits were identified within the project area. A more recent monitoring project for the Sheraton-Maui resulted in nine random finds of human remains, seven primary burials, including casket burials, and remains of grave markers that had been part of a Japanese cemetery previously located on the site (Fredericksen 1996). Oral testimonies indicated that finds of human remains were common during the initial hotel construction in the 1960s as there was a cemetery on top of Pu`u Keka`a and another large Japanese cemetery to the south. In 2000, a burial site (Site 50-50-03-4985) was identified on the grounds of the Maui Marriott Ocean Club. The remains were identified during excavation for a pool in the middle portion of the hotel complex (Kirkendall 2002, pers. comm.). Notes regarding documentation of the burial and its mitigation may be found in the Maui/Lāna`i Island Burial Council (MLIBC) meeting minutes for October 2003 and are not reprinted herein.

In 2003, SCS conducted an archaeological inventory survey at the Maui Marriott Ocean Club. Four backhoe trenches were excavated, natural pockets of sand were observed but layers consisted mainly of imported fill. No cultural materials were identified.

#### **SITE PREDICTIVE MODEL**

Based on archival and archaeological research, the coastal areas around Lāhainā Village would most likely be claimed by the *ali`i* for habitation, food production, fishing and gathering of other coastal resources, and recreation. The area was also likely used for religious purposes. Features associated with these activities may include enclosures, platforms, terraces, walls, burials, *imu*, midden, and portable artifacts associated with food gathering and production/preparation (e.g. poi pounders, fishing tool kits) and building construction (e.g. stone tools, lithic debris). Further inland, irrigated agricultural fields extended to the base of the

mountains. Occasional habitation complexes were constructed in certain sections of the two main gulches. Foot trails connected coastal to *mauka* regions allowing people and resources to move easily between the two.

In spite of the region's rich past, the project area itself has been experiencing development for over 40 years and the presence of surface features is highly unlikely. However, the potential for subsurface cultural materials, including burials, remains a possibility, especially in light of the recovery of human remains from the adjacent Maui Marriott Ocean Club.

### METHODOLOGY

Dr. Melissa Kirkendall, Maui Island archaeologist for the State Historic Preservation Division (SHPD), was consulted prior to fieldwork and locations for backhoe trenches were discussed. A total of 11 trenches were excavated (Figure 5), four on Parcel 004, four on Parcel 005, and only three on Parcel 008 due to the presence of underground utility lines. In Parcel 008, two of the three trenches were placed in the footprint of the proposed building. Backhoe trenching was conducted by a professional operator from TJ Gomes at the Hyatt Regency Maui Resort. Trenching commenced under the supervision of two SCS archaeologists, Allison Chun and David Dillon. The principle investigator of the project was Dr. Michael Dega, Ph.D. The trenches were excavated down to the water table. Trench locations were placed on a map, trenches were photographed, and one wall was profiled from each excavation. Each trench was backfilled after recordation.

### EXCAVATION RESULTS

#### **PARCEL 004**

Parcel 004 is located south of Kā'anapali Parkway and west of Honoapi'ilani Highway. Parcels 005 and 008 lie to the west and south, respectively. This parcel, covering 10.809 acres, currently contains a paved employee parking lot and sod farm. An additional parking lot is proposed for development on this parcel. Four stratigraphic trenches were excavated throughout the area.

#### Stratigraphic Trench 1 (ST-1)

ST-1, measuring 6.00 by 0.75 by 3.00 m, is oriented north to south and located at the southeast portion of Parcel 004 in the corner of the employee parking lot (Figure 6). The trench was excavated to a maximum depth of 3.00 m below surface exposing three stratigraphic layers. The sediments appear undisturbed. No cultural material was observed. Excavation was terminated at water level.



Figure 5: Plan View Map Indicating Locations of Stratigraphic Trenches in Parcels 004, 005, and 008.

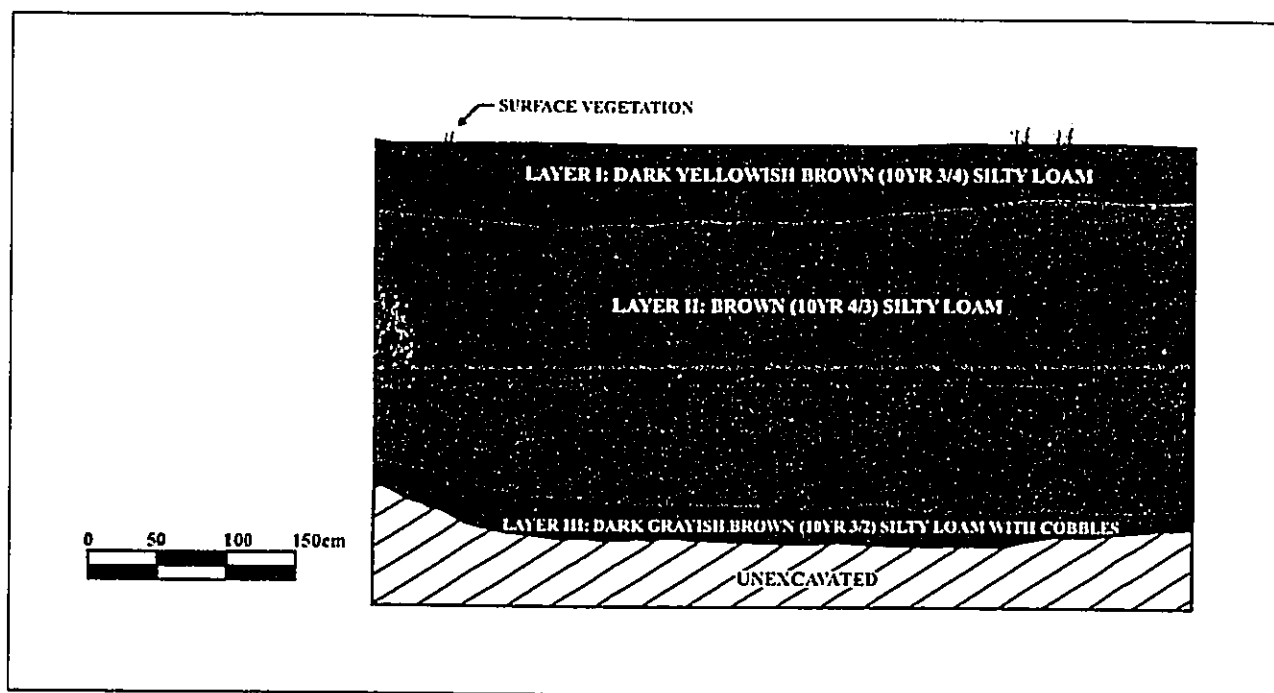


Figure 6: Parcel 004 ST-1 East Wall Profile.

Layer I (0–60 cmbs) is a dark yellowish brown (10 YR 3/4) very fine silty loam. Layer II (60–175 cmbs) is a brown (10 YR 4/3) very fine silty loam. Very few roots and rocks (less than 5%) are present in Layers I and II. Layer III (175–300 cmbs) is a very dark grayish brown (10 YR 3/2) fine silty loam containing waterworn cobbles (30 to 50%).

#### Stratigraphic Trench 2 (ST-2)

ST-2, measuring 5.00 by 0.75 by 2.90 m, is oriented east to west and centrally located at the western portion of Parcel 004 in a sod farm (Appendix A, Figure 1). The trench was excavated to a maximum depth of 2.90 m below surface exposing five stratigraphic layers. No traditional cultural material was recovered. Excavation was terminated upon encountering the water table.

Layer I (0–10 cmbs) is imported topsoil and sod fill. It is a very dark brown (10 YR 2/2, moist) very fine silty loam. This layer contains small, fine grass roots and few rocks (less than 5%). Layer II (10–110 cmbs) is a dark brown (10 YR 3/3, moist) fine sandy loam containing few roots and rocks (less than 5%). One Styrofoam cup was recovered from this layer. Layer III (110–170 cmbs) is a dark reddish brown (5 YR 3/4, moist) cinder. Layer IIA, located stratigraphically below Layer III (170–255 cmbs), is composed of the same matrix in Layer II. It is also a fine sandy loam dark brown in color (10 YR 3/3, moist). Approximately 80 to 90 cm thick, this layer contains no roots and few rocks (less than 5%). Layer IV (255–290 cmbs) is a



very dark grayish brown (10 YR 3/2, moist) very fine silty clay loam. The matrix is very moist exhibiting gley characteristics. This layer contains no roots and few rocks (less than 5%).

#### Stratigraphic Trench 3 (ST-3)

ST-3, measuring 5.00 by 0.75 by 1.00 m, is oriented north to south and located at the northwest corner of Parcel 004 in a sod farm (Figures 7 and 8). The trench was excavated to a maximum depth of 1.00 m below surface exposing three stratigraphic layers. All layers are highly disturbed. Modern trash is present in Layers II and III, however, no traditional cultural material was recovered. Excavation was terminated when cement was encountered throughout the length of the trench. The cement may represent an electrical jacket.

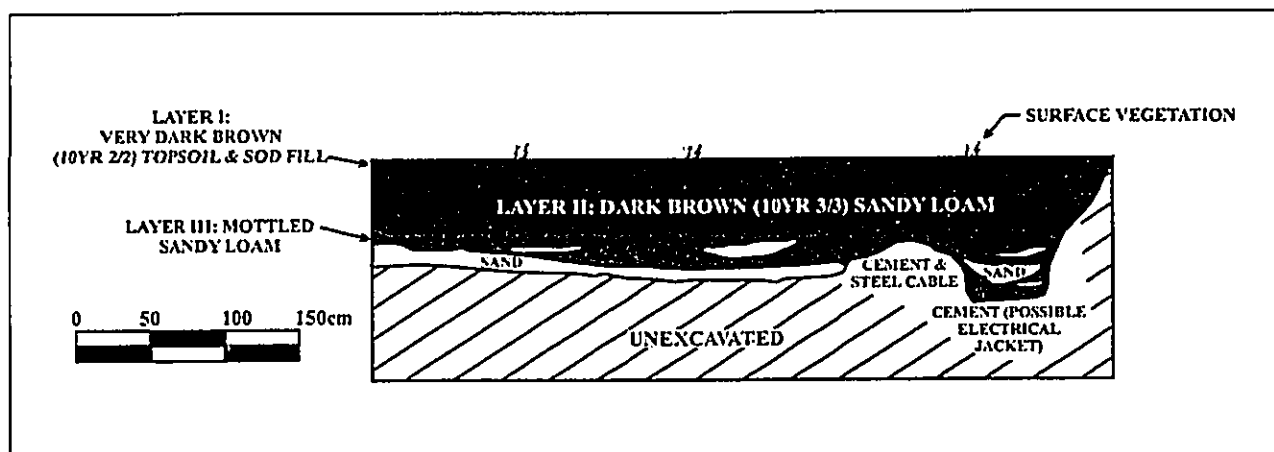


Figure 7: Parcel 004 ST-3 East Wall Profile.

Layer I, composed of imported topsoil and sod fill, is approximately 10 cm thick (0–10 cmbs). It is a very dark brown (10 YR 2/2) very fine silty loam. This layer contains small, fine grass roots and less than 5 percent rock. Layer II (10–50 cmbs) is a dark brown (10 YR 3/3) fine sandy loam. This layer, approximately 40 cm thick, contains few roots and some rocks (20 to 25%). Layer II is highly disturbed containing modern trash, garbage bags, and a metal cable. Layer III (50–100 cmbs) is also disturbed. This layer is a mottled colored sandy loam containing few roots and some rocks (20 to 25%). Cement is present throughout the bottom of this layer, possibly representing an electrical jacket.

#### Stratigraphic Trench 4 (ST-4)

ST-4, measuring 5.00 by 0.75 by 1.40 m, is oriented east to west and located at the northeast corner of Parcel 004 in a parking lot stall next to Giovanni's Restaurant (Appendix A, Figure 2). The trench was excavated to a maximum depth of 1.4 m below surface exposing six

layers. In profile, most of the layers appear to be fill for parking lot and golf course construction.  
Layers V



**Figure 8:** Parcel 004 ST-3 East Wall Photo.

and VI are potentially natural. No traditional cultural material was recovered. Excavation was terminated upon encountering the water table.

Layer I (0–20 cmbs) consists of an imported blacktop and base fill. Layer II (20–30 cmbs) is a dark reddish brown (5 YR 3/4) fine sandy loam, Layer III (30–50 cmbs) is composed of sand, and Layer IV (50–60 cmbs) is a very dark brown (7.5 YR 2.5/2) fine sandy loam. Layers II, III, and IV are each 10 to 20 cm thick and contain 25 to 35 percent rock. These three layers most likely represent imported fill. Layer V (60–100 cmbs) approximately is a dark brown (7.5 YR 3/3) fine loam containing 45 to 65 percent rock. Layer VI (100–110 cmbs) is a very dark brown (10 YR 2/2) fine loam also containing 45 to 65 percent rock. Layers V and VI are most likely imported fill but may potentially be natural. No cultural material was recovered. Excavation was terminated at the water table.

#### **PARCEL 005**

Parcel 005 is located south of Kā'anapali Parkway and west of Honoapi'ilani Highway. Parcels 004 and 008 lie to the east and south, respectively. This parcel, covering 7.354 acres, contains tennis courts on the east side and a paved parking lot on the west. An additional parking lot and tennis courts are proposed for development on this parcel. Four stratigraphic trenches were excavated throughout the area.

#### Stratigraphic Trench 1 (ST-1)

ST-1, measuring 6.00 by 0.75 by 1.30 m, is oriented east to west and located at the southeast corner of Parcel 005 near a bridge (Appendix A, Figure 3). The trench was excavated to a maximum depth of 1.30 m below surface exposing four stratigraphic layers. The layers appear undisturbed. No cultural material was observed. Excavation was terminated upon encountering the water table.

Layer I (0–10 cmbs) is composed of imported topsoil and sod fill. It is a very dark brown (10 YR 2/2) very fine silty loam containing small, fine grass roots and few rocks (less than 5%). Layer II (10–40 cmbs) is a dark brown (10 YR 3/3) fine sandy loam containing few roots and rocks (less than 5%). Bits of non-artifactual coral are present in this layer. Layer III (40–70 cmbs) is composed of a dark reddish brown (5 YR 3/4) cinder. Layer IV (70–130 cmbs) is a gray (5 YR 5/1) very fine sandy loam containing less than 5 percent rock.

#### Stratigraphic Trench 2 (ST-2)

ST-2, measuring 5.00 by 0.75 by 1.50 m, is oriented north to south and centrally located along the eastern edge of Parcel 005 next to the weather station (Appendix A, Figure 4). The trench was excavated to a maximum depth of 1.50 meters below surface exposing three stratigraphic layers. The sediments appear undisturbed. No cultural material was observed. Excavation was terminated upon reaching the water table.

Layer I (0–10 cmbs) is composed of imported topsoil and sod fill. It is a very dark brown (10 YR 2/2) very fine silty loam containing small, fine grass roots and few rocks (less than 5%). Layer II (10–30 cmbs) is a dark brown (10 YR 3/3) very fine sandy loam containing few roots and rocks (less than 5%). Layer III (30–150 cmbs) is composed of a dark reddish brown (5 YR 3/4) cinder that constitutes about 80 percent of the sediment. Excavation was terminated at water level.

#### Stratigraphic Trench 3 (ST-3)

ST-3, measuring 4.50 by 0.75 by 2.40 m, is oriented north to south and located at the center of Parcel 005 near the playground (Figures 9 and 10). The trench was excavated to a maximum depth of 2.40 m below surface exposing five stratigraphic layers. No cultural material was observed. Excavation was terminated upon reaching the water table.

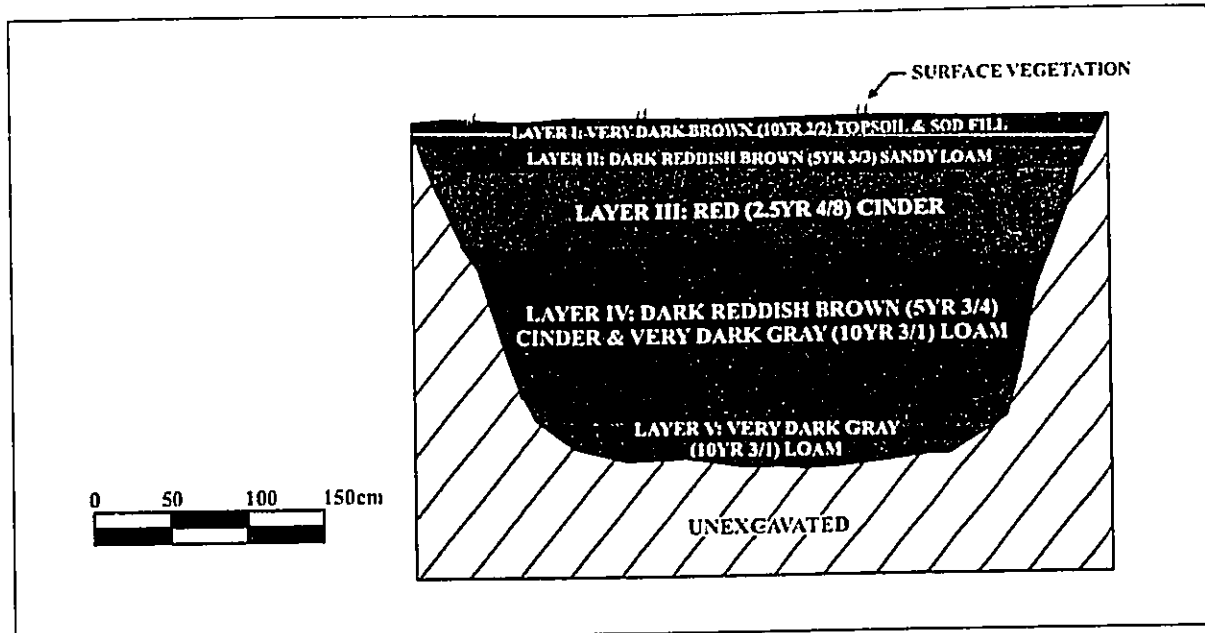


Figure 9: Parcel 005 ST-3 West Wall Profile.

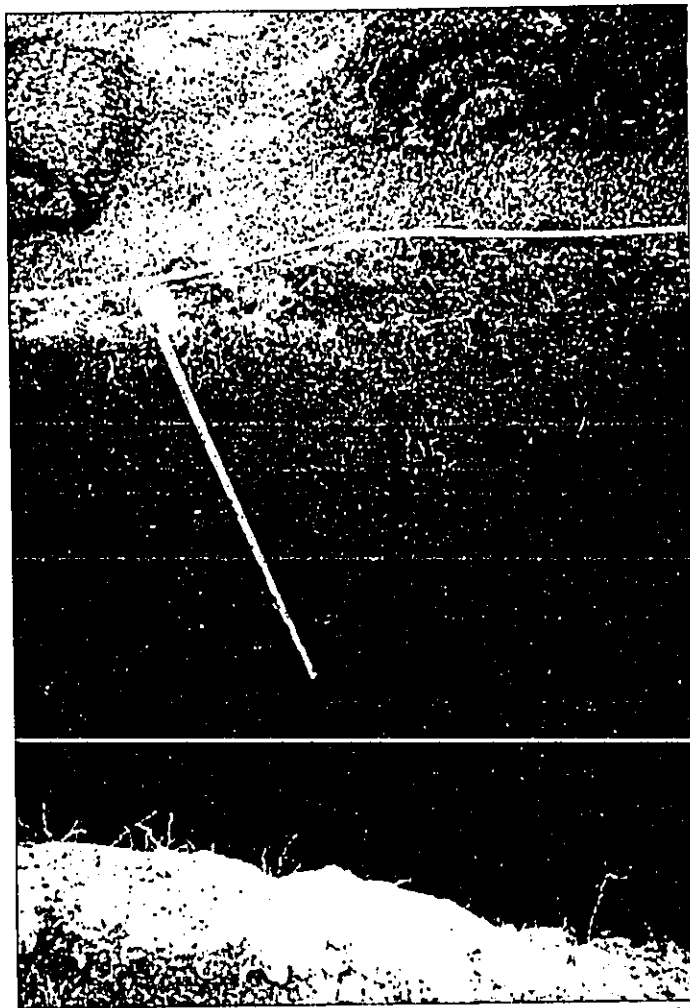


Figure 10: Parcel 005 ST-3 East Wall Photograph.

Layer I (0-20 cmbs) is composed of imported topsoil and sod fill. It is a very dark brown (10 YR 2/2) very fine silty loam containing small, fine grass roots and few rocks (less than 5%). Layer II (20-40 cmbs) is a dark reddish brown (5 YR 3/3) very fine sandy loam containing few roots and rocks (less than 5%). Layer III (40-90 cmbs) is a red (2.5 YR 4/8, moist) cinder which constitutes 90 to 95 percent of the sediment. Layer IV (90-190 cmbs) is the interface between Layers III and V. It is comprised of a mixture of dark reddish brown (5 YR 3/4, moist) cinder from Layer III and a very dark gray (10 YR 3/1, moist) loam from underlying Layer V. Cinder constitutes 85 to 90 percent of the sediment. Layer V (190-240 cmbs) is a very dark gray (10 YR 3/1, moist) very fine loam containing less than 5 percent rock.

#### Stratigraphic Trench 4 (ST-4)

ST-4, measuring 6.50 by 0.75 by 1.50 m, is oriented north to south and located at the northwest corner of Parcel 005 along the edge of the golf course near *laua`e* fern beds (Appendix A, Figure 5). The trench was excavated to a maximum depth of 1.5 m below surface exposing two stratigraphic layers. Sediments were disturbed by the placement of irrigation pipes at approximately 60 to 75 cm below surface. No cultural material was observed. Excavation was terminated upon encountering the water table.

Layer I (0-30 cmbs) is a dark reddish brown (5 YR 2.5/2, moist) very fine sandy loam containing a moderate amount of roots and few rocks (less than 5%). Layer II (30-150 cmbs) is a dark reddish brown (5 YR 3/3, moist) loam and cinder mix. This layer contains fewer roots than the above Layer I. Cinder and large boulders constitute 60 to 70 percent of the matrix.

#### **PARCEL 008**

Parcel 008 is located south of Kā'anapali Parkway and west of Honoapi'ilani Highway, just south of Parcels 004 and 005 along the coast. This parcel covers 18.405 acres. The main resort facilities are situated on this parcel, therefore, this area has already undergone extensive development. The north portion of this parcel is the proposed area for the development of a 12-story guestroom building of 121 units. At the suggestion of SHPD archaeologist, Dr. Melissa Kirkendall, only three trenches were planned for this parcel due to the presence of underground utility lines. ST-1 and ST-2 are in the footprint of the proposed building. ST-3 is situated on the periphery of Parcel 008. No cultural material was observed in any of the trenches. Based on color and appearance the layers identified in ST-3 may represent cultural layers, however, this trench is outside of the current footprint of the proposed building.

#### Stratigraphic Trench 1 (ST-1)

ST-1, measuring 4.50 by 0.75 by 1.90 m, is oriented north to south and located at the northeast corner of Parcel 008 in the center of an existing parking lot (Appendix A, Figure 6). The trench is situated in the footprint of the proposed building. The trench was excavated to a maximum depth of 1.90 m below surface exposing two stratigraphic layers. Layer I (0–25 cmbs) is comprised of a blacktop and base fill. Layer II (25–190 cmbs) is a dark reddish brown (2.5 YR 3/4) cinder. No cultural material was observed. Excavation was terminated upon encountering the water table.

#### Stratigraphic Trench 2 (ST-2)

ST-2, measuring 3.20 by 0.75 by 0.80 m, is oriented northwest to southeast and located in the north central portion of Parcel 008 between a flagstone area and parking lot (Appendix A, Figure 7). This trench is situated in the footprint of the proposed building. The trench was excavated to a maximum depth of 0.80 m exposing six stratigraphic layers. The southern end of the profile is disturbed where mixing of layers is visible. No cultural material was observed. Excavation was terminated upon reaching the water table.

Layer I (0–5 cmbs) is an imported topsoil and sod fill. It is a very dark brown (10 YR 2/2) very fine silty loam containing small, fine grass roots and less than 5 percent rock. Layer II (5–25 cmbs) is a yellowish brown (10 YR 5/6) sand fill containing many large roots and few rocks (less than 5%). Layer III (25–35 cmbs) is a dark reddish brown (5 YR 3/2) sandy loam fill tending towards the gravelly side (10 to 20% rock). This layer contains non-artifactual basalt fragments. Layer IV (35–70 cmbs) is a dark reddish brown (5 YR 2.5/2) sandy loam also tending towards the gravelly side (20 to 25% rock). This layer is somewhat mixed with cinder from underlying Layer V which is a dark reddish brown (2.5 YR 3/4). Layer V (70–80 cmbs) is at least 10 cm thick, however, the full extent of this layer is unknown as excavation ceased at water level. Layer VI (60–80 cmbs), is a small pocket of brown (10 YR 5/3) sand, 20 to 25 cm thick, intrusive to Layer V and present only in the disturbed portion of the trench.

#### Stratigraphic Trench 3 (ST-3)

ST-3, measuring 3.20 by 0.75 by 2.00 m, is oriented northeast to southwest and located at the northeast corner of Parcel 008, outside of the footprint of the proposed building (Figure 11). The trench was excavated to a maximum depth of 2.00 m below surface exposing 15 stratigraphic layers comprised mainly of sand and sandy loam very fine to granulated in structure. Large roots are present through the profile and the boundaries between layers are clear and smooth. No cultural

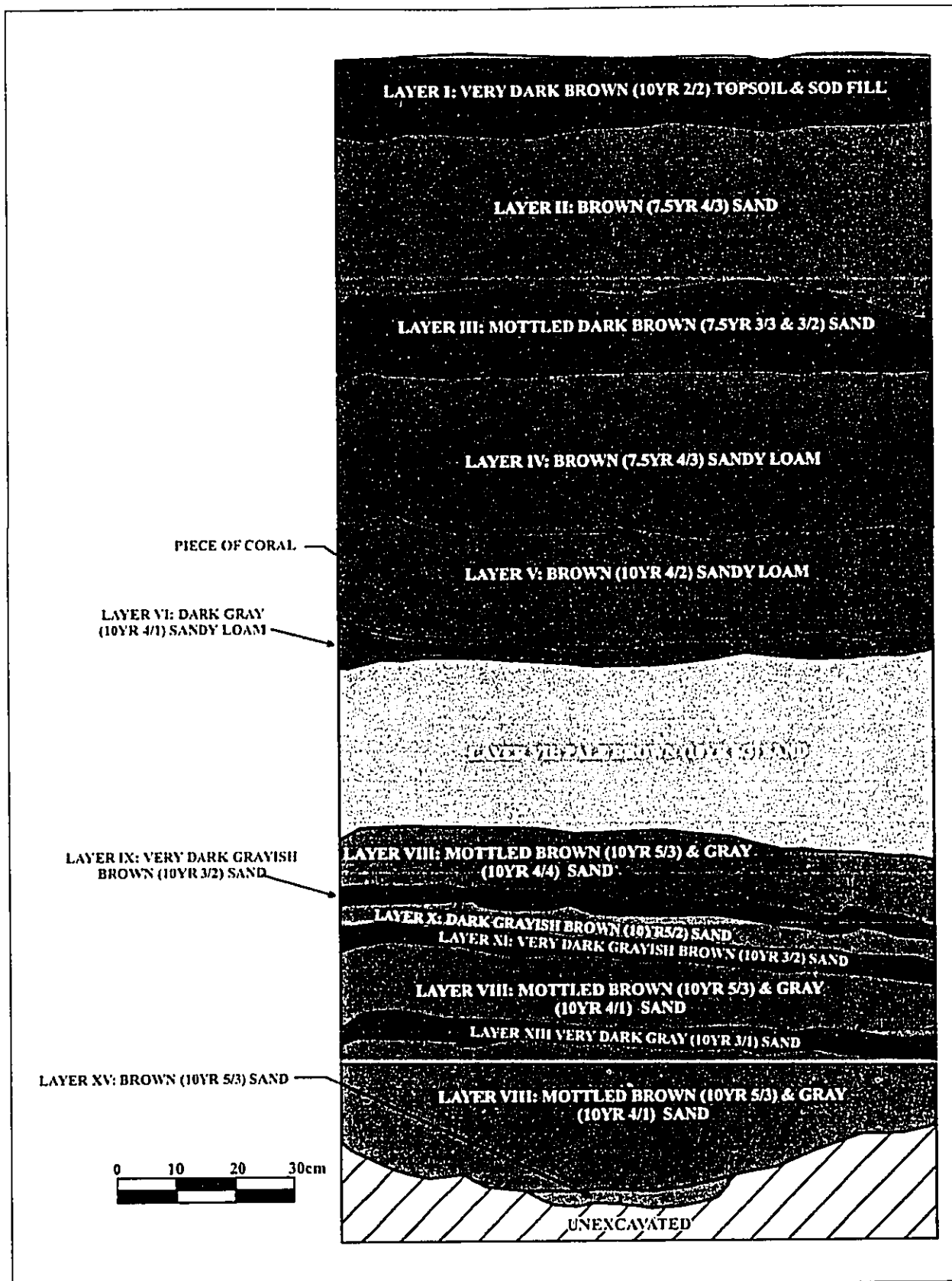


Figure 11: Parcel 008 ST-3 Northeast Wall Profile.



material was recovered, however, the dark color of Layers III, VI, IX, XI, and XIII could possibly indicate cultural occupation in these layers.

Layer I (0–15 cmbs) is imported topsoil and sod fill. It is a very dark brown (10 YR 2/2) very fine silty loam containing small, fine grass roots and few rocks (less than 5%). Layer II (15–40 cmbs) is a brown (7.5 YR 4/3) sand. Layer III (40–55 cmbs) is a mottled dark brown (7.5 YR 3/3 and 7.5 YR 3/2) sand. Layer IV (55–80 cmbs) is a brown (7.5 YR 4/3) sandy loam. Layer V (80–100 cmbs) is also a brown (10 YR 4/2) sandy loam. Layer VI (100–105 cmbs) is a dark gray (10 YR 4/1) sandy loam. Layer VII (105–135 cmbs) is a pale brown (10 YR 6/3) sand. Layer VIII (135–144 cmbs) is a mottled brown and gray (10 YR 5/3 and 10 YR 4/4) sand. Layer IX (144–148 cmbs) is a very dark grayish brown (10 YR 3/2) sand. Layer X (148–150 cmbs) is a dark grayish brown (10 YR 5/2) sand. Layer XI (150–154 cmbs) is a very dark grayish brown (10 YR 3/2) sand. Layer XII (154–165 cmbs) is a mottled brown and gray (10 YR 5/3 and 10 YR 4/1) sand. Layer XIII (165–170 cmbs) is a very dark gray (10 YR 3/1) sand. Layer XIV (170–195 cmbs) is a mottled brown and gray (10 YR 5/3 and 10 YR 4/1) sand. Layer XV (195–200 cmbs) is a brown (10 YR 5/3, moist) very moist sand. Excavation ceased at water level.

### **DISCUSSION AND CONCLUSIONS**

Land alteration associated with resort development has destroyed any surface features. Trenching did not reveal any subsurface evidence of prehistoric or historic activities in the project area other than fill associated with resort development. Excavations were terminated upon reaching the water table. Fill is present in nine of the 11 trenches, sometimes extending as deep as 1.9 m below surface. Fill material is mainly red cinder reportedly imported from Olowalu Quarry by AMFAC in the 1950s–60s at the beginning of development along the Kā'anapali coast. The exceptions are ST-3 in Parcel 004 which contains no fill but is heavily disturbed, ST-1 in Parcel 004, and ST-3 in Parcel 008 in which 15 stratigraphic layers are identified. The distinct sediment color in some of the layers in ST-3 of Parcel 008 may indicate cultural occupation, however, this trench is located outside of the current footprint of the proposed building.

### **SIGNIFICANCE ASSESSMENT AND RECOMMENDATIONS**

Since archaeological trenching yielded negative results a significance assessment is unnecessary and no data recovery is recommended. However, based on the proximity of burial site 50-50-03-4985 recovered at the nearby Maui Marriott, historical records, and consultation with Dr. Melissa Kirkendall of SHPD, monitoring is recommended for all below surface excavation during the proposed development.

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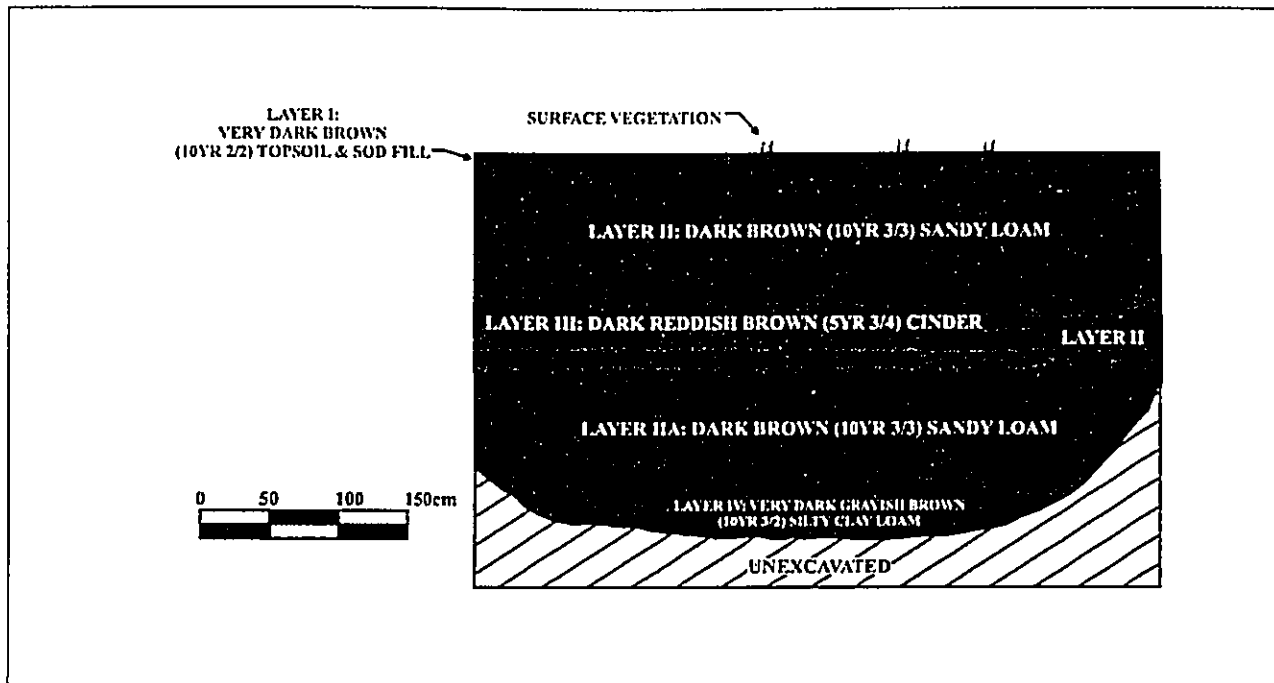
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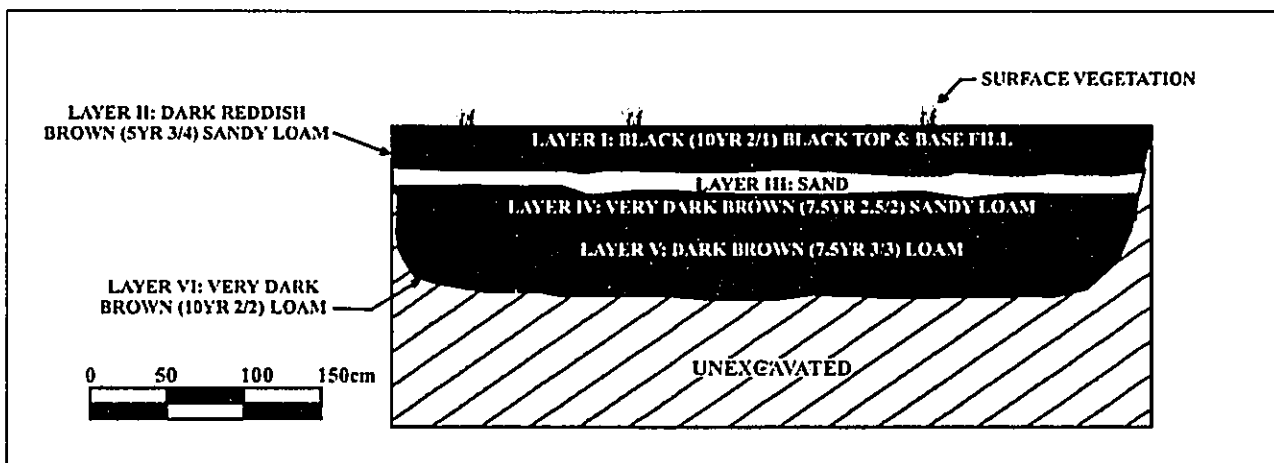
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APPENDIX A: STRATIGRAPHIC TRENCH PROFILES

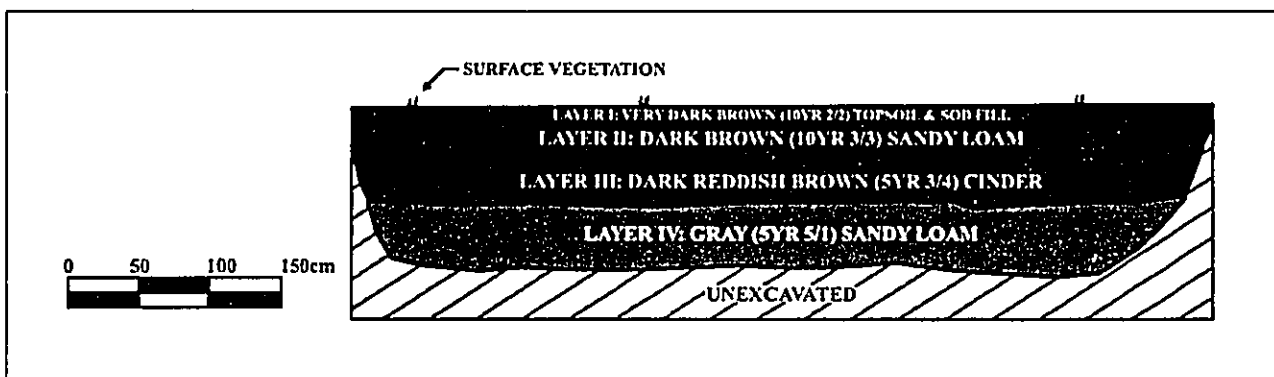
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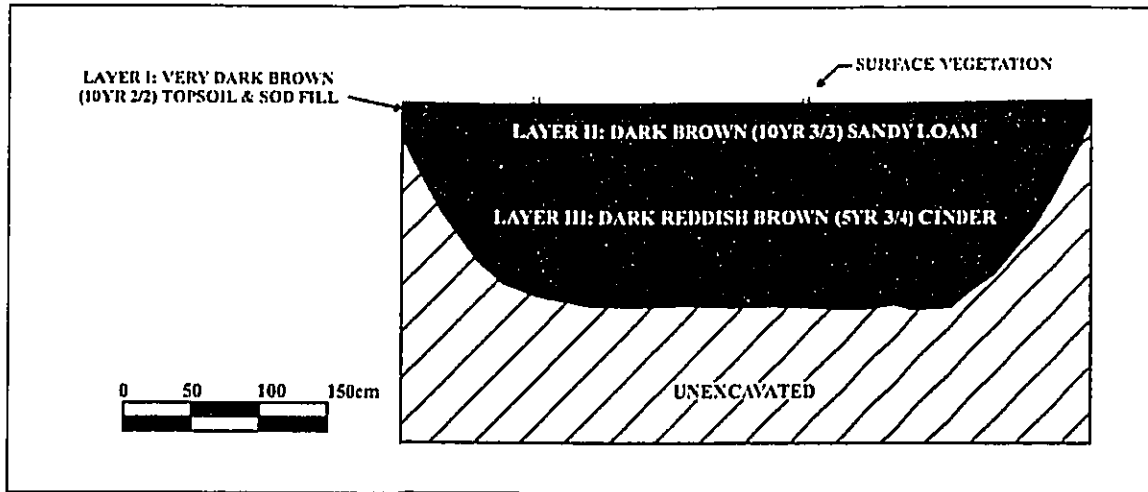
Appendix Figure 1: Parcel 004 ST-2 North Wall Profile.



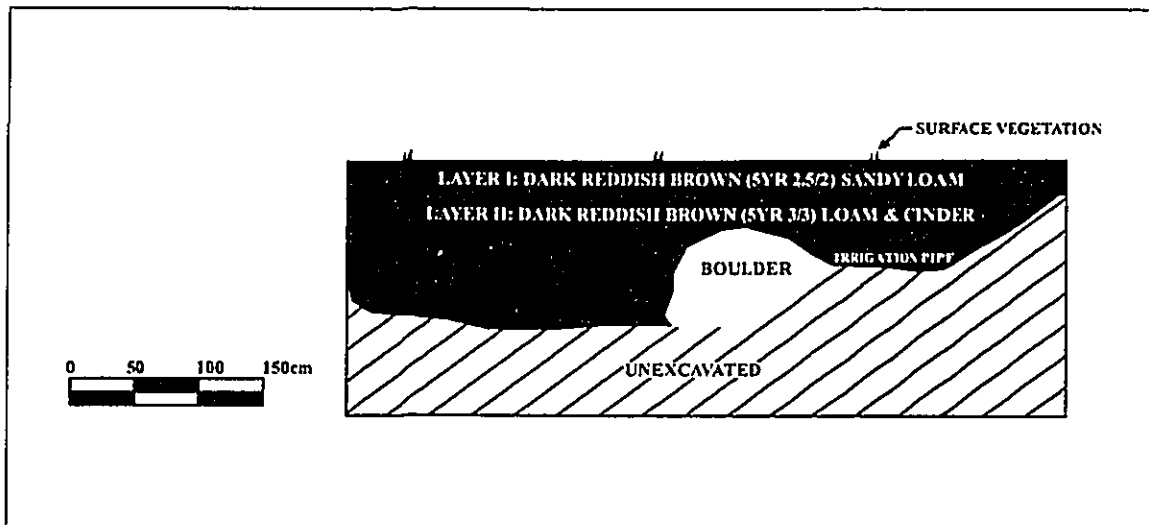
Appendix Figure 2: Parcel 004 ST-4 North Wall Profile.



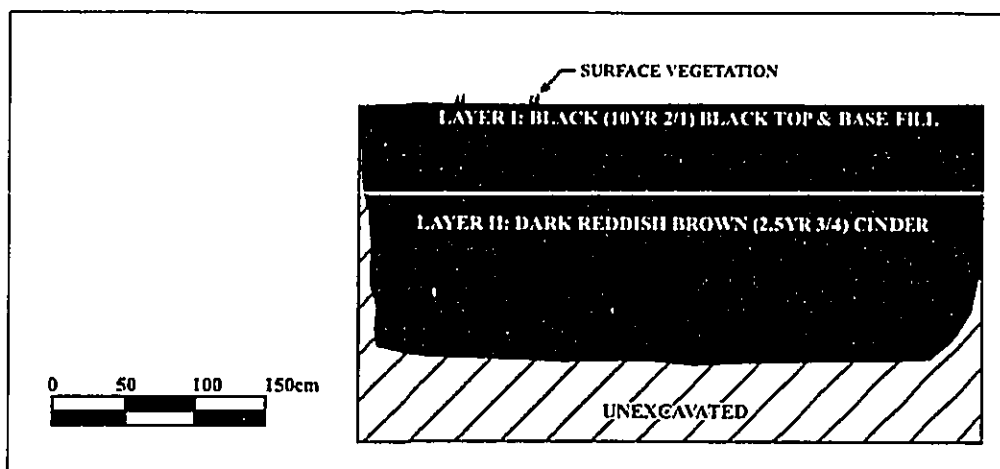
Appendix Figure 3: Parcel 005 ST-1 North Wall Profile.



Appendix Figure 4: Parcel 005 ST-2 East Wall Profile.

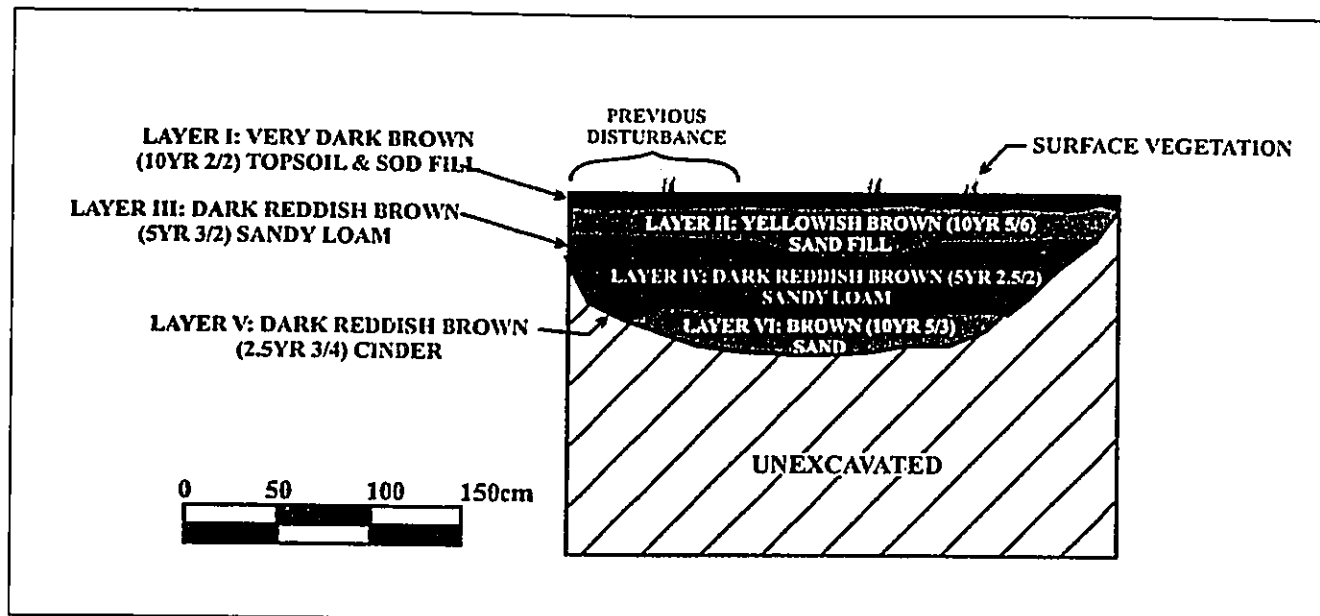


Appendix Figure 5: Parcel 005 ST-4 East Wall Profile.



Appendix Figure 6: Parcel 008 ST-1 East Wall Profile.





Appendix Figure 7: Parcel 008 ST-2 Southwest Wall Profile.

**Appendix I**  
*Cultural Impact Assessment Report*

**A CULTURAL IMPACT ASSESSMENT  
OF THREE PARCELS IN THE HYATT REGENCY RESORT,  
KA'ANAPALI, HANAKA'Ō'Ō AHUPUA'A, LAHAINA DISTRICT,  
MAUI ISLAND, HAWAII  
[TMK 4-4-13:004, 005, 008]**

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February 2006

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## INTRODUCTION

Scientific Consultant Services (SCS), Inc. has been contracted by Chris Hart and Partners, Inc. to conduct a Cultural Impact Assessment on three parcels within the Hyatt Regency Resort in Ka'anapali, Hanaka`ō`ō, Ahupua`a, Lahaina District, Maui Island, Hawai`i [TMK 4-4-13: 004, 005, 008] (Figure 1 and 2). Based on documents supplied by Chris Hart and Partners, the focus of redevelopment will be the north section of Parcel 008 with the addition of a 12-story guestroom building of 121 units for transient vacation rental or ownership. Parcels 004 and 005 will contain additional parking and a tennis court.

The Constitution of the State of Hawai`i clearly states the duty of the State and its agencies is to preserve, protect, and prevent interference with the traditional and customary rights of native Hawaiians. Article XII, Section 7 requires the State to "protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua`a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778" (2000). Beginning in 1850 with establishment of Hawai`i Revised Statutes (HRS) 7-1, native Hawaiians were given access rights to undeveloped private property and waterways in order to gather specific natural resources for customary uses. In 1992, the State of Hawai`i Supreme Court, reaffirmed HRS 7-1 and expanded it to include, "native Hawaiian rights...may extend beyond the ahupua`a in which a native Hawaiian resides where such rights have been customarily and traditionally exercised in this manner" (Pele Defense Fund v. Paty, 73 Haw.578, 1992).

Act 50, enacted by the Legislature of the State of Hawaii (2000) with House Bill 2895, relating to Environmental Impact Statements, proposes that:

...there is a need to clarify that the preparation of environmental assessments or environmental impact statements should identify and address effects on Hawaii's culture, and traditional and customary rights...[H.B. No. 2895].

Act 50 requires state agencies and other developers to assess the effects of proposed land use or shoreline developments on the "cultural practices of the community and State" as part of the HRS Chapter 343 environmental review process (2001). Its purpose has broadened, "to promote and protect cultural beliefs, practices and resources of native Hawaiians [and] other

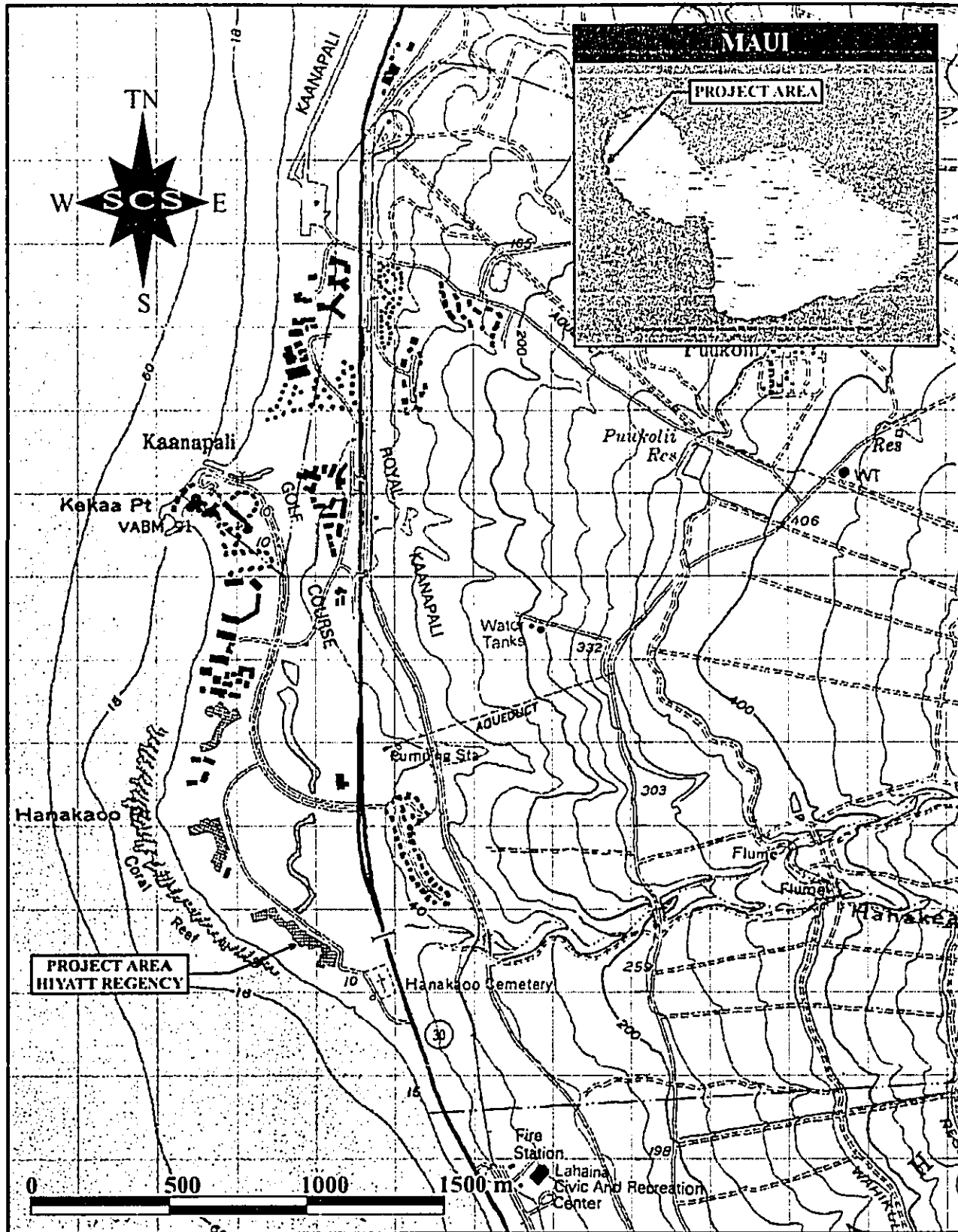


Figure 1: USGS Quadrangle Map Showing Project Area Location.

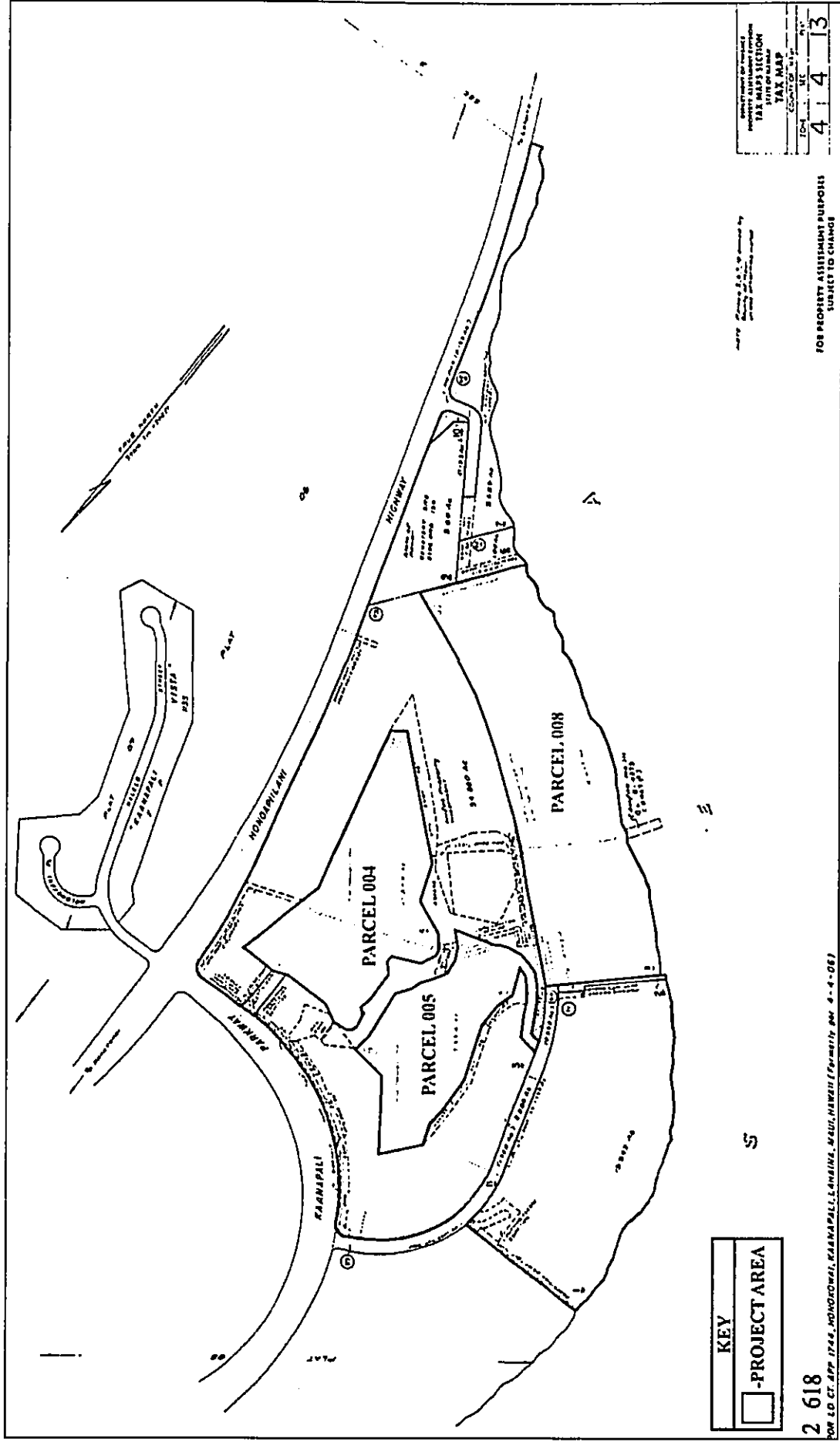


Figure 2: Tax Map Key [TMK] 4-4-13: 004, 005 & 008 Showing Project Area.

ethnic groups, and it also amends the definition of 'significant effect' to be re-defined as "the sum of effects on the quality of the environment including actions that are...contrary to the State's environmental policies...or adversely affect the economic welfare, social welfare, or cultural practices of the community and State" (H.B. 2895, Act 50, 2000). Thus, not only are properties evaluated for impact to Native Hawaiians, but also for other ethnic groups as well.

Act 50 requires an assessment of cultural practices to be included in the Environmental Assessments and the Environmental Impact Statements, and to be taken into consideration during the planning process. The concept of geographical expansion is recognized by using, as an example, "the broad geographical area, e.g. district or *ahupua`a*" (OEQC 1997). It was decided that the process should identify 'anthropological' cultural practices, rather than 'social' cultural practices. For example, *limu* (edible seaweed) gathering would be considered an anthropological cultural practice, while a modern-day marathon would be considered a social cultural practice.

According to the Guidelines for Assessing Cultural Impacts established by the Hawaii State Office of Environmental Quality Control (OEQC 1997):

The types of cultural practices and beliefs subject to assessment may include subsistence, commercial, residential, agricultural, access-related, recreational, and religions and spiritual customs. The types of cultural resources subject to assessment may include traditional cultural properties or other types of historic sites, both manmade and natural which support such cultural beliefs.

This Cultural Impact Assessment involves evaluating the probability of impacts on identified cultural values and rights within the project area and its vicinity.

### **METHODOLOGY**

This Cultural Impact Assessment was prepared in accordance with the methodology and content protocol provided in the Guidelines for Assessing Cultural Impacts (OEQC 1997). In outlining the "Cultural Impact Assessment Methodology", the OEQC state:

...information may be obtained through scoping, community meetings, ethnographic interviews and oral histories...[1997].



This report contains archival and documentary research, as well as communication with organizations having knowledge of the project area, its cultural resources, and its practices and beliefs. This Cultural Impact Assessment was prepared in accordance with the methodology and content protocol provided in the Guidelines for Assessing Cultural Impacts (OEQC 1997). The assessment concerning cultural impacts should address, but not be limited to, the following matters:

- (1) a discussion of the methods applied and results of consultation with individuals and organizations identified by the preparer as being familiar with cultural practices and features associated with the project area, including any constraints or limitations which might have affected the quality of the information obtained;
- (2) a description of methods adopted by the preparer to identify, locate, and select the persons interviewed, including a discussion of the level of effort undertaken;
- (3) ethnographic and oral history interview procedures, including the circumstances under which the interviews were conducted, and any constraints or limitations which might have affected the quality of the information obtained;
- (4) biographical information concerning the individuals and organizations consulted, their particular expertise, and their historical and genealogical relationship to the project area, as well as information concerning the persons submitting information or interviewed, their particular knowledge and cultural expertise, if any, and their historical and genealogical relationship to the project area;
- (5) a discussion concerning historical and cultural source materials consulted, the institutions and repositories searched, and the level of effort undertaken, as well as the particular perspective of the authors, if appropriate, any opposing views, and any other relevant constraints, limitations or biases;
- (6) a discussion concerning the cultural resources, practices and beliefs identified, and for the resources and practices, their location within the broad geographical area in which the proposed action is located, as well as their direct or indirect significance or connection to the project site;
- (7) a discussion concerning the nature of the cultural practices and beliefs, and the significance of the cultural resources within the project area, affected directly or indirectly by the proposed project;
- (8) an explanation of confidential information that has been withheld from public disclosure in the assessment;
- (9) a discussion concerning any conflicting information in regard to identified cultural resources, practices and beliefs;

- (10) an analysis of the potential effect of any proposed physical alteration on cultural resources, practices or beliefs; the potential of the proposed action to isolate cultural resources, practices or beliefs from their setting; and the potential of the proposed action to introduce elements which may alter the setting in which cultural practices take place, and;
- (11) the inclusion of bibliography of references, and attached records of interviews which were allowed to be disclosed.

Based on the inclusion of the above information, assessments of the potential effects on cultural resources in the project area and recommendations for mitigation of these effects can be proposed.

#### **ARCHIVAL RESEARCH**

Archival research focused on a historical documentary study involving both published and unpublished sources. These included legendary accounts of native and early foreign writers; early historical journals and narratives; historic maps and land records such as Land Commission Awards, Royal Patent Grants, and Boundary Commission records; historic accounts, and previous archaeological project reports.

#### **INTERVIEW METHODOLOGY**

When appropriate, interviews are conducted in accordance with Federal and State laws and guidelines. Individuals and/or groups who have knowledge of traditional practices and beliefs associated with a project area or who know of historical properties within a project area are sought for consultation. Individuals who have particular knowledge of traditions passed down from preceding generations and a personal familiarity with the project area are invited to share their relevant information. Often people are recommended for their expertise or can be located by visiting the area. Organizations, such as Hawaiian Civic Clubs, the Island Branch of Office of Hawaiian Affairs, historical societies, Island Trail clubs, and Planning Commissions are invited to contribute their input and suggest further avenues of inquiry, as well as specific individuals to interview.

When interviewees are identified, a standard procedure follows. Personal interviews are taped and then transcribed. These draft transcripts are returned to each of the participants for their review and comments. After corrections are made, each individual signs a release form, making the information available for this study. Key topics discussed with the interviewees vary from project to project, but usually include: personal association to the *ahupua`a*, land use in the project's vicinity; knowledge of traditional trails, gathering areas, water sources, religious sites;

place names and their meanings; stories that were handed down concerning special places or events in the vicinity of the project area; evidence of previous activities identified while in the project vicinity.

In this case, the project area had been under development for over 40 years. Letters, briefly outlining the development plans along with maps of the project area, were sent to organizations whose jurisdiction includes knowledge of the area with an invitation for consultation. Consultation was sought from the Maui Office of Hawaiian Affairs, Community Resource Coordinator, Maui; the Office of Hawaiian Affairs, O'ahu; Cultural Resource Planner for the Maui Planning Department; and the Central Maui Civic Club. In addition, Rena Sampson an employee at the hotel since 1980 was informally interviewed.

#### **PROJECT AREA AND VICINITY**

The existing Hyatt Regency Resort is located at 200 Nohea Kai Drive at the end of a private roadway within the Ka'anapali Resort on Hanaka'o'o Beach (see Figures 1 and 2). The project is located at the south end of Hanaka'o'o Beach between Hanaka'o'o Park and the Marriott's Maui Ocean Club Resort.

#### **CULTURAL HISTORICAL CONTEXT**

The island of Maui ranks second in size of the eight main islands in the Hawaiian Archipelago. Pu'u Kukui, forming the west end of the island (1,215m above mean sea level), is composed of large, heavily eroded amphitheater valleys that contain well-developed permanent stream systems that watered fertile agricultural lands extending to the coast. The deep valleys of West Maui and their associated coastal regions have been witness to many battles in ancient times and were coveted productive landscapes.

#### **PAST POLITICAL BOUNDARIES**

Traditionally, the division of Maui's lands into districts (*moku*) and sub-districts was performed by a *kahuna* (priest, expert) named Kalaiha'ōhia, during the time of the *ali'i* Kaka'alaneo (Beckwith 1940:383; Fornander places Kaka'alaneo at the end of the 15<sup>th</sup> century or the beginning of the 16<sup>th</sup> century [Fornander 1919-20, Vol. 6:248]). Land was considered the property of the king or *ali'i`ai moku* (the *ali'i* who eats the island/district), which he held in trust for the gods. The title of *ali'i`ai moku* ensured rights and responsibilities pertaining to the land, but did not confer absolute ownership. The king kept the parcels he wanted, his higher chiefs

received large parcels from him and, in turn, distributed smaller parcels to lesser chiefs. The *maka`āinana* (commoners) worked the individual plots of land.

In general, several terms, such as *moku*, *ahupua`a*, *`ili* or *`ili`āina* were used to delineate various land sections. A district (*moku*) contained smaller land divisions (*ahupua`a*) which customarily continued inland from the ocean and upland into the mountains. Extended household groups living within the *ahupua`a* were therefore, able to harvest from both the land and the sea. Ideally, this situation allowed each *ahupua`a* to be self-sufficient by supplying needed resources from different environmental zones (Lyons 1875:111). The *`ili`āina* or *`ili* were smaller land divisions next in importance to the *ahupua`a* and were administered by the chief who controlled the *ahupua`a* in which it was located (*ibid*:33; Lucas 1995:40). The *mo`o`āina* were narrow strips of land within an *`ili*. The land holding of a tenant or *hoa`āina* residing in a *ahupua`a* was called a *kuleana* (Lucas 1995:61). The project area is located in the *ahupua`a* of Hanakaō`ō, which translated means literally “the digging stick bay” and perhaps refers to the gardens known in the area (Pukui *et al.*:74).

#### **TRADITIONAL SETTLEMENT PATTERNS**

The Hawaiian economy was based on agricultural production and marine exploitation, as well as raising livestock and collecting wild plants and birds. Extended household groups settled in various *ahupua`a*. During pre-Contact times, there were primarily two types of agriculture, wetland and dry land, both of which were dependent upon geography and physiography. River valleys provided ideal conditions for wetland *kalo* (*Colocasia esculenta*) agriculture that incorporated pond fields and irrigation canals. Other cultigens, such as *kō* (sugar cane, *Saccharum officinarum*) and *mai`a* (banana, *Musa sp.*), were also grown and, where appropriate, such crops as *`uala* (sweet potato, *Ipomoea batatas*) were produced. This was the typical agricultural pattern seen during traditional times on all the Hawaiian Islands (Kirch and Sahlins 1992, Vol. 1:5, 119; Kirch 1985). Agricultural development on the leeward side of Maui was likely to have begun early in what is known as the Expansion Period (AD 1200-1400, Kirch 1985).

#### **WAHI PANI (LEGENDARY PLACES)**

Scattered amongst the agricultural and habitation sites were other places of cultural significance to the *kama`āina* of the district. At least eight *heiau* were recorded in the vicinity of the ancient village of Lāhainā, fishing *ko`a* (shrine) were present along the beach and on the slopes above the bays, and petroglyphs were inscribed in many places whose meanings have yet to be fully understood (Thrum 1908, 1916, 1917; Walker 1930:103). Pearl shell was gathered

from Makaiwa Beach for the eyes of the *ki`i* (image, picture) and battles were fought along the coast (Sterling 1998:45). A portion of the paved trail built by Kihapi`ilani, son of the great chief Pi`ilani, was identified along the Kā`anapali coast (Sterling 1998).

To the north close to the project area is Pu`u Keka`a, made famous by being the birthplace of the sons of chiefs and long associated with ghosts, strange occurrences, and the skeletons of defeated invaders (Fornander 1918–19, Vol. 5:542). In Fornander, S. Kaha stated:

Concerning the great amount of human bones at this place. On account of the great number of people at this place there are numerous skeletons [this was the vicinity of several bloody battles], as if thousands of people died there; it is there that the Lahainaluna students go to get skeletons for them when they are studying anatomy. The bones are plentiful there; they completely cover the sand.

This is a ghostly place. Some time a number of people came from Kaanapali (from the other side) going to Lahaina in the dark. When they came to Kekaa stones rolled down from the top of the hill without any cause. Listening to it, it seemed as if the hill was tumbling down; the people going along were startled and they explained, Kekaa is ghostly! Kekaa is ghostly!" Certainly this is a strange thing for this hill to do [*ibid*].

It was also believed that Pu`u Ka`a was a *leina a ka`uhane*, or soul's leap similar to O`ahu's Ka`ena Point. Naha says:

It is said that when a person dies his spirit journeys to Kekaa; if he has a friend there who had previously died, that one would drive it away when the spirit is nearing Kekaa. Sometimes the spirit of a person would return and re-enter the body, and cause it to come to life again; that is what happened to those who are living again. Many souls came to this place Kekaa. It is called the Leina-a-ka-uhane, the leaping place of the soul... [*ibid*].

According to legend, the lands surrounding Pu`u Keka`a were once areas of intense cultivation and the capital and home of the Maui chief, Kaka`alaneo, when he ruled West Maui. Kaka`alaneo lived on the *pu`u* with his wife, a chiefess from Moloka`i.

Kekaa was the capitol of Maui when Kalaalaneo was reigning over West Maui... Many houses were constructed and people cultivated a great deal of potatoes, bananas, sugar cane, and

things of a like nature. I have been told that the country from Kekaa to Hahakea and Wahikuli –that country now covered by cactus, in a northwesterly direction for Lahaina-was all cultivated. This chief [Kakaalaneo] also planted bread fruit and kukui trees down at Lahaina. Some of these trees southwest of the Lahaina fort, were called the bread fruit trees of Kauheana [Fornander 5:540–541].

Kaka'alaneo's possessions included fishponds in Hana and a famous breadfruit grove he planted outside of Lāhainā (Handy and Handy 1972). His son, Ka'ulula'au, became famous for traveling around Lāna'i fighting ghosts (Sterling 1998). Maui, the demi-god himself, was associated with the hill:

At Kekaa lived Maui and Moemoe... The great desire of one [Moemoe] was to sleep. The other [Maui] desired to travel. When Moemoe slept, Maui was traveling, each according to his taste... [Moemoe] made up his mind... to search for his friend, Maui. A road on the northeast side of Kekaa was named after one of these men; it is called "Ke alanui kikeekee a Maui"-the zig zag pathway of Maui" [Fornander 1918-19, Vol. 5:540–544].

Another story concerning Pu'u Keka'a was related in "Tales from the Temples" (Thrum 1909). According to Thrum, Wahine-o-Manu'a was badly treated by her husband. She ran away to the temple of Haluluko'ako'a in the *ahupua`a* of Wahikuli. An owl-god guided her from the *heiau, mauka* of Pu'u Keka'a where she rested before escaping. The stone by which she rested is even today called Pōhaku-o-Wahine-o-Manu'a (the stone of the woman of Manu'a).

It is recorded that Pu'ū Keka'a was the burial place for Kekaulike's oldest son, Kauhi'aimoku-a-kama who was defeated by his brother and Uncle at the Battle of Koko-o-namoku further south at Makaiwa Beach (Sterling 1998). Kahekili succeeded his brother Kamehameha-Nui as ruler of Maui and to prove he was a true descendant of the gods, he leapt from the 'Ū-ha-ne lele or Soul-Leaping Place of Maui. No ordinary man would dare to do this (*ibid.*). Kamakau records a burial site used by the *maka`āinana* of the district:

Waiuli...is a deep pit where the corpses of the common people were thrown...It is directly mauka of Honokohau, Honolua, and Honokahua, and for those from Lahaina to Kahakuloa, it was the common burial place. The body of anyone from those places who had died on Molokai was brought back to that place [Kamakau 1964:39].

## LĀHAINĀ DISTRICT SETTLEMENT PATTERNS

In Hawai`i, much of the coastal lands were preferred for chiefly residence. Easily accessible resources such as offshore and onshore fish ponds, the sea with its fishing and surfing—known as the sports of kings, and some of the most extensive and fertile wet taro lands were located in the area (Kirch and Sahlins, 1992 Vol. 1:19). Inland resources necessary for subsistence, could easily be brought to the *ali`i* residences on the coast from nearby inland plantations. The majority of farming was situated in the lower portions of stream valleys where there were broader alluvial flat lands or on bends in the streams where alluvial terraces could be modified to take advantage of the stream flow. Dry land cultivation occurred in colluvial areas at the base of gulch walls or on flat slopes (Kirch 1985; Kirch and Sahlins 1992, Vol. 2:59). Lāhainā had the added advantage of a calm roadstead and close proximity to Lāna`i, and Moloka`i (Handy and Handy 1972).

Trails extended from the coast to the mountains, linking the two for both economic and social reasons. A trail known as the *alanui* or “King’s trail” built by Kihapi`ilani, extended along the coast passing through all the major communities between Lāhainā and Mākena. After the conquest of Maui by Kamehameha I, Lāhainā became the capitol of the Hawaiian Kingdom until it moved to Honolulu in 1855.

Most of the *ahupua`a* on the coast have been overshadowed by the famous roadstead and village of Lāhainā. In addition, a high percentage of archaeological sites in the Lahaina District have been impacted by early historic and modern day agricultural activities. Therefore, little is known about the settlement patterns outside of the city. However, ethnographic and historic literature, often our only link to the past, reveal that the lands around Lāhainā were rich agricultural areas irrigated by aqueducts originating in well-watered valleys with permanent occupation predominately on the coast. Handy and Handy have stated the space cultivated by the natives of Lāhainā at about “...three leagues [9 miles] in length, and one in its greatest breadth. Beyond this all is dry and barren; everything recalls the image of desolation” (1972:593). Crops cultivated included coconut, breadfruit, paper mulberry, banana, taro, sweet potato, sugar cane, and gourds.

Menzies, the naturalist and surgeon on board HMS Discovery during Captain George Vancouver’s 1793 tour, made these observations of the Lāhainā coast and village:

[We]...soon entered the verge of the woods where we observed the rugged bands of a large rivulet that came out of the chasm

cultivated and watered with great neatness and industry. Even the shelving cliffs of rock were planted with esculent roots, banked in and watered by aqueducts from the rivulet with as much art as if their level had been taken by the most ingenious engineer...[Menzies 1920:105].

...to see the village of Lahaina, which we could scattered along shore on a low tract of land that was nearly divided into little fields and laid out in the highest state of cultivation and improvement by being planted in the most regulated manner with the different esculent roots and useful vegetables of the country, and watered at pleasure by aqueducts that ran here and there along the banks intersecting the fields, and in this manner branching through the greatest part of the plantation [Menzies 1920:112].

Little had changed twenty-six years later when J. Arago visited Hawai'i with Captain Louis de Freycinet in 1819. He recorded:

The environs of Lahaina are like a garden. It would be difficult to find a soil more fertile, or a people who can turn it to greater advantage...various sorts of vegetables and plants...amongst which we distinguish the Caribee-cabbage, named here taro; double rows of banana, bread-fruit, cocoa-nut, palma-christi, and the paper-mulberry trees...[Arago cited in Handy and Handy 1972:493].

Rev. C.S. Stewart, a missionary in 1823 assigned to the Lāhainā station, also commented on the attractiveness of the environs:

The settlement is far more beautiful than any place we have yet seen on the Islands. The entire district stretching nearly three miles along the seaside, is covered with luxuriant groves, not only of the cocoanut, the only tree we have before seen except on the tops of the mountains, but also of the breadfruit and the kou...while the banana plant, kappa and sugar-cane are abundant, and extend almost to the beach, on which a fine surf constantly rolls [Taylor 1928:42].

...The breadfruit trees stand as thickly as those of a regularly planted orchard, and beneath them are kalo patches and fishponds, 20 or 30 yards square, filled with stagnant water, and interspersed with kappa trees, groves of banana, rows of the sugar cane, and bunches of the potato and melon...It scarcely ever rains, not oftener, we are told, than half a dozen times during the year, and the land is watered entirely by conducting streams, which rush



from the mountains, by artificial courses, on every plantation.  
Each farmer has a right, established by custom, to the water every  
fifth day [Taylor 1928:43].

#### **THE GREAT MĀHELE**

In the 1840s, traditional land tenure shifted drastically with the introduction of private land ownership based on western law. While it is a complex issue, many scholars believe that in order to protect Hawaiian sovereignty from foreign powers, Kamehameha III was forced to establish laws changing the traditional Hawaiian economy to that of a market economy (Kame`eleihiwa 1992:169-70, 176; Kelly 1983:45, 1998:4; Daws 1962:111; Kuykendall 1938 Vol. I:145). The Great Māhele of 1848 divided Hawaiian lands between the king, the chiefs, the government, and began the process of private ownership of lands. The subsequently awarded parcels were called Land Commission Awards (LCAs). Once lands were thus made available and private ownership was instituted, the *maka`āinana* (commoners), if they had been made aware of the procedures, were able to claim the plots on which they had been cultivating and living. These claims did not include any previously cultivated but presently fallow land, *`okipū* (on O`ahu), stream fisheries, or many other resources necessary for traditional survival (Kelly 1983; Kame`eleihiwa 1992:295; Kirch and Sahlins 1992). If occupation could be established through the testimony of two witnesses, the petitioners were awarded the claimed LCA and issued a Royal Patent after which they could take possession of the property (Chinen 1961:16). The entire *ahupua`a* of Hanaka`ō`ō (LCA 7715) was awarded to Lot Kamehameha (Kamehameha V). Kā`anapali is the name of an ancient *kalana* that was obliterated by the Hawaiian Legislature in 1859 by combining its lands in a new Lahaina District (Clark 1989:60-61). There were no LCAs in the vicinity of the present project area.

#### **HISTORIC LAND USE**

Lāhainā, long the port of choice and where commercial endeavors had succeeded the traditional economy, suffered with the demise of the whaling industry and the change in Capitol of the Hawaiian Kingdom to Honolulu. By the mid-1800s the Kā`anapali area was being converted from traditional agriculture to commercial sugar cane. As early as 1849, Judge A.W. Parsons operated a sugar mill in Lāhainā. Henry Dickenson began a sugar plantation in 1859 that was quickly followed by the Pioneer Mill Co. By 1883, Pioneer Mill Co. had assets in excess of \$50,000,000 (Simpich 1974). Pioneer Mill's railroad extended from the center of Lāhainā Village to a point north of the town of Pu`ukoli`i in Hanaka`ō`ō and was as close as 350 feet above mean sea level at its northern end (Condé 1975). Pioneer Mill Co. reorganized in 1900 at which time its cane fields were located along the coast for 10 miles with some areas extending back as far as two and one half miles:

The bulk of the crop is raised on lands that range from 10 feet to 700 feet elevation above sea level; the highest being cultivated at 1500 feet [Condé and Best 1973:254].

Sugar would be processed and bagged at the mill in Lāhainā and then taken by train to the landing at Pu`u Keka`a (Black Rock). Other buildings had been constructed there to aid in the plantations activities, such as oil and molasses tanks, as well as a pavilion and some beach cottages on the beach for the use of Pioneer Mill Company's personnel (Clark 1980:61). To add to the enjoyment, a quarter-mile track had been constructed on the tidal flats (previously the site of the Battle of Koko-o-na-moku) behind Hanaka`ō`ō for horse racing on holidays. The Kā`anapali Landing was abandoned before World War II and by 1957 plans were in motion for a multi-million dollar resort to be built around Pu`u Keka`a. The shift to tourism in the 1950s sent the plantations into decline, however, the development of golf courses, hotels, condominiums, and shops have continued the popularity of the Kā`anapali region up to and including the present.

### INTERVIEWS

A telephone interview was conducted on January 9, 2006 with Ms. Rena Sampson, an employee of the Maui-Hyatt since 1980. In response to questions concerning cultural resources, she stated that she was unaware of any on going practices or resources on the grounds or in the immediate vicinity of the hotel. Her family is from Kahana and is well acquainted with this area of Maui. Access to the ocean is available in several places, public parking spaces are provided and there are no impediments to beach or ocean use.

### SUMMARY AND CULTURAL ASSESSMENT

As suggested in the "Guidelines for Accessing Cultural Impacts" (OEQC 1997), CIAs incorporating personal interviews should include ethnographic and oral history interview procedures, circumstances attending the interviews, as well as the results of this consultation. It is also permissible to include organizations with individuals familiar with cultural practices and features associated with the project area.

The "level of effort undertaken" (OEQC 1997) has not been officially defined and is left up to the investigator. To SCS, a good faith effort means contacting agencies by letter, interviewing people who may be affected by the project or who know its history, researching sensitive areas and previous land use, holding meetings in which the public is invited to testify,

notifying the community through the media, and other appropriate strategies based on the type of project being proposed and its impact potential. In the case of the present parcel that has been under development for 40 years, letters of inquiry were sent to organizations whose expertise would include the project area. Consultation was sought from the Maui Office of Hawaiian Affairs, Community Resource Coordinator, Maui; the Office of Hawaiian Affairs, O`ahu; Cultural Resource Planner for the Maui Planning Department; the Central Maui Civic Club, and Rena Sampson, a local resident hotel employee. Archival research included historical and cultural resources.

Additionally, historical and cultural source materials were also consulted, extensively used, and can be found listed in the References Cited portion of the report. Such scholars as Thrum (1908, 1916 1917), Fornander (1919, 1969), Walker (1930), Kuykendall (1938), Beckwith (1940), Chinen (1961), Handy and Handy (1972), Puku`i *et al.* (1974), Kelly (1983, 1998), and Kame`eleihiwa (1992) have contributed, and continue to contribute, to our knowledge and understanding of Hawai`i, past and present. The works of these and other authors were consulted and incorporated in the report where appropriate. Land use document research was supplied by the Waihona `Aina Data base (2005).

Analysis of the potential effect of the project on cultural resources, practices or beliefs, the potential to isolate cultural resources, maintain practices or beliefs in their original setting, and the potential of the project to introduce elements that may alter the setting in which cultural practices take place is a requirement of the OEQC (No. 10, 1997). A Cultural resources can include sites, behaviors, values, beliefs, rights and stories, among other things. The beaches and ocean along the coast are identified cultural resource that should be accessible to all. Access to the beach is readily available by the location of Hanaka`o`o Beach Park next to the project area, as well as a hardscape public pathway provided by the resort, enabling lateral access along the Hanaka`o`o shoreline. In addition, 20 parking stalls have been provided for public onsite near the north entrance and 20 stalls are available in the project's south parking lot. The project area has been completely developed and has not been used for any identified traditional cultural purposes within recent times.

Based on the response from various organizations, resort development in Kā`anapali region in the recent past, previous development within the project area, and through archival research, it is reasonable to conclude that, pursuant to Act 50, the exercise of native Hawaiian rights, or any ethnic group, related to gathering will not be affected by development activities on Parcels 004, 005 and 008. As there were no activities identified on, there are no adverse effects.

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**Appendix J**  
*Socio-Economic Impact Assessment*





*Beyond Information. Intelligence.*

*Consulting*

*Database Marketing*

*Economic & Social Impact  
Studies*

*Research*

*Training*

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**Report**

**Socio-Economic Impact Assessment of  
Hyatt Regency Maui Addition,  
Kaanapali, West Maui, Maui County, 2006**

**Prepared for:**

**Chris Hart & Partners, Inc. / Host Marriott and Subsidiaries**

**SMS Affiliations and Associations:**

Alan Barker Associates  
Experian  
International Survey Research  
Warren Dastrup – Kauai Affiliate  
3i Marketing & Communications

**Prepared by:  
SMS Research & Marketing Services, Inc.  
March, 2006**

## EXECUTIVE SUMMARY

**Project:** Host Marriott is proposing the Hyatt Regency Timeshare Addition, involving development of one new building and other support facilities at the Hyatt Regency Maui, Kaanapali, Maui. The new building will include 121 timeshare units. 24 of those units will have lockout rooms creating the potential for 145 total "keys". Construction is expected to start in 2007 last up to 20 months and finish in 2008.

**Surrounding Communities:** A timeshare property, the Marriott Ocean Club is immediately north of the Hyatt Regency Resort project site. Kaanapali, Maui's first master planned resort is an outstanding example of successful resort development. For many years Kaanapali had higher occupancies than other parts of Maui, but with the advent of newer and more lavish developments in other parts of Maui, has lost its early dominance of the resort market. The Kaanapali area continues to attract visitors in large numbers, in spite of the competition it faces and perhaps due in part to these newest efforts to renovate and upgrade the area. This project and other pending projects in the Kaanapali area are helping to reposition older properties to better compete with these newly dominant properties. Redevelopment and new construction is the path to stabilizing Kaanapali's share of the market.

During the 1990s, the state of Hawaii's tourism-based economy largely stagnated. But Maui saw growth in jobs, income, and population even though visitor numbers increased only incrementally. Maui has succeeded in attracting affluent tourists and vacation homeowners to its resorts.

Timeshare properties continue to evolve as an important part of the visitor economy in Hawaii. Major hotel corporations have increasingly added timeshare operations to their portfolios and have revolutionized the once moribund timeshare business with their commitment to quality accommodations and access to large networks of resorts around the world. Hawaii Timeshares attract affluent visitors. Timeshare properties maintain high occupancy levels, especially when hotel operators can book excess space for hotel use. Timeshare properties saw little loss of business after the World Trade Center tragedy in 2001, while hotels and condominiums had to endure dramatically lower occupancy levels for several years.

Current forecasts call for slow but steady growth on Maui, with the visitor industry leading an increasingly diversified local economy. Many new visitor-oriented developments now proposed or under construction are timeshare properties.

**Community Issues and Concerns:** Local business interests interviewed for this report were enthusiastic about the project and cited the reputation of the Hyatt Regency as a guarantee of high quality. They were also excited about the prospect of new visitors who would be spending money in the Kaanapali area. The project was viewed in context of a general rejuvenation of the resort, with new construction as part of the process. At the same time, business people were concerned about traffic, parking, and other infrastructure impacts that might be caused by growth in West Maui and across the island. Affordable housing for employees and long-term residents is a big concern to the majority of those interviewed as a part of this study.



Residents of Kaanapali Hillside areas, mauka of the highway, expressed concern mainly with the change in their makai views. Westin Maui employees had concerns about lost parking in an already stressed parking situation. Owners of Kaanapali Alii units will soon be dealing with already approved renovation and construction of nearby projects at the Maui Ocean Club, located between the existing Hyatt property and Kaanapali Alii buildings. They foresee these projects as a source of noise, dust, and potentially lost income due to reduced rentals.

**Economic and Demographic Impacts:** The new project will house about 580 visitors at a time. That figure is about 1.2% of the current Maui Island average visitor census, and less than the growth expected in a single year. Impacts on the local economy are generally positive, as shown in Exhibit ES-A. It is worth noting that timeshare direct operations jobs are estimated from expected visitor spending, and many will be located outside of the Host Marriott property.

Exhibit ES-A: Summary of Economic and Demographic Impacts

Impact	Number
Construction Spending	\$63.6 million 2006 \$'s
Direct Construction Workforce	374
Average Annual FTE Jobs	224
Total Direct, Indirect, and Induced Construction Workforce	917 person years
Maui Share	781 person years
Total Construction - Related Incomes	\$35.1 million 2006 \$'s
Direct Operations Jobs	232
High (2011)	352
Stabilized Workforce (2011 on)	232
Total Direct, Indirect, and Induced Operations-Related Jobs	414
Maui Share	368
Total Operations-Related Incomes Annual (2012)	\$12.5 million 2006 \$
Population Supported by Operations Related Jobs (Maui, 2011 on)	770
Households Supported by Operations Related Jobs (Maui, 2009 on)	261
New Housing Demand Associated with Project Operations (Over time, 2011 on)	39
State of Hawaii Revenues from Construction and Marketing	\$11 million 2006 \$
Maui County Property Tax Increases (Cumulative to 2020)	\$6.5 million 2006 \$

NOTE: Through 2010, operations jobs include marketing jobs, which will disappear as project units are sold out. The current marketing effort for Host Marriott properties already supports most of the marketing workforce.

**Social Impacts:** Impacts will vary greatly depending on relative distance from the project site. In the immediate area construction noise and fugitive dust may be an issue. The larger community will be aware of only minor impacts, offset by increased visitor spending.

Owners and occupants of units in Maui Ocean Club and the Hyatt Regency Hotel will bear the brunt of the impacts of the construction project. The Hyatt Regency will experience noise, construction traffic, and consequent irritation during construction. Foundation work (over a period of approximately six weeks) is expected to be noisy and an irritant.

Maui Ocean Club did its construction while the resort was in operation with only minor inconvenience to guests. Host Marriott has reason to expect that hotel and neighboring timeshare occupancies will not suffer greatly during the construction period. The Kaanapali Alii may experience minor construction impacts, but they will be screened and buffered by the Marriott Ocean Club property. The renting agency may see some change in income, and owners of units on the affected side of the buildings could see lower occupancies and cash flow. The strongest impact will be felt in periods of active outdoor construction work and not throughout the entirety of the construction period. MOC will, itself be undergoing construction at the same time as the Hyatt Tower and is likely to experience no greater impact than they already would have experienced based on their own project.

For the Kaanapali Resort area adjacent to the project site, construction will bring short-term irritants, traffic and, parking problems. In the long term we expect operations will be more profitable. The Hyatt project will produce higher visitor spending, higher occupancy rates, more consistent occupancy, and increased visitor days in Kaanapali, and greater income for the West Maui visitor economy. The result will be a more stable economy due to consistent occupancy and incrementally increased demand for resident housing, public facilities and infrastructure improvements in the region. Increases in visitor and resident populations associated with this project are within the growth expected for West Maui and the island as a whole, so the new demand is likely to have already been included in facilities planning.

The key impacts to be mitigated are the impact of construction on nearby owners and occupants and increased community and beach infrastructure needs due to an increase in the visitor load. Host Marriott is assessing opportunities to schedule construction for times with lower occupancy. Host Marriott is also planning on pre-drilling the foundation to mitigate the impacts of pile driving and seeking other methods that could limit the amount of noise associated with construction. Construction according to State and County codes and regulations will help limit physical impacts. The use of temporary landscape screening will shorten the time in which construction areas intrude in the views of nearby residents and visitors at least at ground level. The impact of population and visitor growth created by this project is incremental, but it should provide relative improvements to support that growth. Another impact is the affect the project may have to views from the Kaanapali Vistas neighborhood. The impact of this building on their view of the coastline is obvious, but the expectation or necessity to protect that view is what must be discussed as part of the overall approval of this project.

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# 1. INTRODUCTION

## 1.1 THE HOST MARRIOTT/HYATT REGENCY MAUI PROJECT

The Hyatt Regency Maui has been a key contributor to the successful Kaanapali Beach development ever since it opened in 1980. Current plans call for a new 12-story that will contain 121 timeshare units to be built on the north side of the 18.4-acre property.

Vacation ownership ("timeshare") development by major hotel chains has brought higher occupancies to Hawaii, benefiting both hotel operators and the community at large. The proposed action fits this general trend. However, it is likely to raise questions for some neighbors, so a detailed study of socio-economic impacts seems warranted. Chris Hart & Partners, Inc., planners for Host Marriott in the renovation and expansion of the Hyatt Regency Maui, has asked SMS Research & Marketing Services, Inc. to assess socio-economic impacts for this proposed project.

Currently, the Hyatt Regency Maui property on Kaanapali Beach consists of an array of 8, 10, 12-story hotel buildings that hold a total of 800 guest units, several restaurants, retail and meeting spaces and support facilities.

The Host Marriott/Hyatt Regency project will add new timeshare units and facilities to an elite hotel. New facilities consist of:

- One tower with up to 12 stories of time-share units, situated to the north of the existing hotel buildings, with a total of 121 new units. 24 of the units will have "lock-off" capability, essentially creating the potential for up to 24 one-bedroom units. This would amount to a potential for 145 "keys" as a maximum for the entire building. The facility will include 2 and 3 bedroom units with kitchen and laundry facilities.
- New and reconfigured parking areas will create a total of 1,182 stalls serving the entire property, according to Marriott plans, including 20 spaces designated for beach right-of-way parking. The parking areas will be fully landscaped.
- New pool, spas, decks and possibly tennis courts;

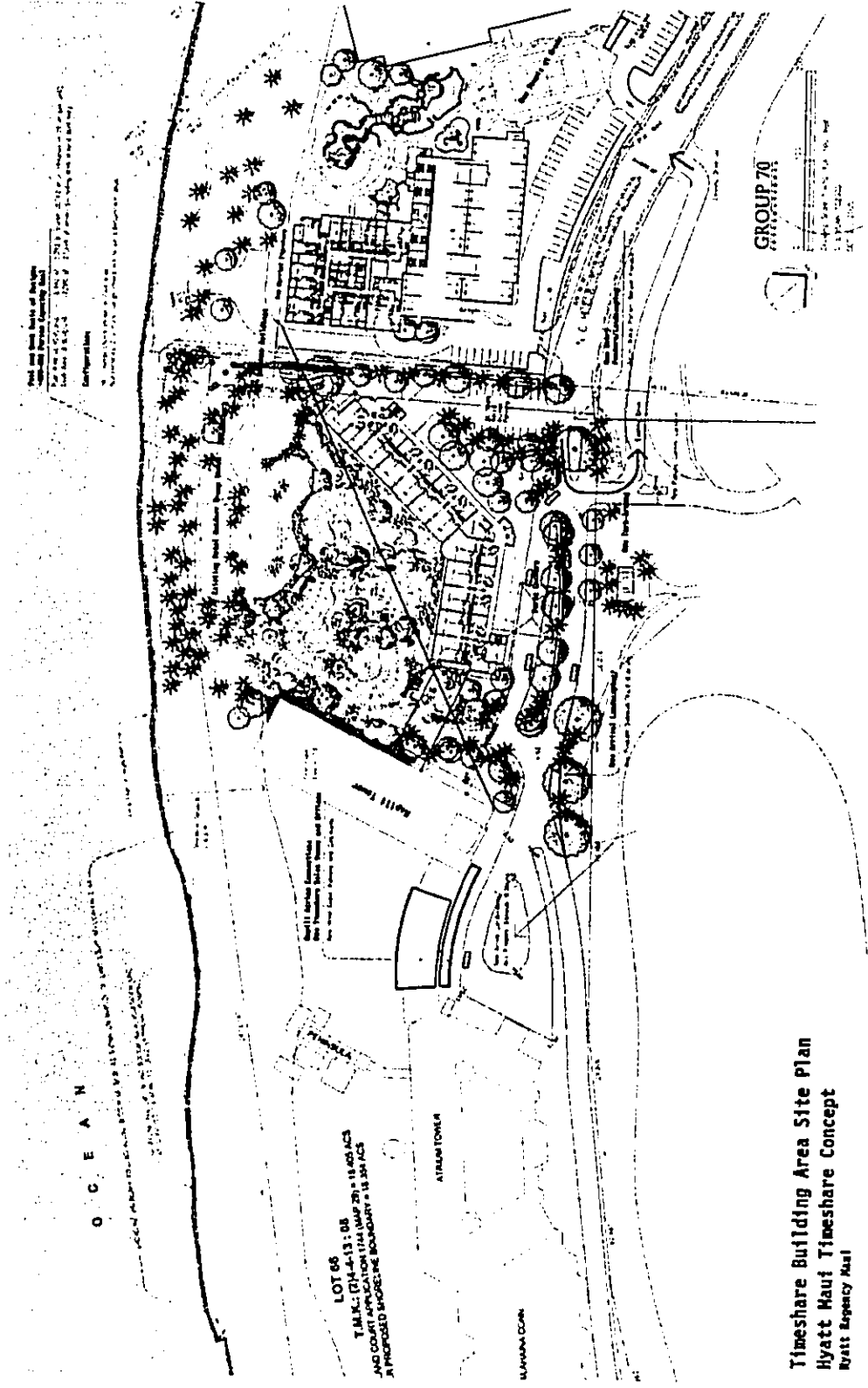
Exhibit 1 shows the existing Host Marriott/Hyatt Regency resort in relation to its neighbors. Exhibit 2 shows the proposed layout.

Exhibit 1: Project Location in Kaanapali



NOTE: This map shows the surrounding properties and the proposed building location.  
SOURCE: Chris Hart & Partners, Inc.

Exhibit 2: Site Plan



SOURCE: Group 70. 2006



## 1.2 PURPOSE AND SCOPE OF THIS REPORT

This report is a socio-economic impact assessment, intended to appear as an appendix to the Environmental Impact Statement (EIS) on the Host Marriott/Hyatt Regency proposal. As such, it is meant as an aid to decision makers and the wider community as they view and decide on the project's permit applications. This is one of several technical studies, and, where appropriate, will point to other studies for more detailed examination of topics handled in them. (For example, this report may discuss traffic congestion as an issue of concern to stakeholders, and as a factor affecting quality of life. Quantitative analysis of the impact of traffic alternatives on congestion at various points is provided in the traffic study for the EIS.)

The analysis of impacts is approached through contexts that can affect the reception and consequences of the proposed development:

- This chapter provides an introductory account of the project;
- The next chapter discusses the socio-economic context of the project;
- The third chapter details the concerns of stakeholders, both with the overall future of Kaanapali and with the Host Marriott/Hyatt Regency proposal; and
- The following chapters deal with potential project impacts. Economic and demographic impacts are estimated first. Impacts on public facilities are estimated in relation to existing and planned local facilities. Other social impacts, which are less easily quantified, are then discussed. Finally, mitigation of potentially adverse impacts is addressed, both as an ongoing process and as a series of actions, some of which have already been planned, which could improve the project.

## 2. THE SOCIO-ECONOMIC CONTEXT

West Maui's economy changed greatly when the Kaanapali Resort opened just north of Lahaina. The Royal Lahaina Hotel opened in 1962 and by 1980 more than 4,500 units had been built (Farrell 1982). It was the first master-planned resort in Hawaii and established Maui as a visitor destination in its own right.

Lahaina has been transformed into the town center for a region based on the visitor industry. Lahaina's oceanfront area maintains the flavor of the port town, has many shops to serve the visitor trade, and has become noted for its art galleries. Uphill, Lahaina's residential area has expanded in recent decades nearly up to Lahainaluna. The Kelaweia Mauka residential area was built to accommodate hotel workers and the employees of AMFAC, the Kaanapali landowner.

Maui Island includes six community plan regions (shown in Exhibit 3): Central Maui (Wailuku-Kahului) is the commercial and government center. Visitor accommodations are mostly located in West and South Maui.

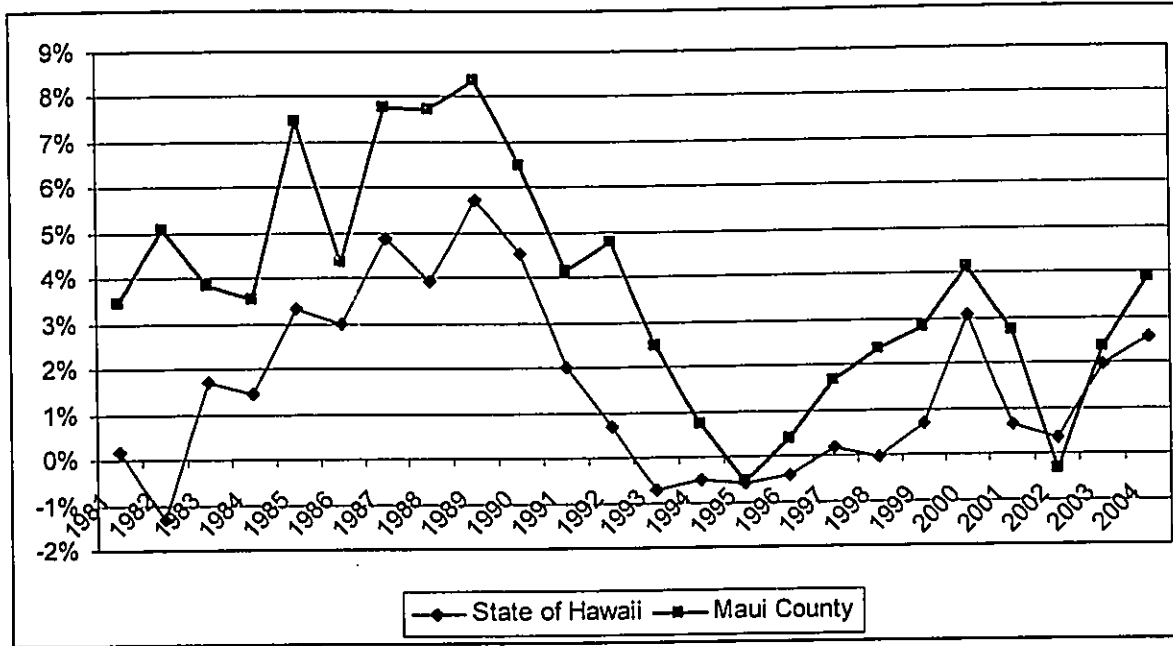
### 2.1 ECONOMY

In the 1980s, Hawaii's economy grew quickly, thanks largely to the visitor industry. The 1990s witnessed severe economic and demographic stagnation across the State. Maui County, however, consistently did better or as well as the state as a whole, as shown in Exhibit 4.

As of May 2005, Hawaii had the lowest unemployment rate (2.7%) of all the states in the United States, and the rate for Maui Island was even lower at only 2.1%. Job count data (in Exhibit 5, for 2004) reflects Maui County's service economy, in which "leisure and hospitality" is the largest sector, accounting for 37% of all private-sector jobs. Maui's prosperity and economic stability is at least partially due to its diversification. Retail, financial services, and business services all saw growth in the 1990s.

While Maui's visitor economy has endured, its growth rate and its lead over the other counties are both shrinking. The average visitor population leveled off at just over 40,000 persons, and Maui's share of Hawaii's visitors remains just over 25 percent. In part, this is due to a long period without new construction of visitor units, as shown in Exhibit 6. In recent years, Maui hotel occupancy climbed to the highest levels in the State, and remains very high. To some degree this reflects the increasing role that timeshare conversions are playing in the hospitality sector.

Exhibit 4: Job Growth, State of Hawaii and Maui County, 1981- 2004



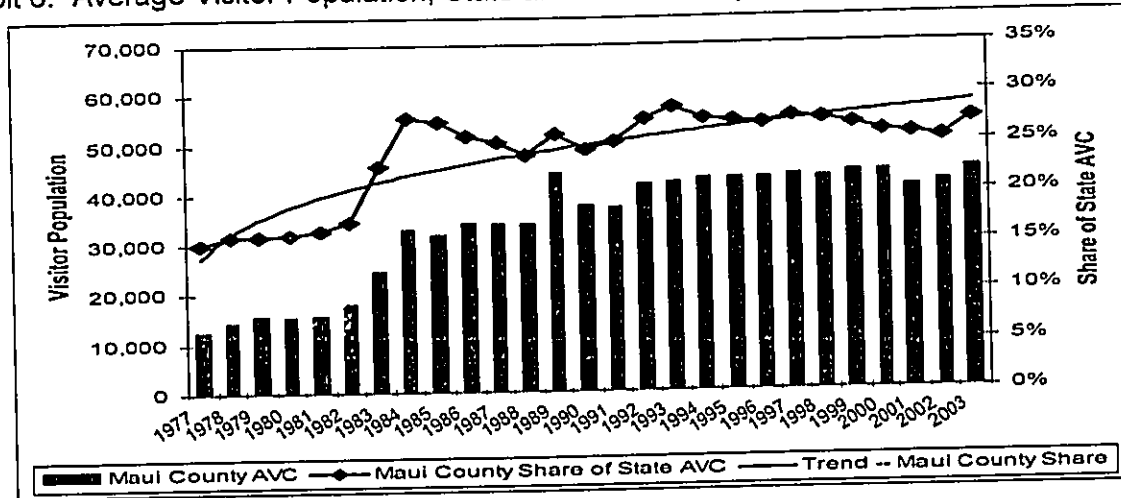
SOURCE: DBEDT, 2004a.

Exhibit 5: Maui County Nonfarm Job Count, 2004 Annual Averages

	Job Count
<b>Total Nonfarm</b>	<b>65,850</b>
Goods-Producing	4,600
Service-Providing	61,250
<b>Total Private</b>	<b>57,200</b>
Natural Res. & Mining & Construction	3,050
Manufacturing	1,550
Trade, Transportation & Utilities	13,750
Wholesale Trade	1,250
Retail Trade	9,300
Transportation, Warehousing & Utilities	3,250
Financial Activities	2,950
Professional and Business Services	5,750
Professional, Scientific & Technical Svc	1,450
Administrative & Support & Waste	3,950
Educational and Health Services	5,100
Educational Services	950
Health Care and Social Assistance	4,150
Leisure and Hospitality	21,400
Arts, Entertainment, & Recreation	2,100
Accommodation and Food Services	19,300
Other Services	2,700
<b>Government</b>	<b>8,650</b>
Federal Government	750
State Government	5,700
State Education (DOE & UH)	3,050
Local Government	2,200

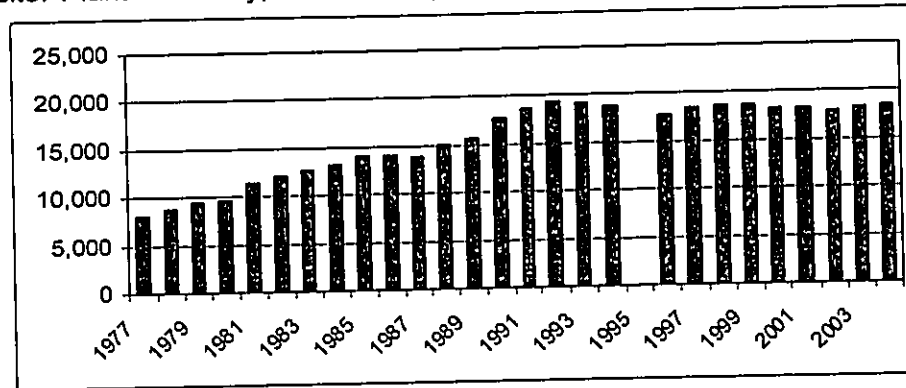
SOURCE: Hawaii State Department of Labor and Industrial Relations.

Exhibit 6: Average Visitor Population, State and Maui County, 1977-2003



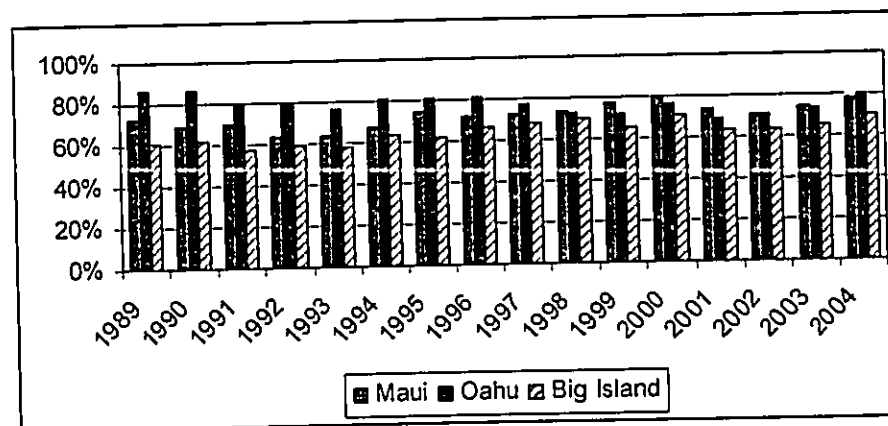
SOURCE: DBEDT, 2004c.

Exhibit 7: Visitor Plant Inventory, Maui County



SOURCE: DBEDT, 2005a.

Exhibit 8: Average Annual Hotel Occupancy, By County, 1989-2004



NOTE: Kauai data not shown, since Kauai's visitor plant was greatly affected by Hurricane Iniki. SOURCE: DBEDT, 2005b.

### 2.1.1 Overview

In this chapter, we describe the social and economic contexts surrounding the Host Marriott/Hyatt Regency Maui. Key elements include:

- Maui has achieved a strong reputation as a popular visitor destination. As the island's first resort area, Kaanapali has done much to establish that reputation. Nowadays, however, it has been overshadowed by Kapalua to the north and Wailea to the southwest, which offer more luxurious hotels and more challenging golf courses.
- The visitor industry has enabled Maui to weather the difficult economic tides of the 1990s better than any other county in Hawaii. Even today, Maui's economy is strong. Unemployment is low and job growth is steady.
- Timeshares are increasingly important in Hawaii's visitor industry. The new time-share resorts are part of international chains like Marriott and Starwood, and offer buyers high quality facilities backed by the chains' reputations. Timeshares offer higher occupancies and faster return on investment than hotels.
- West Maui's people include relatively well-off residents of Kaanapali and Kapalua, and people of the more mixed communities of Lahaina, Napili and Honokowai. Even in Kaanapali, housing costs are high relative to income and many residents spend 30 percent or more of their income for shelter cost.
- West Maui has more jobs than residents. Its housing-to-jobs ratio (see Exhibit 37) is very low and has been for many years. That means a lot of Kaanapali employees commute to work from outside of West Maui. It suggests a need for more housing in the area, and -- combined with the one-way-in-one-way-out transit corridor -- causes major traffic problems.
- In addition to residents; workers who live in other areas, visitors, and second-home owners contribute to the regional population and economy.

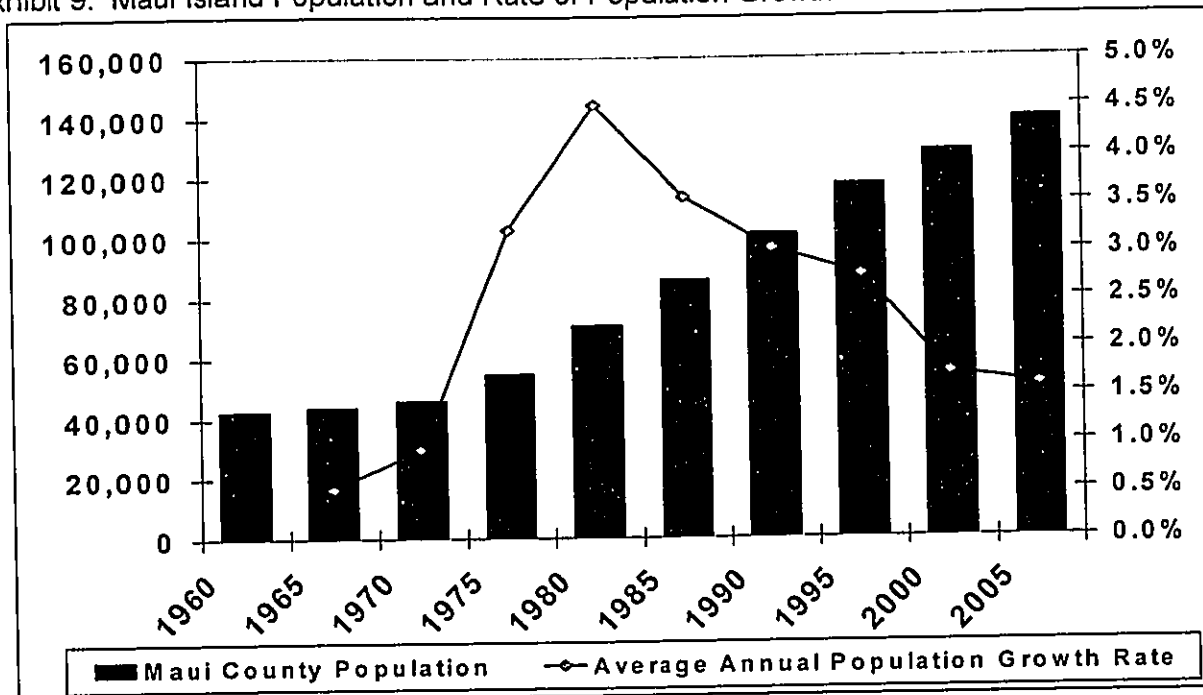
## 2.2 SURROUNDING AREAS

The Host Marriott/Hyatt Regency Maui is on the southern side of the Kaanapali resort area, in the Lahaina District of Maui. These areas are discussed in this section.

### 2.2.1 Maui Island

Maui County includes the islands of Maui, Molokai, Lanai and Kahoolawe. Maui Island is home to 92 percent of the County population. With a population of 117,644 as of April 2000, Maui Island is the third most populous island in Hawaii. After World War II, much of the population emigrated to Honolulu. Since 1970, Maui has seen continuing population growth, as shown in Exhibit 9. By way of contrast, population growth statewide averaged 2 percent or more during the 1950s, 1960s, and 1970s, but has been declining since then. Between 1990 and 2000, average annual population growth was only 0.9% for the State.

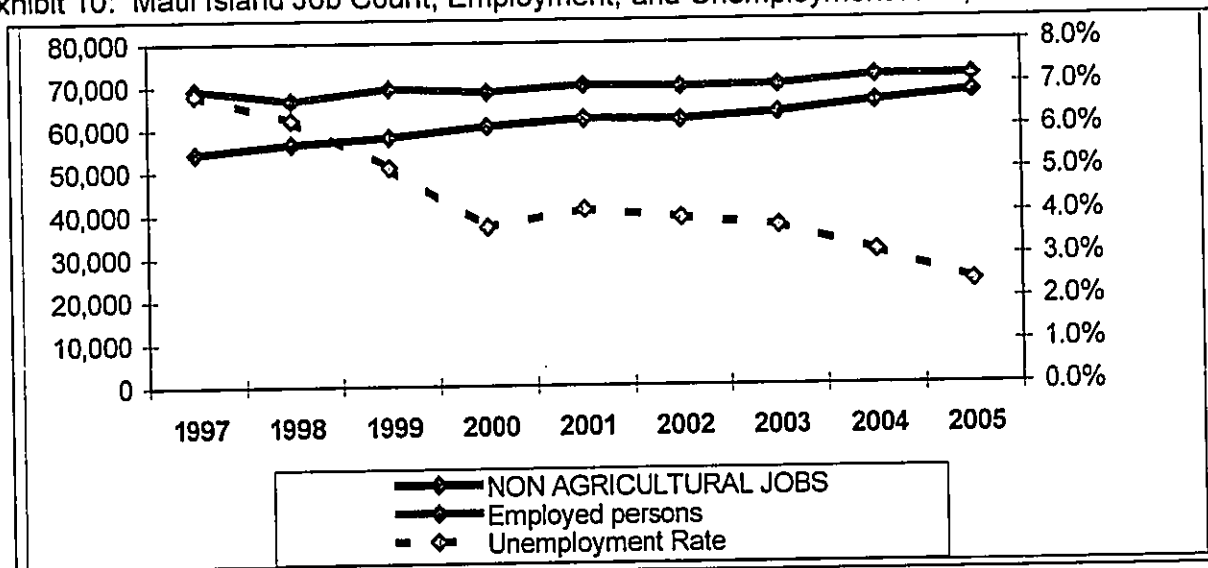
Exhibit 9: Maui Island Population and Rate of Population Growth



SOURCE: DBEDT, 2002a.

Maui Island's economy was based on sugar plantations for much of the twentieth century. Maui made the transition to a tourism economy fairly quickly, with visitor counts exceeding a million by 1976. During the 1990s, Maui weathered the economic recession and stagnation that affected other counties. Both jobs and population increased, even though visitor numbers did not grow appreciably. There was growth in most major industry sectors including services; transportation and utilities; and State/County government. The result has been low unemployment, as indicated in Exhibit 10.

Exhibit 10: Maui Island Job Count, Employment, and Unemployment Rate, 2001-2005



SOURCE: Hawaii Department of Labor and Industrial Relations  
[http://www.hiwi.org/admin/uploadedPublications/471\\_LFMI.PDF](http://www.hiwi.org/admin/uploadedPublications/471_LFMI.PDF)

Oahu and Maui have relatively diversified economies, and have been able to limit unemployment during recessionary times. On the other islands, unemployment can spike when hotels or plantations close, and unemployment is typically higher. In December 2005, 2.7% of the State Civilian Labor Force was unemployed. Unemployment was 2.4% on Oahu, 2.3% on Maui, 2.5% on Kauai and 2.8% on the Big Island. Lanai, which historically has tended to have very low unemployment, was at 2.0% and Molokai at 6.3% (Department of Labor and Industrial Relations website, <http://www.state.hi.us/dlir/rs/loihi/>).

Maui's visitor industry succeeded in creating Hawaii's first planned resort area, at Kaanapali. This was followed by growth of visitor facilities in South Maui, both in Kihei and the planned resort area of Wailea, and at Kapalua, also in West Maui. Maui has succeeded in becoming a recognized visitor destination known throughout the United States and Canada.

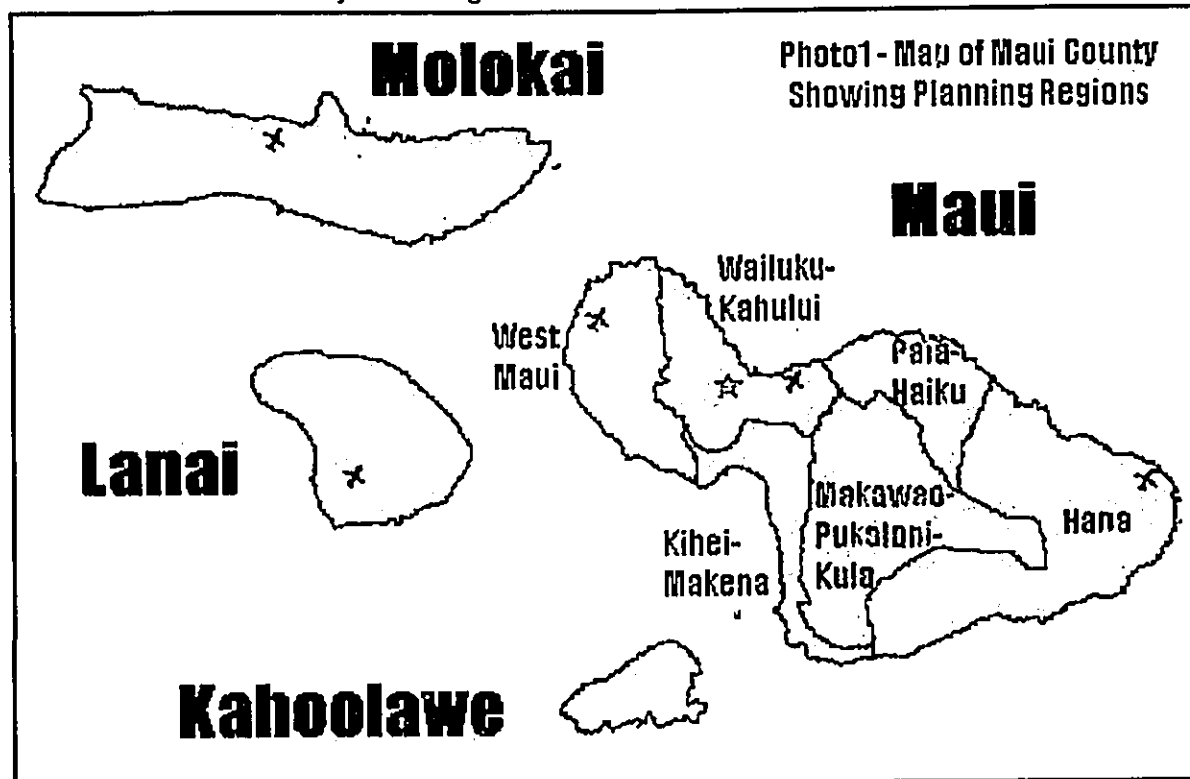
### **2.2.2 West Maui**

West Maui is both a State Judicial District and a Maui County Community Plan Region. Major settlements include Lahaina, which was Maui's leading town and a major political center under the Kamehamehas, the resort areas of Kaanapali and Kapalua, and, between them, Napili. (Exhibit 11 shows the Community Plan Region and Exhibit 12 shows communities identified as Census Designated Places in Maui County, including the major communities of West Maui.)

In the twentieth century, Wailuku emerged as the island's capitol city. Kahului, in the central plain, became home to the major harbor and airport. Kahului has increasingly been the center of retail activity. Malls serving the entire island were established there in the 1980s, and "big box" retailers have opened up Maui locations in Kahului. Lahaina, Kaanapali and West Maui were planned as important tourist destinations and have the narrow service economies to match with less diversification than other island communities.

West Maui has some 9,597 visitor units (as of 2004) for approximately 54 percent of the Maui island visitor plant (DBEDT, 2004c). Employment in West Maui has been estimated as 28.4 percent of the island's wage and salary jobs in 2000, and the regional population is only 15.3 percent of the island's resident population (Based on U.S. Census). Thus reflecting the areas continuing jobs to housing imbalance.

Exhibit 11: Maui Community Plan Regions



SOURCE: Maui County Planning Department.

New residential housing has developed in Lahaina, and in the Napili area between Kaanapali and Kapalua. Major housing projects have been proposed by the State of Hawaii and by Kaanapali Development Corp. (the successor company to AMFAC, the landowner that controlled Pioneer Mill and its surrounding sugar lands.) These projects have been delayed due to planning issues.

### 2.2.3 Kaanapali Resort

AMFAC turned lands north of Lahaina into the Kaanapali Resort in 1957. The first hotel, the Royal Lahaina, opened in 1962. The Hyatt Regency opened in 1980, followed quickly by the Kaanapali Alii in 1982. At this point the anchor properties of the resort area were in place.

Today, the resort includes six hotels: including the Hyatt Regency, the Marriott, the Westin, the Royal Lahaina, the Kaanapali Beach and the Sheraton, two oceanfront condominiums (Kaanapali Alii and The Whaler), a shopping center, two golf courses, additional residential properties and the Maui Ocean Club, a timeshare property. All are prosperous, although the various hotel operations have recently been reviewing ways to keep customer loyalty and increase occupancies. Many of these properties have renovated their buildings, but they were not built to the luxury standards that have had the highest returns in recent years. Amfac/JMB's role has greatly diminished, partly due to cash flow problems that led to reorganization and divestiture.



Kaanapali's relative affluence is reflected in the value of its residential properties. In 2005, condos in upscale resort areas sold for more than twice the price, on average, of condos throughout Maui (as shown in Exhibit 2-E). These data suggest that Maui's residential market has two distinct tiers, with vacation homes in prestigious areas selling for much more than residential property near more diverse communities.

#### **2.2.4 Residential Areas of West Maui**

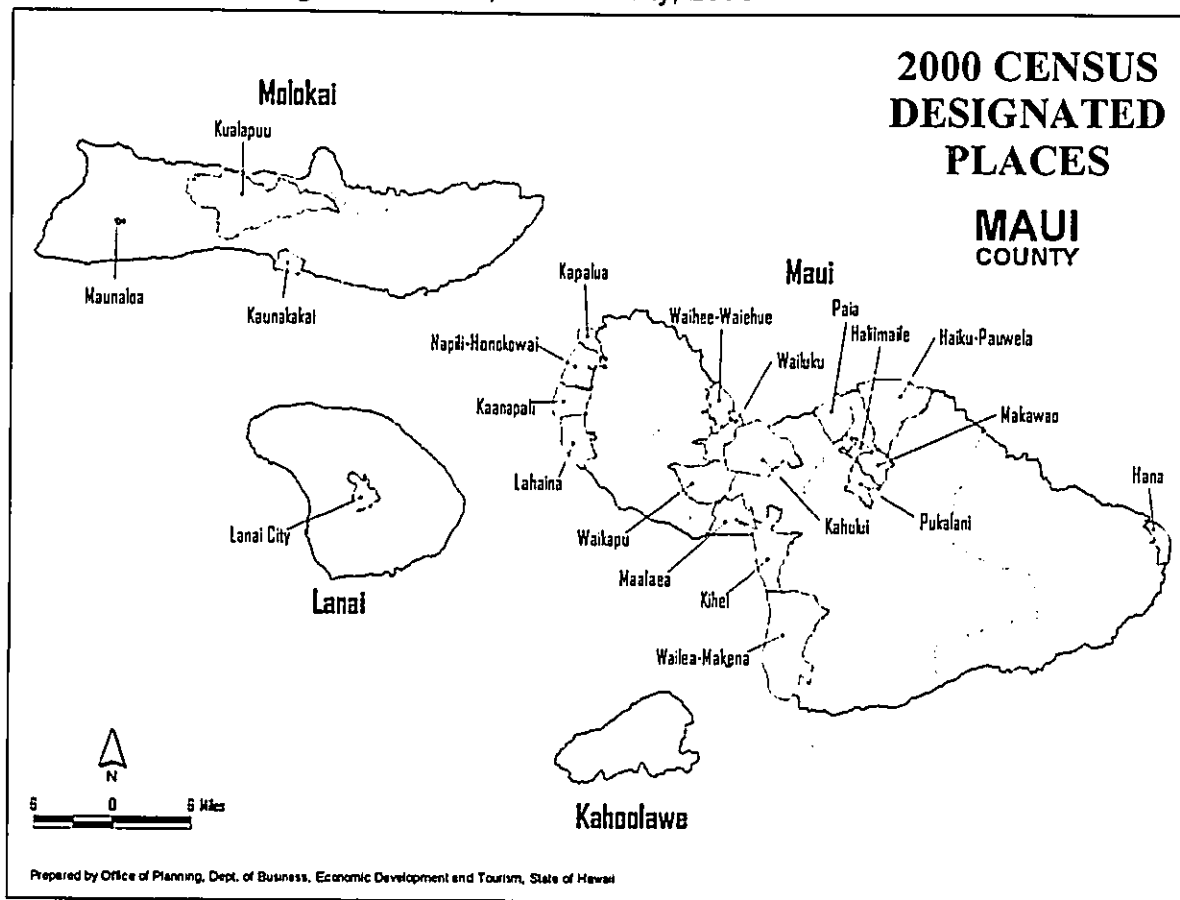
Census data from 2000 tell more about the differences between upscale resort areas such as Kaanapali and Kapalua, and other parts of Maui County:

- The populations of Kaanapali and Kapalua are typically older and better educated than in other areas (as shown in Exhibit 14).
- More newcomers live there. Relatively few residents lived in the same housing unit five years before – as compared to some 63 percent of adults in nearby Lahaina.
- Resort residents are likely to be managers or office workers, with fewer service workers than in other areas (Exhibit 15);
- A higher share of workers are self-employed than in other areas;
- Incomes (Exhibit 16) are much higher, especially income from earnings and retirement;
- There's less poverty in resorts. While persons living below the poverty line are found in all the communities shown in Exhibit 16, no senior citizens in the resort communities are in poverty;
- Most of the housing inventory is reserved for vacation use (whether as rentals or second homes of the owners), as shown in Exhibit 12; and
- Housing costs are higher than elsewhere, but homeowner vacancy rates are still low. (The census shows an anomalously high renter vacancy rate for Kapalua.)

Some of the similarities between the West Maui resort communities and the larger Maui County population deserve note as well:

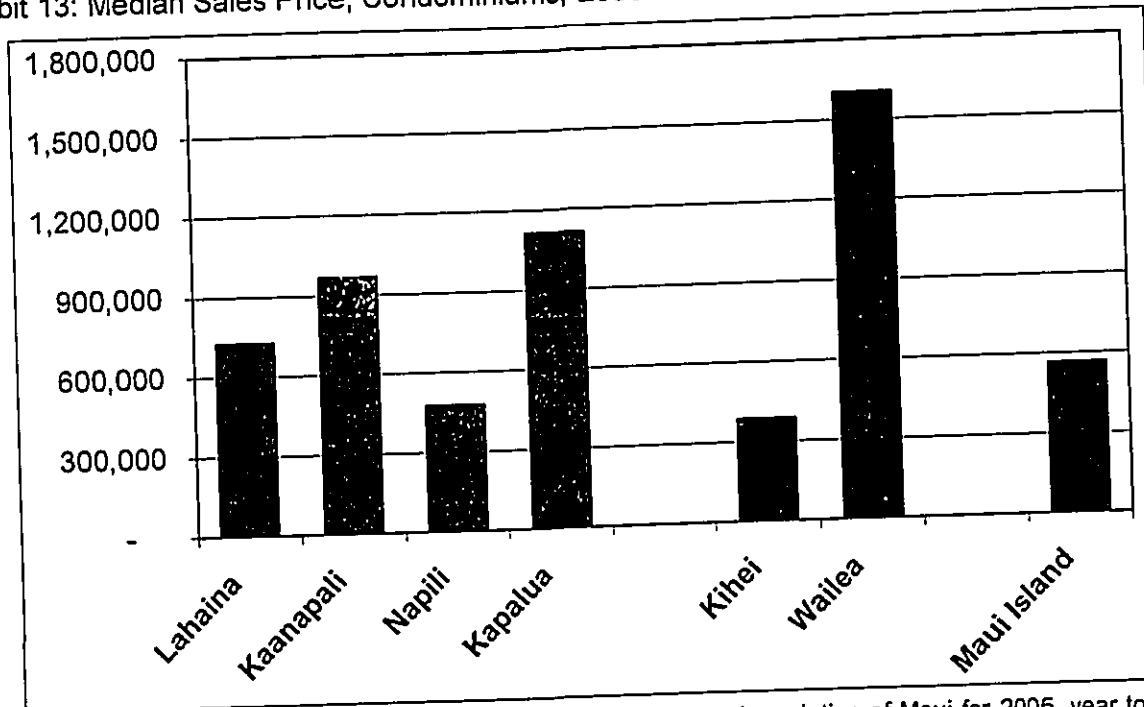
- Most residents lived in Maui County five years before the Census, and very few came from elsewhere in Hawaii; and
- A large number of resident households pay at least a third of their income for housing costs, whether they rent or own their homes. The housing market boom has exacerbated this situation over the past three years and prices are only now cooling off.

Exhibit 12: Census Designated Places, Maui County, 2000



In the early years, Kaanapali resort expansion was crucial to West Maui's economy. It created new jobs and transformed regional tourism. An early impact of this success was employees' demand for housing, which pushed rents up in Lahaina. County authorities negotiated with the developers of the Hyatt and Marriott properties to support employee housing projects at Kelaweau Mauka, in Lahaina (Farrell, 1982). More recently, West Maui employment has continued to grow, while housing construction has not been able to keep pace. This imbalance between increasing employment, lack of new or affordable housing and lagging infrastructure improvements such as the Lahaina Bypass has brought with it traffic congestion and other growth-induced impacts. A disproportionate number of the West Maui workforce commutes from other parts of the island.

Exhibit 13: Median Sales Price, Condominiums, 2005



NOTES: Data from Multiple Listings Service records, Realtors Association of Maui for 2005, year to date through December 31, 2005. Only the 1,770 fee simple sales on Maui Island are included.

Exhibit 14: Resident Population Characteristics, 2000

	Maui County	Kaanapali CDP	Lahaina CDP	Kapalua CDP
<b>Resident Population</b>	128,094	1,375	9,118	467
% under 18	25.5%	18.3%	22.8%	17.6%
% 65 and over	11.4%	15.9%	11.9%	16.7%
Median Age	36.8	44.8	36	41.7
<b>Education (Persons 25 and older)</b>				
HS graduate or higher	83.4%	97.4%	78.8%	93.2%
BA or higher	22.4%	46.8%	16.8%	46.9%
<b>Residence in 1995 (Persons 5 and over)</b>				
Same house	55.8%	34.4%	63.2%	44.4%
Same county	26.2%	24.3%	21.7%	23.8%
Other county, Hawaii	4.2%	3.1%	4.3%	0.0%
Other state	10.9%	33.2%	8.1%	31.8%
Outside US	3.0%	5.1%	2.8%	0.0%

SOURCE: 2000 US Census, from <http://www.hawaii.gov/dbedt/census2k/index.html>.

Exhibit 15: Resident Employment Characteristics, 2000

	Mau County	Kaanapali CDP	Lahaina CDP	Kapalua CDP
<b>Employment Status</b>				
Population 16+	99,326	1,181	7,300	335
Civilian Labor Force	66,219	660	4,882	177
Unemployed	5.0%	2.9%	2.9%	3.6%
<b>Occupation</b>				
Management, professional	26.3%	43.7%	14.1%	34.5%
Service	26.4%	18.6%	41.6%	16.4%
Sales, office	26.2%	31.2%	24.5%	33.9%
Farm, fishing, forestry	2.1%	1.4%	1.6%	2.4%
Construction, maintenance	9.6%	1.9%	7.3%	5.5%
Production, transportation	9.4%	3.3%	10.8%	7.3%
<b>Class of worker</b>				
Private wage or salary	74.7%	78.2%	87.1%	78.8%
Government	14.6%	7.0%	7.7%	8.5%
Self-employed (not incorporated)	10.3%	13.9%	5.0%	10.9%
Unpaid family workers	0.4%	0.9%	0.1%	1.8%
Commute to work (mean time, min.)	21.7	18.3	13.9	20.7

SOURCE: 2000 US Census, from <http://www.hawaii.gov/dbedt/census2k/index.html>

Exhibit 16: Resident Income Characteristics, 1999

	Mau County	Kaanapali CDP	Lahaina CDP	Kapalua CDP
<b>Household Income, 1999</b>				
Less than \$25,000	23.0%	10.1%	21.9%	19.7%
\$100,000 or more	15.5%	38.1%	19.7%	34.2%
Median	\$49,489	\$79,288	\$52,984	\$57,292
<b>Income sources</b>				
Earnings	84.4%	78.1%	86.4%	66.1%
Mean Earnings	\$58,549	\$94,288	\$66,372	\$162,021
Social Security	26.6%	33.4%	33.0%	31.7%
Mean SS income	\$11,771	\$14,444	\$10,785	\$16,926
Public Assistance	6.3%	1.5%	6.1%	3.8%
Mean PA income	\$4,511	\$2,333	\$4,708	\$8,543
Retirement income	17.5%	21.5%	21.0%	22.6%
Mean retirement income	\$18,396	\$24,024	\$11,826	\$79,985
<b>Poverty Status, 1999</b>				
Families	7.7%	1.6%	6.8%	5.1%
With children under 18	10.6%	0.0%	9.1%	7.7%
Individuals	10.5%	7.5%	7.8%	7.2%
65 years and over	7.5%	0.0%	9.2%	0.0%

SOURCE: 2000 US Census, from <http://www.hawaii.gov/dbedt/census2k/index.html>.

Exhibit 17: Resident Household Characteristics, 2000

	Maui County	Kaanapali CDP	Lahaina CDP	Kapalua CDP
<b>Total Housing Units</b>	56,377	1,770	3,027	831
Occupied Units	43,507	537	2,599	186
Average household size	2.91	2.56	3.5	2.51
Vacant	22.8%	69.7%	14.1%	77.6%
For seasonal, recreational use	17.3%	67.9%	10.6%	55.0%
Owner-occupied units	57.6%	77.5%	53.6%	64.5%
Average household size	3.13	2.58	4.05	2.35
Rental units	42.4%	22.5%	46.4%	35.5%
Average household size	2.62	2.48	2.87	2.8%
Homeowner vacancy rate	1.2%	2.6%	0.4%	2.4%
Renter vacancy rate	7.2%	6.2%	5.3%	71.1%
Crowding (1)				
Mild (1.01 - 1.5 persons/room)	8.3%	0.4%	14.1%	9.5%
Severe (1.51 + persons/room)	8.2%	0.0%	10.3%	3.6%
Median owner costs (with mortgage)	\$1,572	\$2,606	\$1,683	\$2,333
Owner housing costs as % of household income 30% or more	34.0%	48.9%	31.1%	36.7%
Median gross rent	\$788	\$1,760	\$872	\$1,308
Gross rent as % of household income 30% or more	36.4%	39.6%	29.5%	40.4%

SOURCE: 2000 US Census, from <http://www.hawaii.gov/dbedt/census2k/index.html>.

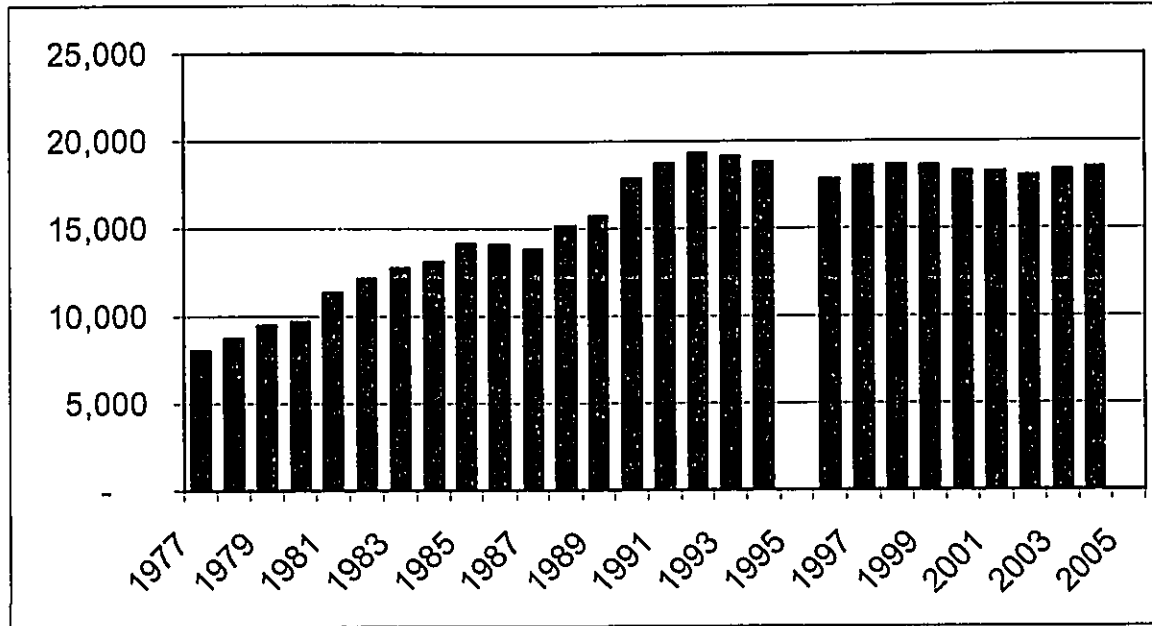
## 2.3 THE VISITOR INDUSTRY

### 2.3.1 Growth of the Visitor Industry in Maui County

Throughout Hawaii, tourism was small until jet aircraft made it possible for visitors to come for stays of a week or two, not months. In 1960, there were fewer than 300 visitor units in Maui County. Over the next decade, the room inventory grew nearly tenfold. Exhibit 18 shows that construction of hotels and condominiums continued at a rapid pace until about 1990. Since then, unit counts have stabilized. Visitor numbers also reached a plateau during the 1990s, with Maui County having 25 percent or more of Hawaii's visitors.<sup>1</sup>

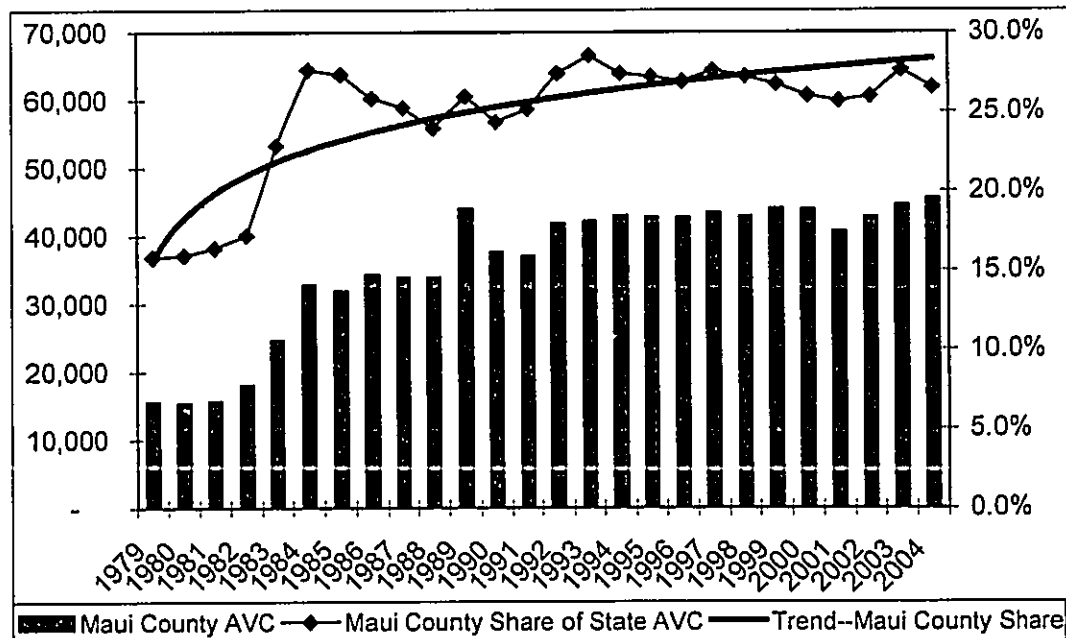
<sup>1</sup> Maui County figures are used rather than Maui Island, because visitor counts for Lanai and Molokai are suspect inasmuch as data have been gathered from arrivals surveys – information about the islands visitors hope to visit – not departures.

Exhibit 18: Maui County Visitor Units



NOTES: Visitor unit inventory includes hotels, condos in rental pools, bed and breakfasts, and independent vacation units. No count was taken in 1995. Based on counts by Hawaii Visitors Bureau, then by DBEDT. Source is DBEDT, 2004c.

Exhibit 19: Maui County Average Visitor Census, 1979 – 2004



SOURCES: DBEDT, 2004d; County of Maui, 1996; 2001.

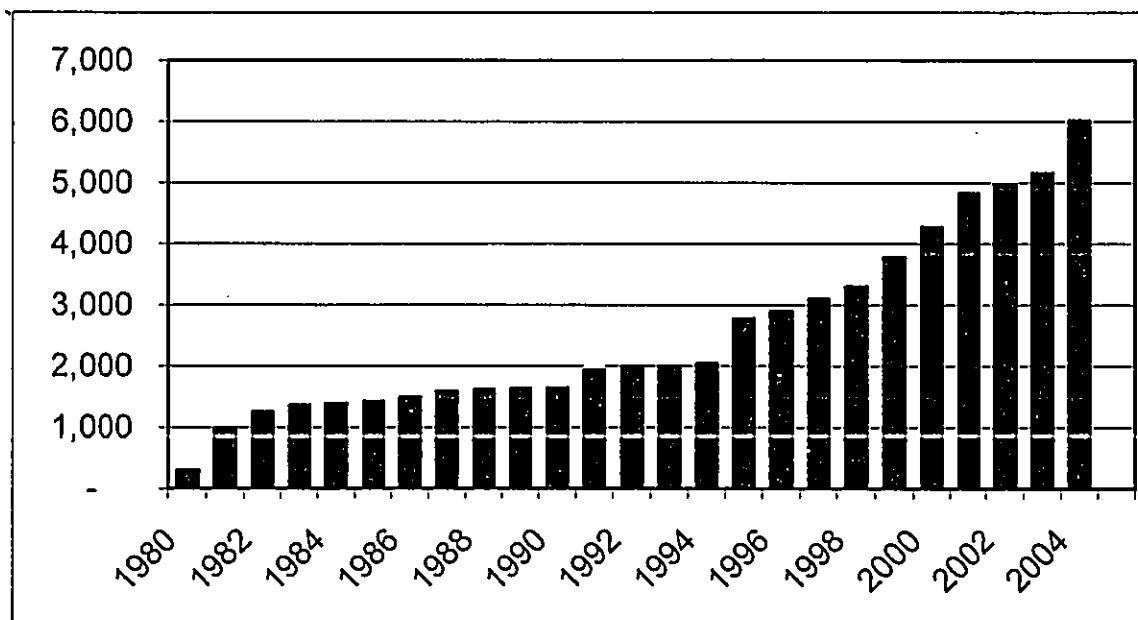
In the early 1990s, Kaanapali achieved higher occupancies than other visitor areas on Maui. In 1995, for example, Kaanapali reported 82.3 percent average annual occupancy, compared with 75.3 percent island wide. Average room rates were not as high in Kaanapali as in other parts of Maui, but revenue per available room was much higher in Kaanapali than elsewhere (County of Maui, 1996).

By 2004, all of Maui had achieved 78 percent occupancy, on average, although Kaanapali stood out with an average occupancy of 79.9 percent. Kaanapali's average room rate, recorded as \$175.63 per day, was below the West Maui average, and below the island average (\$226.78) largely due to Kapalua and Wailea. The difference clearly had to do with the share of luxury rooms in different resort areas, since luxury units were rented at much higher rates (\$332.36 on average, 90% more than the rate realized for First Class rooms) (County of Maui, 2005).

### 2.3.2 Timeshares

Sales of timeshares began modestly in Hawaii around 1980, with fewer than 500 units available (as shown in Exhibit 20). Sales increased over the years and now constitute slightly more than five percent of the visitor accommodations inventory (DBEDT, 2004b). The growth was almost entirely accomplished on the Neighbor Islands. Oahu's timeshare inventory – only 580 units until 2000 -- was nearly all created in the early 1980s (kpmg LLC et al., 2001). As a result, it now consists of older units, most of which are studios and one-bedroom units. Maui, on the other hand, had 1,512 registered units as of 2004 – 25 percent of the state's inventory. As of 2004 the Lahaina-Kaanapali-Napili-Kapalua area held the majority of Maui's timeshare inventory with 977 units.

Exhibit 20: Timeshare Units in Hawaii, 1981-2000



SOURCES: kpmg LLC et al, 2001; DBEDT, 2002b.

At first, Timeshare properties built up a poor reputation based on overly aggressive sales techniques and low quality tourism experiences. These concerns have been mostly eliminated through legislation (Brown, 2001) and competition. But a key factor in polishing up the timeshare image was participation by major hotel chains, such as Marriott, Hilton and Starwood. The exchange of rights to use units in different locations has become routine: most buyers acquire not only an interval in a unit in a given property, but also membership in an exchange system (either one of two major international systems, or in-house "clubs" of major hotel/timeshare brands). As a result, buyers of Hawaii intervals tend to be able to pick and choose whether to return to their unit, exchange their rights for others elsewhere, or even bank their rights in order to use them in a future vacation.

Timeshare properties have extremely high occupancy rates, even during times of crisis. Following the September 11 tragedy at the World Trade Center, occupancy rates for hotels and condominiums plummeted. Timeshare properties usage rates remained normal at over 90 percent. Timeshare owners (or exchangers, for that matter) see themselves as owning their reserved units. They have a "use it or lose it" view of their travel plans rather than the typical vacationer's willingness to cancel plans, hoping to book again at a later time.

The vast majority of Hawaii timeshare owners are US residents. About a third live in California. The share of timeshare owners living in the Mountain, Midwest and Eastern states has increased markedly, to 54 percent since 1996. The average age of owners responding to a survey in 2000 was 55.1 years (kpmg LLC et al, 2001). New buyers (who acquired intervals in 1998 or later) are younger and more affluent than other owners, as shown in Exhibit 21.

Survey respondents were mostly satisfied or very satisfied with their purchase. However, when owners were asked how they used their timeshare in the last year, the most common response was that they exchanged (43%), and only 40% had personally used their interval.



Exhibit 21: Demographics of Hawaii Timeshare Owners

	Time Share Owners	
	All	New (1)
<b>Household type</b>		
Married couple	84.0%	87.4%
Unmarried couple	4.0%	2.7%
Single men	4.0%	2.5%
Single women	8.0%	7.4%
<b>Number of children</b>		
None	72.0%	66.7%
One	12.4%	14.3%
Two	11.3%	14.1%
Three or more	4.3%	4.9%
<b>Age of household head</b>		
Mean age (years)	55.1	51.7
<b>Household income</b>		
Share > \$150,000	13.1%	15.0%
Median Income	\$88,932	\$96,697
<b>Occupation of head</b>		
Retired	26.7%	25.2%
Professional	26.0%	30.7%
Senior management	7.1%	8.3%
Middle management	10.9%	9.0%
Self-employed	10.4%	6.7%

NOTES: From survey of Hawaii time share owners conducted in June 2000.

(1) Purchased time share intervals from 1998 to 2000.

SOURCE: kpmg et al., 2001.

## 2.4 EMERGING TRENDS

### 2.4.1 Proposed Developments

#### Planned and Proposed New Development

Observers of Maui's housing scene over the last few years report two contradictory themes: Maui is suffering an extreme housing crisis even though a development boom is under way (Maui Tomorrow, 2004; Gronning, 2005). The former theme has a basis in the sharp rise of housing prices over the last several years or so. The latter is based on increasing speculation in the market from non-resident investors. To further complicate the issue, news stories typically include lists of all projects that have been proposed, even though many are clearly stalled. A significant share of proposed development consists of new housing projects and if they can be completed without substantial increases in price (a tall order) the housing supply for local residents should expand greatly.

Major projects being actively planned for West Maui include:

- The Wainee project in Lahaina would have some 860 units. Kaanapali Development Corporation is proposing this project, with over 50 percent of the homes in the "affordable" range (priced for households with up to 140 percent of the County median income).
- At the north side of Lahaina, the Villages of Leialii has long been planned by the state of Hawaii as a residential area. However, the State's right to sell parcels in this land to homebuyers has been challenged and the project has stalled. Currently, the Department of Hawaiian Home Lands (DHHL) is proceeding with plans to develop some 250 lots for lease to its beneficiaries.
- In Kaanapali, the Maui Marriott/Maui Ocean Club is in the process of converting its hotel rooms to time-share units. In addition, two new towers are planned, with a total of about 150 additional units.
- Vacation specialists, notably Starwood Resorts and Intrawest, are developing the North Beach area of Kaanapali. The first phase of the Westin Kaanapali Ocean Club has opened, and Intrawest has announced plans for 700 condominium units in their Honua Kai project.
- In Honokowai, DHHL has approximately 777 acres, and is considering plans to use about 110 of them for a residential development. DHHL estimates that 411 of its beneficiaries are interested in living in West Maui and Honokowai offers an opportunity to relocate them there (PBR Hawaii, 2004). The opportunity to develop lots at Leialii arose after the *Maui Island Plan* was drafted. It is likely that the Honokowai development will be delayed until it is clear that there is additional demand after the Leialii project moves forward.
- Kapalua will likely see major changes in the next few years. First, the Kapalua Bay Hotel is slated to be replaced by about 155 "Residences at Kapalua Bay". Next, Maui Land & Pine is moving ahead on proposals for Kapalua Mauka and the Pulelehua project. The former is currently planned to include about 690 resort units (of which 250 could be time-share units), plus approximately 170 affordable units. The Pulelehua project is planned as a neo-traditional community, with 882 units. Half would be priced as affordable.

With new housing for residents planned at Wainee, Kaanapali 2020, Leialii and Kapalua, West Maui's resident population can be expected to grow at a faster rate than for the island as a whole.

Kaanapali visitor plant is being upgraded and renovated, and the renovations involve timeshare development by several hotel corporations. In addition to the Host Marriott Hyatt Regency project (145), timeshare projects like the Marriott Sequel project (146 units) and Starwood Hotel Corporation (280 units) are coming online. The result will be a significant increase in the number of timeshare units. That increase will not translate into an increase in visitor units because the MOC project is a conversion.

It seems likely that large residential projects like Kaanapali 2020 planned by Kaanapali Development Corporation and the State of Hawaii will eventually be built. But their timing is uncertain. Many factors will affect the schedule, including financing, the construction of the Lahaina Bypass, and other conditions placed on the development. The total number of homes could exceed 8,000, but these projects will build out over many years, and will probably end up with lower densities than proposed.

Proposed public facilities and infrastructure projects ranging from basic infrastructure to cultural treasures include:

- The long planned Lahaina Bypass: The road would mitigate traffic congestion on the highway through Lahaina. Originally slated for construction in 2004, the Bypass road is yet to begin. In a recent new conference (March, 2006), Department of Transportation Director Rod Hiraga assured us that we would "see dirt flying by the end of this year".
- West Maui Hospital: There is a verbal agreement from Amfac/JMB officials that land will be set aside for the hospital site. State support for the effort is not likely, since the State is already committed to support the Maui Medical Center in Wailuku. However, a plan for a community-based hospital with private management, such as has been feasible for the North Hawaii Community Hospital at Waimea, is being explored. Maui has a single acute-care medical facility. Maui Memorial Medical Center (MMMC) located in Wailuku as of 2000 has 196 beds. Its facilities and services include a surgical unit, a cancer center, and a 24-hour laboratory. A new four-story wing is being built at Maui Memorial Medical Center. The new wing will increase bed capacity from 196 to 231. This expansion will also increase the capacity of the outpatient surgical center, and expand the physical and occupational therapy and community support programs ("Work Begins on Maui Memorial Expansion", Maui News, Nicolas 2005).
- Parks Development: Maui County recently purchased land that had been proposed for a commercial development. Taken with the County park land at Maluuluolele Park, the County has the space where the royal retreat of Mokuula – an island within a moat – was once located. A community organization is arguing strongly for replacement of some of the park uses at the site, restoration of some of the earlier topography, and respect for the past and for burials that may remain on-site.

#### **2.4.2 Social and Economic Trends**

In the early 1990s, Maui was experiencing growth at a fast pace, and, with it, traffic congestion and uncertainty about availability of housing and infrastructure. Growth appeared to pose severe problems. In the intervening years, visitor growth slowed, but population and job growth continued.

The County will soon be releasing new population, employment, housing and visitor forecasts that allocate State projections to the Community Plan regions. The unpublished State projections are based in part on 2000 Census data, and were revised after September 11, 2001. Consequently, the growth anticipated for Maui County and its subdivisions is much more modest than in the past.

The State's short term forecast anticipates annual growth in the gross state product and personal income reaching 2.2 and 2.9 percent respectively (in constant dollars, i.e., above inflation). Population growth would be at about one percent per year by 2010 (DBEDT, 2004b). Wage and salary jobs would increase at about one percent annually. If population and economic growth were to stabilize at these modest rates over the next few years, then the County and its people could hope that action to meet current infrastructure and community problems would effectively respond to future needs.

For West Maui, a key determinant of local community well being is the location of housing priced within the means of its workforce. Development of new housing at the Villages of Leialii and/or the Kaanapali 2020 Kaanapali Development Corp./Amfac/JMB lands would shorten worker commute times, add to the client base for local stores, and lessen the congestion on regional roads. On the other hand population growth will accelerate the need for schools and medical services in the region.

### **3. COMMUNITY ISSUES AND CONCERNS**

#### **3.1 SOURCES**

To appreciate community issues and concerns, SMS conducted interviews with Kaanapali stakeholders and reviewed newspaper materials relating to the Kaanapali resort. A list of persons interviewed is shown in Exhibit 22. Affiliations and titles are included for descriptive purposes only, so that readers can assess the coverage given to different stakeholder groups. People were not asked to speak on behalf of organizations or groups.

In light of the project's location, SMS tried to concentrate on interviews with owners of units in Maui Ocean Club. The MOC management would not allow access to the owners and did not want our representatives to talk about timeshares especially other company's. The proposed building would be, at its closest, about 60 feet from the nearest building in the Maui Ocean Club development. The group we focused on were those most vocal locally, the Kaanapali Vistas residents.

#### **3.2 ISSUES AND CONCERNS APART FROM PROJECT**

Nearly all of those interviewed mentioned loss of view and traffic congestion as issues affecting their neighborhood or community. Traffic was a concern principally on major roads into and within West Maui, but also within the Kaanapali development.

The majority of those interviewed have been long-term residents in West Maui and the Kaanapali area. Generally speaking they were supportive of the Hyatt Regency and its management, but were concerned with increasing impacts on the community due to delayed infrastructure improvements such as schools, hospitals, bypass roads, parking, water and sewer improvements.

Nearby managers were supportive of timeshare growth but stated that time had come for a collective solution to traffic and parking issues for the resort.

#### **3.3 ISSUES AND CONCERNS WITH REGARD TO PROJECT**

Interviewees took three distinct positions with regard to the project. Kaanapali business interests welcomed it as part of an effort to re-invigorate the resort, attracting new visitors who would likely spend more than current hotel visitors. Owners of more distant homes in Kaanapali raised questions about view planes.

Exhibit 22: Persons Interviewed for this Report

Name	Affiliation (1)
Mr. Mark Altier	General Manager, Kaanapali Alii
Mr. Joseph Alueta	Planning Officer, Maui County
Mr. Craig Anderson	Complex General Manager, Westin Maui
Dr. Ben Azman	Resident, Kaanapali Hillside
Mr. Matthew Baum	Manager, Mango Bar and Grill(at Golf Course)
Mr. Don Furnette	Visitor, Many times (Westin)
Ms. Darcel Gilbert	Resident, Kaanapali Hillside
Dr. and Ms. Harrison	Resident, Kaanapali Hillside
Ms. Audrey Houlihan	Visitor, 1st visit (Westin)
Mr. Warren Leland	Resident, Kaanapali Hillside
Ms. Kerri Mix	Employee, American Express, Westin Maui
Mr. Don Reaser	Former Manager Whalers Village/Royal Lahaina
Mr. Alex Scott	Resident, Kaanapali Hillside
Mr. Dino Tesara	Owner, Island Style Adventures Surf School
Mr. And Mrs. David Vickers	Resident, Kaanapali Hillside

**NOTE: (1)** Affiliations are listed to indicate the groups, networks and specializations which the interview process tried to reach. Interviewees were asked about opinions in the community, not to speak on behalf of organizations or firms. No claim is made that the firms, groups, and organizations mentioned above take any position with regard to the project.

Specific issues mentioned in the interviews with regard to the project included:

***Anticipated construction impacts:***

Direct impacts of construction are expected to include noise, dust, and reduced views for MOC, Kaanapali Vista Subdivision residents and possibly other neighboring properties. Noise due to pile driving was seen as a potentially major irritant for people in much of the Kaanapali resort area, for one period of about six weeks' time. Visitors/tourists wondered whether construction views might affect the experience nearest the proposed project site. Some mentioned noise of machinery and trucks; others emphasized views over the Hyatt property.

Factors likely to affect the extent and severity of construction-period impacts are discussed in Section 5.

Numerous interviewees were concerned about parking and traffic congestion on Kaanapali streets, especially during heavy construction. Several employees asked whether Host Marriott/Hyatt would create alternate parking areas since they now serve more than their own employees. Heavy construction vehicles were seen as potentially hazardous and a source of road degradation, but many seemed accustomed to this type of nuisance since there are currently a number of construction projects in the area.

***Anticipated operations period impacts***

Once the Host Marriott/Hyatt project is built, interviewees expected several changes:

- More activities along the northern end of the Hyatt property, where open space, a pool, and the Tower will be placed in addition to the activity area.
- Additional noise, possibly in the evening and night as well as daylight, in the area around the new pool in front of the Tower.
- More users of the beach areas, leading some to question whether their own beach area would be more heavily used due to the project.
- Changes in views from Kaanapali Hillside subdivision. The gap between the existing hotels would be closed off by this building. The major change would be the presence of the new tower, leading to a loss of some ocean view, especially for the Halelo Street homes.
- More demand for parking, with full timeshare units; and
- More visitor spending, both in the resort and elsewhere.

The changing reputation of timeshares was reflected in the interviews. Some residents were positive about timeshares in general while being critical of this particular location and most business interests are aware that timeshare owners tend to be more affluent though there is still some debate as to exactly where and how they spend their money in the Kaanapali area.

## 4..ECONOMIC AND DEMOGRAPHIC IMPACTS

### 4.1 APPROACH AND TERMINOLOGY

In socio-economic impact analysis, an impact is the difference between possible futures, with and without the proposed project, rather than the difference between present conditions and future ones with the project. Many factors will affect the future. A particular project should be held accountable for those changes that it brings about, not for ones that pre-exist it or stem from different sources.

The difference between the current situation and the future can profoundly affect perceptions of any project. In a related vein, perceptions are often shaped by experience with recent projects, which may have little to do with the proposed action. These comparisons are important parts of a community's response to development, and must be viewed as an impact in early phases – but the impact of stimulating a concern (e.g., about newcomers possibly coming into a community) is distinct from the eventual demographic impact (whether in fact newcomers will arrive in great numbers).

Impacts arise in relation to context. A change brought by a project may be highly significant at the local level, yet small on a regional or county scale.

The analysis proceeds from impacts that are quantified using accepted models to impacts that are less easily quantified. This approach puts emphasis on the regional and island-wide impacts on jobs, population, and housing associated with the project.

Technical terms are used here to distinguish impacts of several sorts. First, in economic analysis, a distinction is made between impacts of the actual construction and operations of a project, and the effects of project-related spending throughout the local economy. In discussions of jobs and income, three broad types are distinguished:

- > *Direct jobs* are immediately involved with construction of a project or with its operations. Direct jobs are not necessarily on-site: construction supports construction company personnel in offices and base yards, as well as on-site.
- > *Indirect jobs* are created as businesses directly involved with a project purchase goods and services in the local economy.
- > *Induced jobs* are created as workers spend their income for goods and services.

Indirect and induced employment in Hawaii can be estimated using multipliers from a model of input-output relations in Hawaii's economy developed and refined by State researchers.

Direct jobs are not necessarily located at the site of a project. As a rule of thumb, about 20% of direct construction jobs are off-site (in baseyards, offices, and the like). Indirect and induced jobs are created throughout the state. These are likely to be concentrated in commercial and/or industrial centers, rather than near a job site.



Next, a project's impacts are *absolute* or *locational*. These terms underline the difference between an activity that would simply not exist apart from the project, and one that can be expected to occur somewhere or other in response to market demand. For example, a sewage treatment plant may be needed to support the island population, and its development may be unavoidable. Even if all agree on the absolute need for the plant, the choice of a location is likely to be a highly charged political issue. In the latter case, the siting of the activity in the project is a locational impact. The activity itself is a consequence of population growth.

Again, from an economic perspective, industries such as tourism bring new inputs into the island economy, which might otherwise go outside Hawaii. These are motors of growth.

*Cumulative* impacts result from the interaction of a project and its surroundings. For instance, the direct impact of a project on public facilities may be small, but the cumulative impact of the project, viewed in relation to other communities and approved projects in the area, may be significant, if the small increment makes demand surpass the capacity of regional facilities. (In the discussion of social impacts, all analysis deals with cumulative impacts, since impacts must be judged in the context of the surrounding community.)

## 4.2 EMPLOYMENT AND INCOMES

### 4.2.1 Construction

Construction of the Host Marriott/Hyatt Regency addition is expected to begin in 2007 and end in January 2008. The construction period is estimated as 20 months. Exhibit 23 shows that the direct workforce will include some 374 person-years of employment, i.e., some 224 full-time jobs per year, on average. On-site jobs will average about 177 (since some direct construction jobs are off-site, in base yards and offices).

Exhibit 23: Construction Employment

	2007	2008	Cumulative
Construction spending (millions of 2006 \$)	\$ 21.6	\$ 42.0	\$ 63.6
Direct workforce employment (person years)	127	247	374
Indirect workforce	80	155	236
Induced workforce	105	203	308
Total	312	605	917
Estimated Maui Jobs	266	515	781

Notes: Indirect and induced jobs estimated from State Input-Output model. Maui jobs are estimated to consist of all direct construction jobs. All jobs are FTE, and may represent multiple part-time jobs, e.g., work by specialized building trade people.

Additionally, the project will support 544 person-years of indirect and induced workers. The total direct, indirect, and induced employment associated with project construction comes to 917 person-years of employment over the entire construction period. Approximately 781 person-years would be located on Maui (i.e., all the direct construction work, and 75 percent of indirect and induced work.)

Workforce income associated with the project's construction will amount to \$18.0 million in direct wages (on average, \$11.9 million per year), and \$18.0 million in indirect and induced wages (as shown in Exhibit 24). (All dollar values are in 2006 dollars.) The total direct, indirect, and induced income associated with construction will be about \$35 million.

Exhibit 24: Construction Wages

	2007	2008	Total
(Millions of 2002 dollars)			
Direct jobs	\$ 6.1	\$ 11.9	\$ 18.0
Indirect jobs	\$ 2.5	\$ 4.9	\$ 7.4
Induced Jobs	\$ 3.3	\$ 6.4	\$ 9.7
TOTAL	\$ 11.9	\$ 23.2	\$ 35.1

Sources: Hawaii Department of Labor and Industrial Relations, 2001 and DBEDT, 2002c.

#### 4.2.2 Operations

Direct operations employment associated with a timeshare property can be estimated in three ways:

- > Jobs involved in maintaining the property itself (front desk, room service, housekeeping, landscaping, pool services, administration);
- > Other jobs -- either at the resort or elsewhere on Maui -- supported by spending by visitors staying at the property; and
- > Marketing jobs associated with selling the timeshare units.

Marketing jobs exist for a few years. Once the project has been sold out, jobs due to timeshare resale and exchange activities are not counted as jobs supported by the project. The marketing jobs counted here will largely be filled by persons already working for Marriott's marketing operations at the Maui Ocean Club, rather than new hires, when sales of the units in the two new towers begin. Accordingly, while these marketing jobs are counted in Exhibit 25, the best measure of employment impacts is the job creation after 2011, when marketing is completed.

The other operations jobs are expected to last as long as the property attracts visitors. In light of Hawaii's experience with Timeshares, these jobs should exist for decades. Exhibit 25 shows both these direct jobs and the indirect and induced jobs associated with them. It shows the marketing operation as completed in 2011, but visitor-related operations continuing for many years. Once the marketing activity ends, direct jobs will stabilize at about 230 full-time jobs, supporting an additional 181 indirect and induced jobs. SMS estimates the total Maui workforce in these direct, indirect and induced jobs as approximately 410 jobs.

Exhibit 25: Operations Employment

	Year					
	2007	2008	2009	2010	2011	2012+
<b>Units built</b>						
Units	50	121	121	121	121	121
Keys	60	145	145	145	145	145
<b>Units occupied</b>						
Keys	53	126	130	138	138	139
<b>Units sold (keys)</b>						
Annual	30	30	30	30	25	
cumulative	30	60	90	120	145	145
<b>Direct Employment</b>						
On Property	36	87	87	87	87	87
Due to visitor spending	53	124	131	144	145	145
Marketing jobs	120	120	120	120	120	-
TOTAL	209	331	338	351	352	232
<b>Indirect Employment</b>						
Hotel-related	11	26	26	26	26	26
Other visitor spending	16	37	39	43	44	44
Marketing	149	152	152	152	152	-
TOTAL	176	216	217	221	222	70
<b>Induced Employment</b>						
Hotel-related	14	33	33	33	33	33
Other visitor spending	30	72	74	79	79	79
Marketing	131	131	131	131	131	-
TOTAL	175	236	237	243	243	112
<b>Total</b>	<b>560</b>	<b>783</b>	<b>792</b>	<b>815</b>	<b>817</b>	<b>414</b>
Estimated Maui Jobs	474	665	670	700	700	368

Exhibit 26 shows operations-related wages (in 2006 dollars). The total operations-related wages are expected to stabilize at more than \$12 million per year.

The calculations in Exhibits 25 and 26 deal solely with operation of the Host Marriott/Hyatt Regency Project. As for the Host Marriott/Hyatt Regency as a whole, the long-term result will be stabilization of the work force at historical levels:

- January 1999: Regular workforce (managers and associates, not including marketing): 535 plus 30 to 40 casual hires (personal communication, Stan Engeldorf, General Manager, Maui Marriott Resort & Ocean Club, December 2002);
- Current (October 2002): Regular workforce: 495 (plus marketing and casual hires);
- Likely staffing when the Hyatt Tower is fully sold is about 450 (SMS estimate).

Exhibit 26: Operations Employment

	Year					
	2007	2008	2009	2010	2011	2012+
(Millions of 2006 dollars)						
Direct Jobs	12.8	16.3	16.5	16.9	6.8	6.8
Indirect Jobs	5.6	6.8	6.8	7.0	2.2	2.2
Induced Jobs	5.5	7.4	7.5	7.6	3.5	3.5
<b>TOTAL</b>	<b>23.9</b>	<b>30.5</b>	<b>30.8</b>	<b>31.5</b>	<b>12.5</b>	<b>12.5</b>

Notes: Incomes estimated from Hawaii Department of Labor and Industrial Relations average statewide wages for hotel services, from SMS estimate of average wages for time share marketers, and average wages for all employees in Hawaii covered by unemployment insurance (as of 2000, adjusted to 2006 dollars).

#### 4.2.3 Labor Supply on Maui

Any estimate of new permanent jobs added to the economy must be considered in light of existing and projected labor demand. Construction and marketing jobs are too few and limited in time to be expected to have a significant impact. Concern focuses on permanent direct, indirect, and induced jobs created on Maui by 2008 and continuing afterwards.

Maui has been experiencing record low unemployment. With its strong visitor economy, the jobs with the largest numbers of openings expected in the next few years are concentrated in visitor services (as shown in Exhibit 26.)

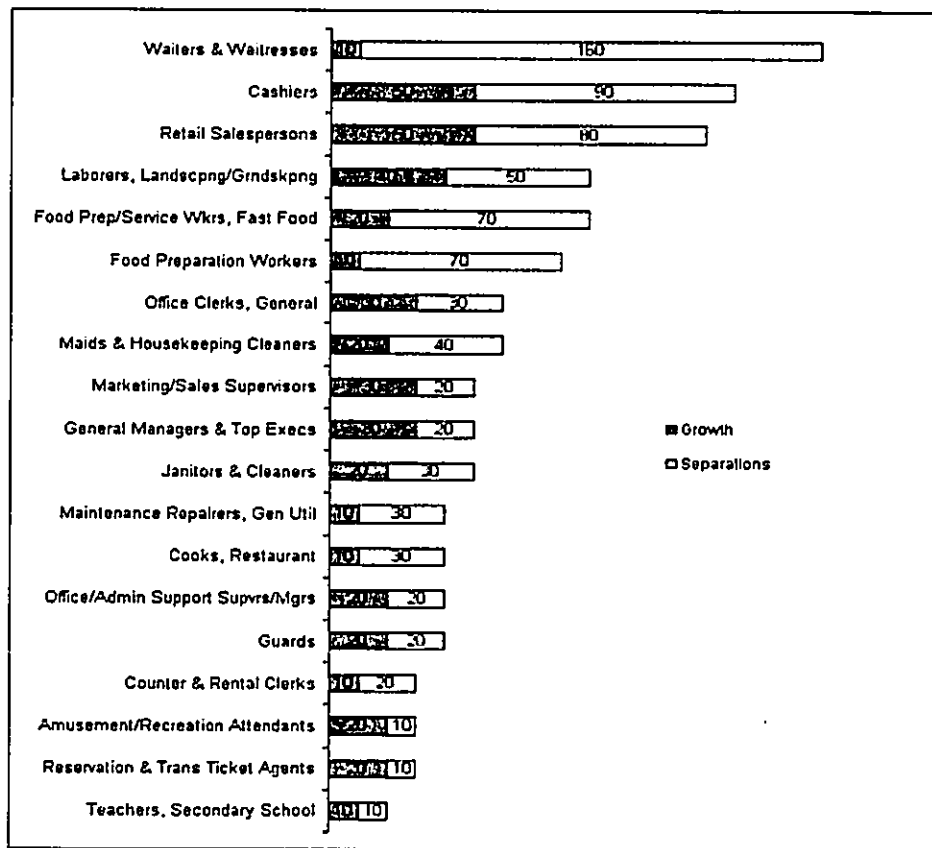
With a job count of about 66,650 full-time jobs (DLIR, for 2005) and wage and salary job growth at about 1.0 percent (statewide, according to DBEDT, 2005e), Maui Island is likely to have some 665 new jobs this year. Extrapolating this trend, the local economy could have about 690 new jobs in 2008. New openings will be larger in number, due to separations and retirements (as illustrated in Exhibit 26).

The Maui workforce will grow as young people leave school. A rough calculation (in Exhibit 28) suggests that net growth in the Maui Island civilian labor force amounts to about 650 persons per year, not including in-migration. This estimate suggests that Maui will depend on in-migration to fill about 300 to 350 jobs annually.

The new operations jobs created on Maui amount to about 35 percent of the new jobs created each year on the island. They hence fall well within the range of job-creation expected by planners. It is likely that a share of these jobs will be taken by new in-migrants to Maui, but that share should be in line with ongoing trends.

In sum, the project brings new jobs to Maui, in line with current expectations of economic growth. Such growth is likely to be accompanied by a moderate level of in-migration, especially in the retail and food service jobs that see high turnover (in Exhibit 27).

Exhibit 27: Largest Demand Occupations, Maui County, To 2008



SOURCE: Hawaii State Department of Labor and Industrial Relations, <http://www.state.hi.us/dlir/rs/loihi/>

Exhibit 28: Estimated Annual Growth in Maui Island Labor Force

Persons turning 18	1,700	(1)
Share likely to join labor force	92%	(2)
Share likely to stay on island or return	85%	(3)
New entries	1,329	
Persons turning 65	1,100	(1)
Share in labor force	62%	(4)
Retirements	682	
Net growth in labor force	647	

**NOTES:** Estimates by SMS. New entries include high school students working part-time, older youths working part- or full-time, and some young people returning from schooling off-island. The population age 18 in any year is a stand-in for this group.

- (1) From Census and SMS projections of population growth.
- (2) SMS estimate, from "Other" response and non-response to Senior Exit Plans Survey, 2002, Maui Island high schools.
- (3) Census data show the 20-24 year old age cohort as about 80% of the 15-19 year old group; the factor used here allows for both emigration and return of the Maui-born.
- (4) Estimated from civilian labor force participation rate for all adults.

### 4.3 POPULATION AND HOUSING IMPACTS

#### 4.3.1 Visitor Population

Based on studies of Hawaii timeshare operations, the 145 new units in the project are likely to have, at maximum occupancy, about 4 persons per unit (kpmg et al., 2001, SMS in Belt Collins, 2001, supported by data from Marriott Vacation Club). The visitor population of the project could reach a **maximum** of 585 persons after the building opens in 2008. Exhibit 4-G shows the maximum visitor population. For calculation of jobs supported by visitor spending (in Exhibit 4-C, above), SMS assumed highest use (from Exhibit 4- G), i.e., an average population of 570 visitors.)

During the marketing period, visitors will include a mix of timeshare owners, owners of units in other Marriott locations, and guests invited to purchase weeks in the Host Marriott Hyatt Regency, Maui. Marketing will target buyer profiles very similar to those of surrounding timeshare owners, so visitor populations and spending by all groups are expected to be the same as the current visitor pool in Kaanapali, as shown in Exhibit 29. After marketing is complete, visitors will still include a mix of owners, their guests, and exchangers with units in other Host Marriott locations. This sort of mix is reflected in Exhibit 29 for existing properties.

Exhibit 29: Maximum Visitor Populations, Hyatt Addition

Unit Description	Units in Type	Keys in Type	Keys per Option	Typical Party Size per Option	Keys in Option	Key Utilization (High)	Key Utilization (Stable)	Est. Highest Use - Sales Period			Est. Lowest Use - Stabilized Resort		
								Keys	Parties	Guests	Keys	Parties	Guests
2 BR Suite w/o Lock-off	97	97	1	3.8	97	98.0%	94.0%	95	95	361	91	91	346
Full use of unit													
2 BR Suite w/Lock-off	3	6	2	3.8	6	46.9%	63.6%	3	3	11	4	4	15
Full use of unit													
Partial Use - Master (1BR)			1	2.5	6	21.4%	16.4%	1	1	3	1	1	2
Partial Use - Lock-off			1	2.2	6	19.9%	7.9%	1	1	3	0	0	1
3 BR Suite w/Lock-off	21	42	2	7	42	46.9%	63.6%	20	20	138	27	27	187
Full use of unit													
Partial Use - Master (2BR)			1	3.8	42	21.4%	16.4%	9	9	34	7	7	26
Partial Use - Lock-off			1	2.2	42	19.9%	7.9%	8	8	18	3	3	7
<b>Total</b>	<b>121</b>	<b>145</b>						<b>137</b>	<b>137</b>	<b>568</b>	<b>133</b>	<b>133</b>	<b>585</b>

NOTE: Calculations assume 100% occupancy. Based on ARDA study (kpmg, 2000) and Marriott experience.

The new visitor population is small in relation to the anticipated growth of visitors on Maui. If visitor arrivals and the average visitor census continue to grow by about 1.6 percent annually, the result will be an increase of about 700 new visitors on Maui daily each year. The new visitors staying in the Hyatt Timeshare tower could amount to about 83 percent of the anticipated growth in Average Annual Visitor Census.

SMS has no reason to expect that Host Marriott/Hyatt Regency visitors form a new visitor population different from visitors attracted to current Maui resorts. SMS does not view the visitor population associated with the project as a new impact on Maui County.

#### 4.3.2 Resident Population

With new jobs created on Maui, workers can support their families. Exhibit 4-H draws on Census data to yield estimates of the number of people and households supported per worker. When the operations workforce stabilizes, the total population on Maui supported by operations-related jobs associated with the project will number about 700 (including project-related workers) in about 240 households. (The number of households is smaller than the number of workers because many households on Maui have more than one working adult member.)

Just as the visitors at the project do not constitute a break from current and expected tourism growth, so the jobs and workforce population associated with project operations are analytically best understood as part of anticipated growth, not as a whole new source of impacts. The questions to be addressed are whether the timing and location of new jobs affects Maui.

Exhibit 30: Population And Housing Demand Associated With Project

	Year					
	2007	2008	2009	2010	2011	2012+
Operations Related Jobs	560	783	792	815	817	414
Maui Island Jobs	474	665	670	700	700	368
Residents supported by Operations Jobs, State						
Persons	1,172	1,639	1,658	1,706	1,710	867
households	397	556	562	578	580	294
Residents supported by Operations Jobs, Maui						
Persons	992	1,392	1,402	1,465	1,465	770
households	336	472	475	497	497	261
Potential new household formation, Statewide						
low estimate	60	83	84	87	87	44
high estimate	119	167	169	173	174	88
Potential new household formation, Maui						
low estimate	50	71	71	75	75	39
high estimate	101	142	143	149	149	78

#### 4.3.3 Housing Demand

New jobs translate into new housing demand over time. If a project needs to attract new workers from outside its immediate area, they must be housed immediately. Other workers are likely to take a new or better job, wait until they are ready (due to marriage, savings, the needs of other family members), and then form new households in addition to existing ones. The housing demand and new household formation estimates in Exhibit 30 must then be read as estimates of potential *long-term* implications of employment at any given time.

For example, the estimate that some 75 to 149 new Maui households could be created by 2008 project operations-related workers indicates that this number of new households could be created in 2008 or later years if all the direct, indirect, and induced workers associated with the project in 2008 stay on Maui over the long term. (Presumably, some of the marketing staff will stay on-island, but work on different projects, but many will move off-island. It is consequently misleading to see the marketing staff and indirect and induced jobs associated with marketing, as an impact of the Host Marriott/Hyatt Regency project alone.)



SMS views the end-of-period estimate – demand for 39 to 78 new households on Maui Island – as the best estimate of the impact of the project on the Maui housing market. That demand is likely to include some early demand from in-migrants in the period 2006-2010, but the larger share of demand would spread over the period 2010-2020.

#### 4.3.4 Housing Supply

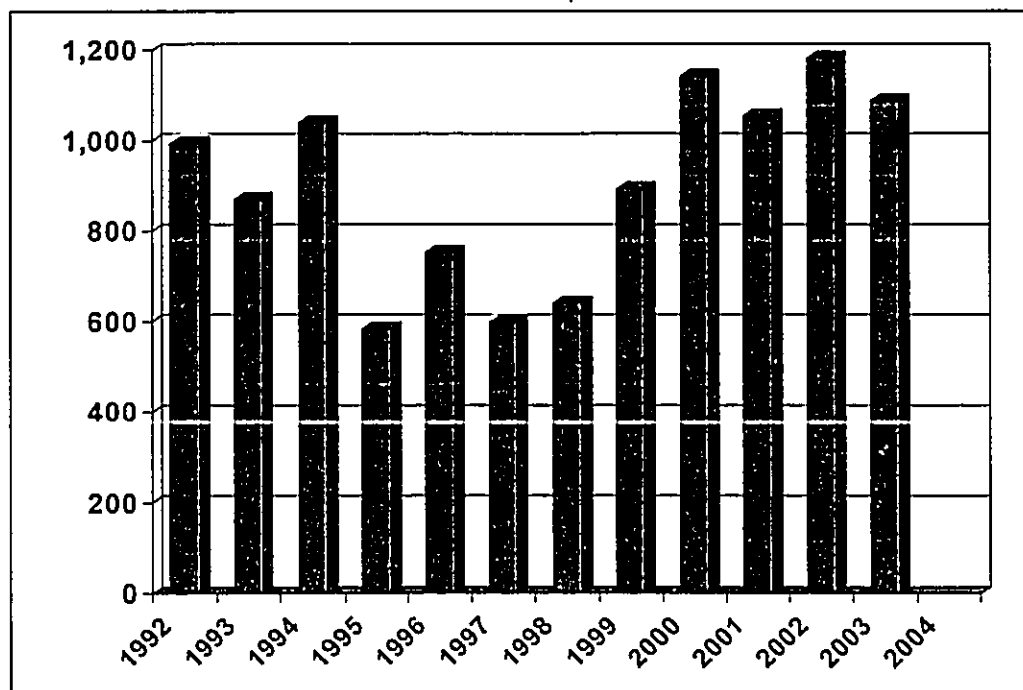
As noted earlier, housing impacts of West Maui employment are spread over the entire island. This fact reflects an ongoing housing problem to which long-planned housing projects in West Maui may respond in the coming years.

Exhibit 31 shows permitted construction over the last dozen years. It suggests Maui's housing supply problem has not been increasing, and may have been eased somewhat, in recent years.

If these units were indeed built, and if the distribution of resident-occupied vs. other units were in proportion to their distribution in the overall housing stock in 2000, the average annual new resident construction would be 723 units per year. By way of comparison, the housing demand model in the 1997 *Hawaii Housing Policy Study Update* (SMS and Prudential Locations, 1997) estimated that, on average, about 755 units would be needed annually to respond to pent-up and new resident demand. (The model called for elimination of all pent-up demand by 2024.)

The housing demand estimates suggest that some 39 to 78 new project-related households would need homes. Even if as many as half of these needed homes in the same year, the new demand – 20 to 39 households – would be small in relation to new construction and to ongoing housing sales and rentals.

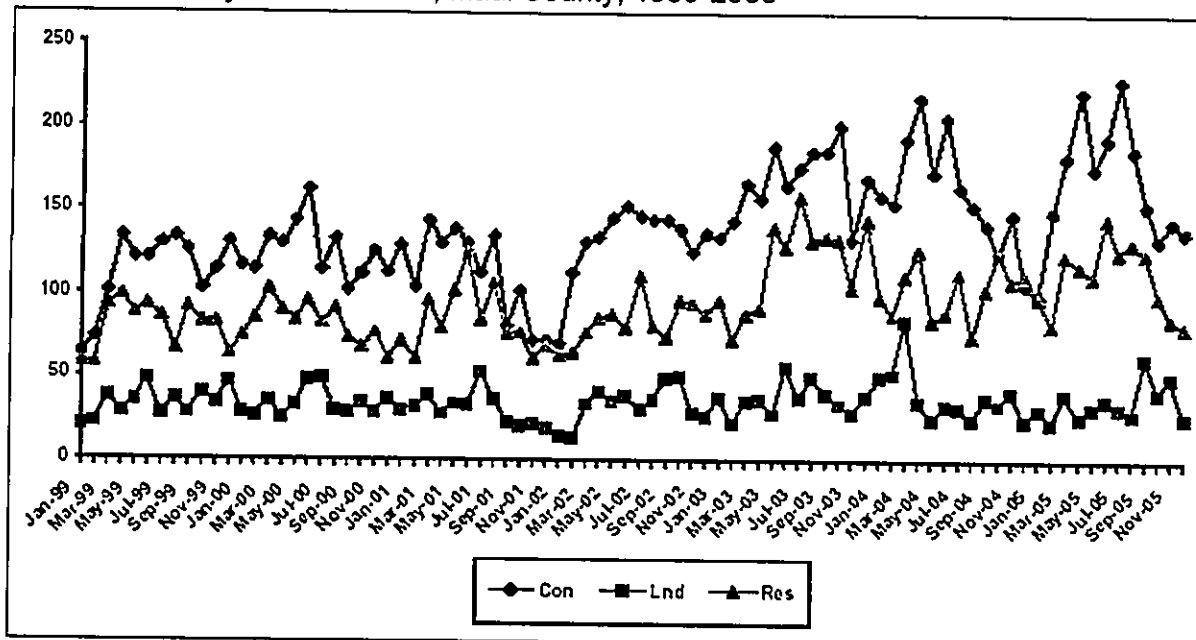
Exhibit 31: Residential Construction Authorizations, 1991-2003



SOURCE: County of Maui Databook, 2001, 2002, 2004.

Exhibit 32 shows housing sales as about 200 units per month (including both single family and condominium sales). The *Hawaii Housing Policy Study 1997 Update* (SMS and Prudential Locations, 1997) showed the number of advertised rentals on Maui to range from about 275 units to 420 units at any point in time in the first half of 1997. While the latter study is now seriously out of date, there is no reason to expect that rental supply has shrunk greatly. Consequently, the greatest possible point-in-time impact of new housing demand associated with the project would amount to no more than about 12 percent of the rental market, or 7 percent of the combined rental and sales markets (assuming demand for 36 units in a given month). While such demand in a single month could be noticeable, it is too small to have any impact on prices.

Exhibit 32: Monthly Sales Volume, Maui County, 1999-2005



NOTES: "Res" = single family residence; "Con" = condominium; "Lnd" = vacant land. Prices are averages for year to date, 2005, based on MLS data  
 SOURCE: Realtors Association of Maui, [www.mauiboard.com](http://www.mauiboard.com).

#### 4.4 FISCAL IMPACTS

Fiscal impacts consist of the new revenues accruing to local government due to a project, offset by new costs also associated with the project.

The EIS for the Host Marriott/Hyatt Regency Project argues that no major new commitment of County and State funds is needed to support the project. Accordingly, this report deals only with new revenues associated with construction, marketing, and increased property values.

##### 4.4.1 State of Hawaii

Development of the project involves investment in construction and in marketing the new units in the Host Marriott/Hyatt Regency Project. Exhibit 33 identifies cash flows from those activities

that can result in State revenues. It shows new revenues as amounting to \$11.0 million for the State of Hawaii (in 2006 dollars).

Exhibit 33: State Revenues Associated with Project

	Year					Cumulative
	2007	2008	2009	2010	2011	
<b>In Millions of 2006 \$s</b>						
Construction Spending	\$21.6	\$42.0				\$63.6
Construction-Related Wages	\$12.0	\$23.2				\$35.2
<b>Revenues</b>						
<b>Excise Taxes on</b>						
Construction Spending	\$0.9	\$1.7				\$2.6
Construction-Related Workforce Spending	\$0.3	\$0.6				\$1.0
Marketing Spending	\$0.2	\$0.2	\$0.2	\$0.2	\$0.2	\$1.0
Marketing-Related Workforce Spending	\$0.4	\$0.4	\$0.4	\$0.4	\$0.4	\$2.1
<b>Corporate Income Tax</b>						
Construction	\$0.1					\$0.1
Vacation Ownership Sales	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.7
<b>Personal Income Tax</b>						
Construction-Related Workforce Incomes	\$0.7					\$0.7
Marketing-Related Workforce Incomes	\$0.6	\$0.6	\$0.6	\$0.6	\$0.6	\$2.8
<b>TOTAL</b>	<b>\$3.3</b>	<b>\$3.7</b>	<b>\$1.3</b>	<b>\$1.3</b>	<b>\$1.3</b>	<b>\$11.0</b>

#### 4.4.2 County of Maui

The County would gain revenues from increased property values at the site. Exhibit 34 provides an analysis of those values, based on a discounted estimate of the value of new improvements estimated in light of the County valuation of the existing Hyatt Regency property. It shows annual new taxes of about \$0.5 million, and a cumulative impact of \$6.5 million through 2020.

Exhibit 34: County Revenues Associated with Project

	Millions of 2006 dollars
Estimated Assessment Value of New Buildings	\$60.0 (1)
Taxes	
On Building	
Annual	\$ 0.5 (2)
Cumulative, 2008-2020	\$ 6.5

NOTES: (1) Estimated from construction costs and assessment of existing hotel.  
(2) Computed by SMS, using current rate/\$1,000: \$8.30.

## 5. SOCIAL IMPACTS

This section deals first with impacts of the project on selected public services, and then with other potential impacts on the quality of life and community.

### 5.1 PUBLIC FACILITIES AND SERVICES

Demand for public services is a function increases in visitor and resident populations associated with the project. At the project site, the Host Marriott/Hyatt Regency Project will bring 145 new units, and will add about 580 new visitors to West Maui's daily visitor census at peak occupancy (see Exhibit 4-H). This visitor population figure should be viewed in historical context. The numbers of units and visitors have been growing and will continue to grow in the next few years. Maui's daily visitor census grew by three to five percent in the last two years, and arrivals are expected to increase by about the same amount in 2006 (DBEDT, Annual Visitor Report, 2004).

The project will generate some 87 continuing jobs at the Host Marriott/Hyatt Regency, and many others supported by visitor spending at Kaanapali and elsewhere in West Maui. These off-site jobs will be spread throughout Maui Island.

In the following sub-sections, the project's share of demand for public services, and hence potential increases in County and State spending is noted. While these demands are quantified in terms of increases in service populations and government staff, we have not taken the further step of expressing the project's share in monetary terms. It should be clear, however, that the additional government costs ascribable to the project are appreciably smaller than the government revenues estimated in Section 4.4.

#### 5.1.1 Police Protection

**Existing Conditions:** The Maui Police Department has a station at the Lahaina Civic Center, about a mile from the Hyatt Regency. 40 officers are assigned to cover the entire West Maui area with one covering a beat including Kaanapali and part of Honokowai.

In the resort, hotels attempt to lessen the demand for police services by warning guests to lock cars and lanai doors, and provide security on their properties.

**Impact of Project:** West Maui has a population of about 18,000 residents and, on average, 23,000 visitors. The additional visitor population attributable to the Host Marriott/Hyatt Regency project (about 580 persons) and employees in direct contact with them – at most 230 workers in West Maui – amount to a service population increase of 1.9 percent.

Hawaii's police departments face manpower shortages due to budget limits and the challenge of recruiting. If the Maui Police Department is to maintain or increase the ratio of officers to its service population, it will need to increase the number of policemen over the coming years. The share of that increase attributable to the Host Marriott/Hyatt Regency Project would be about 30 percent of one officer's time. (That estimate is calculated as follows: 15 officers divided by 41,000 persons in West Maui times 810 additional persons = 0.296.)

### 5.1.2 Fire Protection

**Existing Conditions:** The County of Maui Department of Fire Control maintains a station at the Lahaina Civic Center, about a mile from the project site. The Lahaina Station and the Napili Station together serve the West Maui area, with two engines and a ladder truck.

**Impacts of Project:** The Fire Department's Prevention Bureau must approve building plans before construction begins. The project will be built to current fire codes, and will be less likely to involve fire hazards than older structures. If the project is built to current codes it should not represent an added impact on the Fire Department's resources.

The ladder in West Maui is 100 feet long, so it would not reach the top stories of the proposed Host Marriott/Hyatt Regency – nor existing structures at this height.

### 5.1.3 Medical and Emergency Services

**Existing Conditions:** Maui has a single acute-care medical facility. Maui Memorial Medical Center (MMMC) located in Wailuku and has 196 beds. Its facilities and services include a surgical unit, a cancer center, and a 24-hour laboratory.

A new four-story wing is under construction and should be complete by 2007. The new wing will increase MMMC bed capacity from 196 to 231. The expansion will also increase the capacity of the outpatient surgical center, and expand physical therapy, occupational therapy, and community support programs ("Work Begins on Maui Memorial Expansion", Maui News, Nicolas 2005).

West Maui is more immediately served by doctors and clinics located in the district. Emergency services are provided by American Medical Response, which operates out of the Lahaina Civic Center.

Medical services on Maui are provided on an island-wide basis, not just for the district. West Maui residents view current access to medical facilities as unacceptable, and have been requesting the creation of an acute care hospital in their region. MMMC, the State Health Planning and Development Agency (SHPDA), and other agencies on Maui have been actively involved in planning for expanded services for several years.

**Impact of Project:** The increased population associated with the proposed project amounts to less than 0.5 percent of the de facto population of Maui Island. Ongoing population growth in West Maui will sooner or later require creation of a new emergency clinic or hospital in the region. But the share of demand generated by the Host Marriott/Hyatt Regency Project is very small and is unlikely to seriously affect medical services planning efforts.

### 5.1.4 Education

**Existing and Anticipated Future Conditions:** In the Lahaina District, the Hawaii State Department of Education has four schools: King Kamehameha III and Princess Nahienaena Elementary School, Lahaina Intermediate School and Lahainaluna High School. The last was originally created as a mission training school, and is known for being the oldest high school in the United States west of the Mississippi and the only public high school in Hawaii to take in boarders.

According to the Department of Education's Accountability Status Reports these four public schools as a whole have achieved satisfactory results. Student teacher ratios are approximately 18 students per teacher. In a quality survey administered in 2003, scores for the quality of student safety and well-being, and parent satisfaction increased over scores received in 2001.

Three private schools also provide services to West Maui families. Sacred Hearts School is a Roman Catholic School for children from pre-kindergarten to grade eight. Carden Academy, a newly opened independent school, serves preschool and elementary school level children. Carden emphasizes the teaching of reading of various types of literature. The Kamehameha Schools Maui Campus, located in Upcountry Maui, serves Native Hawaiian students from kindergarten through ninth grade and has plans to expand its campus to add one grade level a year to expand enrollment. It draws students from the entire island of Maui.

In September 2005, Maui Preparatory Academy opened to serve youth in grades 6 to 8. The school is to be built on a site loaned by Maui Land and Pine in Napili, but is currently operating in temporary quarters. The school plans to continually expand its facilities and instruction after opening its doors.

Exhibit 35 lists the West Maui schools and their recent or current enrollment.

New school sites have been identified in the Kaanapali 2020 project area and in the Pulelehua project. A site was also included in the Villages of Leialii project. Planning funds have been allocated for a new West Maui school (Burger 2005).

Exhibit 35: West Maui Schools

	GRADES	ENROLLMENT 2003-2004
<b>PUBLIC SCHOOLS</b>		
LAHAINALUNA HIGH	9 TO 12	1,000
PRINCESS NAHIENAENA ELEMENTARY	K TO 5	655
KAMEHAMEHA III ELEMENTARY	K TO 5	679
LAHAINA INTERMEDIATE	6 TO 8	625
<b>PRIVATE SCHOOLS</b>		<b>ENROLLMENT 2004-2005</b>
SACRED HEARTS ELEMENTARY SCHOOL	PK TO 8	271
CARDEN ACADEMY	PRESCHOOL AND ELEM	120
MAUI PREPARATORY SCHOOL	6 TO 8	Opening 9/2005

**Impact of the Project.** The Host Marriott/Hyatt Regency Project will create lodging for visitors, not residents, and will not bring new students to local schools. No direct impact is expected.

New spending by visitors will create jobs and support the growth of population and households on Maui. As shown in Exhibit 4-I, a total of 770 persons (including workers) will in time be supported by operations and operations-related jobs associated with spending by visitors staying in the Host Marriott/Hyatt Regency Project buildings.

Combining data from the DOE with 2000 Census figures for Maui County, we can estimate average school enrollment among residents. For every 100 residents in 2000, there were:

- > 7.95 students in Kindergarten through grade five;
- > 3.72 students in grades six through eight; and
- > 4.76 students in grades nine through twelve.

For the 770 persons supported by direct, indirect and induced operations jobs on Maui as of 2011, this suggests a total DOE school enrollment of 126 students. Those students would be spread throughout Maui, since they are supported by jobs at locations throughout the island (and Maui workers, especially West Maui workers, need not live near their place of work).

While Maui County, following projections provided by DBEDT, anticipates continuing population growth, the State Department of Education has recently emphasized that the public school population is growing only in a few areas (DOE, 2002). Leeward Oahu and Maui Districts have seen major growth since 1990. On Maui, the DOE has responded with new school construction, in Upcountry, South Maui, and Central Maui.

The new school population associated with the project will increase over the next few years, as part of the overall continuing growth to be expected on Maui. It will be located in or near residential areas throughout the island, not in one particular area. In light of these factors, the impact is expected to be small on any one school, and would not create significant new demand for services.

### 5.1.5 Recreation

**Existing Conditions:** Public recreation is available first in the ocean, reached through public access pathways throughout the Kaanapali area and State and County maintained beach parks. Maui County provides recreational facilities at the Lahaina Civic Center (gymnasium, tennis courts) and sports fields in Lahaina. The County operates some 130 parks and recreational facilities on Maui, Molokai and Lanai. At Kaanapali, beaches are accessible to the public. For resort guests, beaches, nearby open areas, and pools are major recreation sites.

The Maui County Department of Parks and Recreation has a wide range of parks and recreation areas in West Maui, as shown in Exhibit 36. Use of recreational facilities is high, according to the Lahaina Recreation Center's Stephen Ashfield (personal communication, August 2005).

To use the Lahaina Civic Center, (the only County-owned meeting/social facility in the district), residents must make a reservation approximately a year in advance. Parks and Recreation staff report turning away about five people a day wanting to use the Civic Center facilities. The Lahaina Recreation Center, near Wahee, is also heavily used. Currently the soccer and football fields are being used all year round.

Exhibit 36: West Maui County Parks Facilities

FACILITY	STAFF?	PLAY FIELDS?
<b>Beach Parks</b>		
D.T. FLEMING PARK	Yes	No
HANAKAO'O PARK	Yes	No
HONOKAWAI PARK	No	No
LAUNIOPOKO PARK	No	No
PAPALAUA WAYSIDE PARK	No	No
POHAKU PARK	No	Yes
UKUMEHAME BEACH PARK	No	No
WAIHIKULI WAYSIDE PARK	No	No
<b>Other Parks</b>		
KAMEHAMEHA IKI	No	No
KELAWEA MAUKA MAKAI PARK	No	Yes
LAHAINA BANYAN COURT	No	No
MALU ULU OLELE PARK	No	Yes
NAPILI PARK	No	Yes
PAUNAU PARK	No	Yes
PUAMANA PARK	No	No
<b>Other Facilities</b>		
LAHAINA CIVIC CENTER (gymnasium)	Yes	Yes
LAHAINA AQUATIC CENTER (pool)	Yes	No
LAHAINA RECREATION CENTER	Yes	Yes
NAKALELE LIGHTHOUSE	No	No

SOURCE: County of Maui (<http://www.co.maui.hi.us/parks/>)

**Anticipated Future Conditions:** The County is working with landowners south of Lahaina to plan a relocated highway and expanded park system between the highway and the ocean. The long-term objective is to develop an eight-mile stretch of beach park (Monson, 2005).



**Impact of the Project.** The project will increase the population staying at Host Marriott/Hyatt Regency by some 580 persons (to a potential total of approximately 1,546 visitors [at 95% occupancy]). The project will also increase on-site recreational resources. One new pool is included in the plan. More open space near the shore will be available, especially on the northern side of the property. The net result of expanding pool areas, poolside areas, and open space near the beach appears to be commensurate with the increased population. Oceanfront space will not change. By increasing open space and poolside space, the project responds effectively to the increase in visitor demand.

Visitors staying at the Host Marriott/Hyatt Regency and residents supported by jobs associated with the project will use State and County park facilities on Maui. The numbers involved are incrementally small relative to both the current user populations and available facilities.

## **5.2 OTHER SOCIAL IMPACTS**

The major likely impacts consist of construction-period irritants, largely felt in the immediate area around the Host Marriott/Hyatt Regency Project site, and long-term economic growth for the resort and West Maui.

### **5.2.1 Impacts on the Immediate Neighborhood**

The immediate neighborhood consists of the Maui Ocean Club and the adjacent properties – the Hyatt Regency and possibly the Kaanapali Alii.

**Planning phase:** News of the project has occasioned concern but the outcry is limited by the fact that the adjacent properties are themselves under construction. The concern is largely fear of the unknown. Nearby residents are worried about how this project might impact them and what might be the impact on the community from added cars, sewage, demands on schools, medical facilities etc.

**Construction phase:** The major issue under discussion with adjacent property owners and Kaanapali Beach users is the impact of construction on residents and nearby owners. The issue affects all three of the properties in the immediate area. Owners of timeshare units at Maui Ocean Club and guests of the Hyatt Regency will be nearest to the construction and will be most affected by noise, dust and traffic associated with construction activities. Owners and occupants of Kaanapali Alii will be shielded from some construction irritants by the buildings of the Maui Ocean Club, as well as by dust screens and other standard precautions.

We cannot easily predict the extent of direct construction impacts since details of timing and construction practices remain to be set. Nor can we estimate with any certainty, based on available data, indirect impacts such as loss of rental income. There is, however, ample evidence that the impact will be much less than expected by some adjacent property owners.

In the past, owners' fears have been dramatically expressed. For this project we were unable to gain access to owners in nearby buildings, but it is reasonable to assume that their concern would be no less than that of owners next door to construction projects in the recent past. In a similar project conducted for the Maui Ocean Club (MOC), Kaanapali Alii owners claimed that all revenues would be lost during construction of the new building. Actual experience during the construction of the Maui Ocean Club showed that Marriott succeeded in selling rooms (if at reduced rates) and maintaining guest satisfaction during the construction phase.

The proposed project includes specific plans to minimize the impact of construction, including:

- Timing of construction: The greatest noise impact, pile driving, will occur during early summer or early fall of 2008. These are typically periods of lower occupancy.
- Factors limiting noise and dust impact during much of the construction process: The construction work will be on one side of MOC and a significant distance from the Hyatt Regency, limiting impacts on the Hyatt Regency, MOC, and Kaanapali Alii. Construction inside towers is expected to be quieter than work done before the building shells are built, since the buildings themselves will insulate and deflect construction noise.
- Phasing of work: Grading work will occur early and tennis courts and parking areas may be displaced by staging and construction parking areas. These areas may be less attractive than usual for the activity area, tennis courts, and parking areas.

In sum, the impact will be strongest during pile driving, and will be less (or absent) for particular neighbors during parts of the construction period. Additional comment is needed to clarify the actual impact of lowered revenues at MOC.

First, three parties are potentially involved: owners, agents, and workers. Lowered occupancy could affect all three. Occupancy at lower prices would have little effect on workers, since their efforts would still be needed to maintain the level of service expected by owners and returning renters. Next, Marriott Vacation Club and Classic Resorts, as managers of the great majority of the adjacent rentals, are insulated from some of the effects of lower occupancy. If, for a period, some of the units facing the Hyatt Property are less attractive than others in the property, they could rent these last or, if necessary, at discounted rates. The units in question would probably amount to no more than 20 percent of the rental pool, i.e., probably about the share that is not occupied during much of the year. Even maximal loss of occupancy due to construction could well be within normal operating margins. Finally, owners of units nearest construction could lose their share of rents when units go unoccupied or have to accept lower shares when units rent for reduced rates. They would be most affected of the three groups. However, it must be stressed that potential impacts on occupancy and rates would not occur throughout the construction period. Instead, times in which construction activity is most audible and visible from nearby units would be most likely to see impacts.

In sum, an impact on occupancy could well affect some Maui Ocean Club owners for part of the construction period, but the main rental pool-managing agent and the condominium workforce would be little affected. Taxes derived from rentals and wages would also be little affected.

Emphasis is placed here on MOC, since it is the closest building to the project site. Impacts are expected to be limited to the side of the buildings facing the Host Marriott/Hyatt Regency property. Concurrent construction at MOC may negate the need for mitigation with regard to impacts on MOC. Units at the seaward and inland ends of those buildings will be less affected, as they are more distant from construction and will have only partial views of the construction area. Noise impacts may be more general, especially during foundation work. The extent of those impacts is being studied, and different methods of foundation construction are being examined to see whether approaches that would limit noise impacts are feasible.

Owners and visitors at the Maui Ocean Club will not only have to deal with irritants during the construction phase, but will also lose amenities – notably tennis courts – during the construction period.

Visitors at some MOC units will have to look out over the construction for a while. If current schedules are adhered to the MOC units will themselves be under construction concurrent with the Host Marriott/Hyatt Regency project. For these units, the construction impact will be negligible.

Owners and visitors at MOC are not expected to consider the construction as a loss of income or value, since they have no reason to expect long-term impacts on their units' value. The project will likely be completed at about the same time as the MOC's own projects are being completed.

Marriott Ocean Club has already found it possible to operate their resort to the satisfaction of both guests and the corporation with major renovations being done in the existing buildings. Apart from the periods of foundation work, the impact of construction on quality of life should be similar to or less than that experienced by guests in the recent renovations.

**Operations phase:** The Host Marriott/Hyatt Regency Project transforms the Hyatt Regency from a traditional hotel and spa into one that will attract a broader clientele. Visitors and owners staying at the Host Marriott/Hyatt Regency will experience a larger resort with new areas of interest, greater amenities, and less congestion.

The prime views (Ocean, seascape) from some MOC units will be reduced when the proposed project is complete. The current construction and sales schedules suggest that most of those units would be sold after the Host Marriott/Hyatt Regency project is finished. Users of these apartments will enjoy no less ocean view than the day they opened.

The new pool and open space toward the beach on the north end of the project will provide an expanded recreation area, offsetting additional demand from new visitors. Users will tend to police this pool. Pool hours will be posted and the Host Marriott/Hyatt Regency will be responsible for limiting noise and after-hours use in a manner consistent with surrounding properties. Since MOC owners and users will be nearer to the pool than Kaanapali Alii residents, Host Marriott staff will enforce rules to assure their guests have peace and quiet.

MOC owners and management thought the project would lower the value of their units, either because it would decrease ocean views or because Timeshares would compete with their units on the rental market. SMS found no likely long-term value impact ascribable to the project, for the following reasons:

- (a) MOC units on the Tower side have only partial ocean views at present. While those views will be affected, the impact is one of degree.
- (b) Both now and in the future, the views in question are over the Maui Ocean Club. They are not direct views of the ocean, but of the adjoining resort. MOC owners do not have any easement or agreement that would grant them exceptional rights over their neighbor's rights to develop property.
- (c) The distance between MOC and the Host Marriott Tower is large enough that prospective buyers can accept the new building as part of the view, not as an immediate intrusion. (This comment is based on studies in Waikiki, where differences in views did not correlate in a clear-cut way with differences in valuation and sales prices [SMS 2001].)
- (d) If the developing resort timeshare market will compete with MOC or Kaanapali Alii for their clientele, that fact is not an impact of the project, but of the changing market. The recently completed Starwood timeshare resort, the ongoing conversions at Maui Ocean Club, and other planned timeshare developments also respond to that changing market.

### **5.2.2 Impacts on Kaanapali Resort**

Anticipated construction period impacts consist of (a) noise from pile driving and (b) traffic obstruction due to large vehicles and parking problems. Pile driving noise appears to be unavoidable. Some attenuation may be possible and the activity can be limited in terms of hours and season. Traffic problems can be controlled through construction timing and provision of parking on-site for construction vehicles and workers. Both are planned.

The project will encourage renovation of the resort and better utilization of properties. More luxurious properties such as Wailea threaten to marginalize Kaanapali area resorts. The move to hotel-backed Timeshares brings higher occupancy and draws on Kaanapali's strength, i.e., the presence of major hotel brands that assure high quality lodging and service.

It has been established that Timeshares are an effective way to strengthen and reposition a resort. The Host Marriott/Hyatt Regency Project is a hybrid combining the strength and cachet of the Hyatt brand with the ability to grow its property in a way that adds stable year round occupancies.

The project will bring greater density along the axis of the Hyatt property and open up additional activity areas along the shore. The result will be a greater continuity of the active use of space along the property. The view impact of density is more likely to be experienced from inland locations. Resident concern has been noted. The Environmental Impact Statement addresses view issues, showing in some detail how plans for architecture and landscaping are intended to minimize impacts on views.

Timeshare visitors stay longer than others, on average, and spend comparable amounts per person per day. They will visit other parts of the Kaanapali resort and of Maui Island, so the increased visitor count will affect attractions, restaurants and stores throughout Kaanapali and West Maui. The increased visitor count will also result in increased demand for golf at the Kaanapali courses and elsewhere.

### 5.2.3 Impacts on the West Maui Region and Maui Island

Maui timeshare visitors tend to be more affluent and stay longer than other US Mainland visitors. They spend more time away from their lodgings, so their spending is spread over a larger area. The Host Marriott/Hyatt Regency Project and on-going timeshare conversion of the Maui Ocean Club and other timeshare projects will contribute to the West Maui and Maui Island economies, supporting increasing numbers of visitor-related jobs (as shown in Exhibit 37).

With continuing prosperity at Kaanapali and growth in the local workforce, pressure for more resident housing in West Maui and for improved road access into and out of the region will also continue. These are longstanding issues of concern to the region and this project's share of pressure on roads and housing is very small relative to the ongoing growth patterns in the area.

Exhibit 37: Location of Jobs vs. Households, Maui Island, 2000

District	Maui Island, 2000		Expected Jobs <sup>b</sup>	Average Job Imbalance	
	Households	Jobs <sup>a</sup>		number <sup>c</sup>	percent <sup>d</sup>
Lahaina	6,031	16,690	8,841	7,849	47.0%
Kihei-Makena	8,946	10,949	13,115	(2,166)	-19.8%
Wailuku-Kahului	12,852	25,688	18,841	6,847	26.7%
Makawao-Pukalani-Kula	7,594	3,091	11,133	(8,042)	-260.2%
Paia-Haiku	4,022	1,624	5,896	(4,272)	-263.1%
Hana	596	657	874	(217)	-33.0%
Island Total	40,041	58,699	58,699	0	0.0%
Average jobs per household		1.47			

a. Number of jobs located in each district.

b. Assumes each household has 1.47 jobs, the Island-wide average.

c. Actual jobs minus expected jobs.

d. Percent by which the ratio of jobs to households exceeds the average for Maui.

SOURCE: US Census, 2000, as analyzed by SMS (2003) for Maui County.

## **6. MITIGATION OF POSSIBLE ADVERSE IMPACTS**

### **6.1 PROCESSES TO DETERMINE MITIGATION MEASURES**

Mitigation measures are appropriate when a project has demonstrable negative impacts on its environment. The project need not be wholly responsible for solving pre-existing problems or general concerns over the future of the region or the community.

Alternative measures to mitigate adverse impacts can be prescribed by experts, especially when impacts are matters of safety. When the strength and intensity of impacts is a matter of perception, mitigation should involve the affected parties. An important reason for this is that the attempt to work out solutions with affected parties can be empowering, and hence contributes to their quality of life.

In this report, directions or strategies for mitigation are noted, but no claim is made that these are necessary or definitive. Discussions between the developer and potentially affected parties could uncover other strategies preferred by those involved. Details of this project have been presented to other neighbors informally.

### **6.2 POSSIBLE MITIGATION MEASURES**

Adverse impacts noted in this report are above all impacts of construction:

- Construction noise and dust are likely to be irritants in the immediate area. Mitigations include following codes and regulations governing the timing of construction, control over noise, and dust controls.
- Plans for foundation work are under review. The most-used approach, pile driving, is recognized as creating problems for immediate neighbors and possibly others in the Kaanapali resort area. Host Marriott is considering other methods, i.e., pre-drilling for placement of the piles. A change in the approach to foundation work holds out the promise of mitigating the greatest general construction impact. (Feasibility of alternate methods is still to be determined. Noise impacts associated with different methods will be reported in the Noise Consultant's report, in the EIS for the project.)
- Host Marriott and its general contractor would be responsible for construction vehicles and held liable for damages caused by them to private roadways in the resort.
- The key remaining impact is suspected loss of revenues for Maui Ocean Club owners. The extent of this loss, whether Marriott is responsible for mitigating it, and the best approach to mitigation are under discussion. If both properties are under construction concurrently the need for mitigation may be moot.

- Transportation Improvements - The most important planned transportation project is the Lahaina Bypass, to be developed by the State of Hawaii Department of Transportation. It is expected to allow through traffic to avoid the route through Lahaina, lowering congestion for both in-town and through traffic. Next, the County is closely considering ways to improve Honoapiilani Highway between Lahaina and Maalaea. Working with landowners and others, the County is proposing (a) a new version of the highway uphill from the existing coastal road, and (b) development of much of the coastal area as public beach and recreation land. Both of these projects have been well received, but not funded to the point that their likely start dates, much less their completion, can be foreseen.
- Improved local transportation network - Within the Lahaina-Kaanapali area, discussion of a local transport network has arisen. New busses could help area residents reach jobs and schools without relying on private automobiles.

Over the long term, the remaining impacts of concern are view impacts. These are discussed in the EIS in some detail. Here we may note that landscaping and architecture will be used to limit views of parking structures and to minimize any impression that a continuous wall of buildings has been erected.

## APPENDIX

### APPENDIX A: INTERVIEW HANDOUT, HYATT REGENCY MAUI/HOST MARRIOTT

#### Project Description and Program

The focus of the subject action is a redevelopment of the north section of parcel (2) 4-4-013: 008. The subject area (approximately 4 acres) is currently developed with on-grade parking and support facilities for the outdoor function area.

- One guestroom building of up to 12 stories above grade
  - Two and three bedroom units for transient vacation rental or ownership
  - Proposed units for sale is approximately 121
  - 24 will have a "lockoff" or the ability to separate one bedroom of the unit for use by a separate and distinct party
  
- Proposed accessory features:
  - Lobby, registration area, luggage storage, a fitness facility, a convenience store, storage and administration areas.
  - A portion of the required project parking and support facilities for the pool and outdoor function area are proposed within an underground level of the structure.
  - A recreational pool and sunning deck are proposed seaward of the guest building. The pool (~6500 square feet) and deck (~1,300 square feet) will abut the existing outdoor function deck, but will be located landward of the shoreline setback area.
  - The function area will be improved with additional landscape planting.
  - Some on-grade parking will be provided on parcel 8, primarily to provide public beach access parking.

Additional parking will be provided on parcels 4 and 5. A vehicular bridge over the existing golf-course water feature is being considered to connect the two parcels. The connection of the two off-site parking lots would create a new access to the Hotel that would bypass Nohea Kai Drive and the majority of Ka'anapali Parkway. A tennis facility on parcel 5 may be demolished in part or whole and possibly relocated to parcel 4. As part of support services for the addition, some retail and administrative spaces within the existing Hotel will be converted to a temporary sales center and model unit. The EIS will contain detailed descriptions of the project phasing, parking plan and traffic/circulation plans.

#### Cost Estimate and Schedule

The proposed investment for the "hard cost" of construction is \$110 million dollars. This amount includes the costs of demolition, site preparation, landscape planting, and construction of parking, recreational amenities, and the guest unit building. Construction of the facilities is expected to take 20 months.



## **Affordable Housing Policy (Maui County Code)**

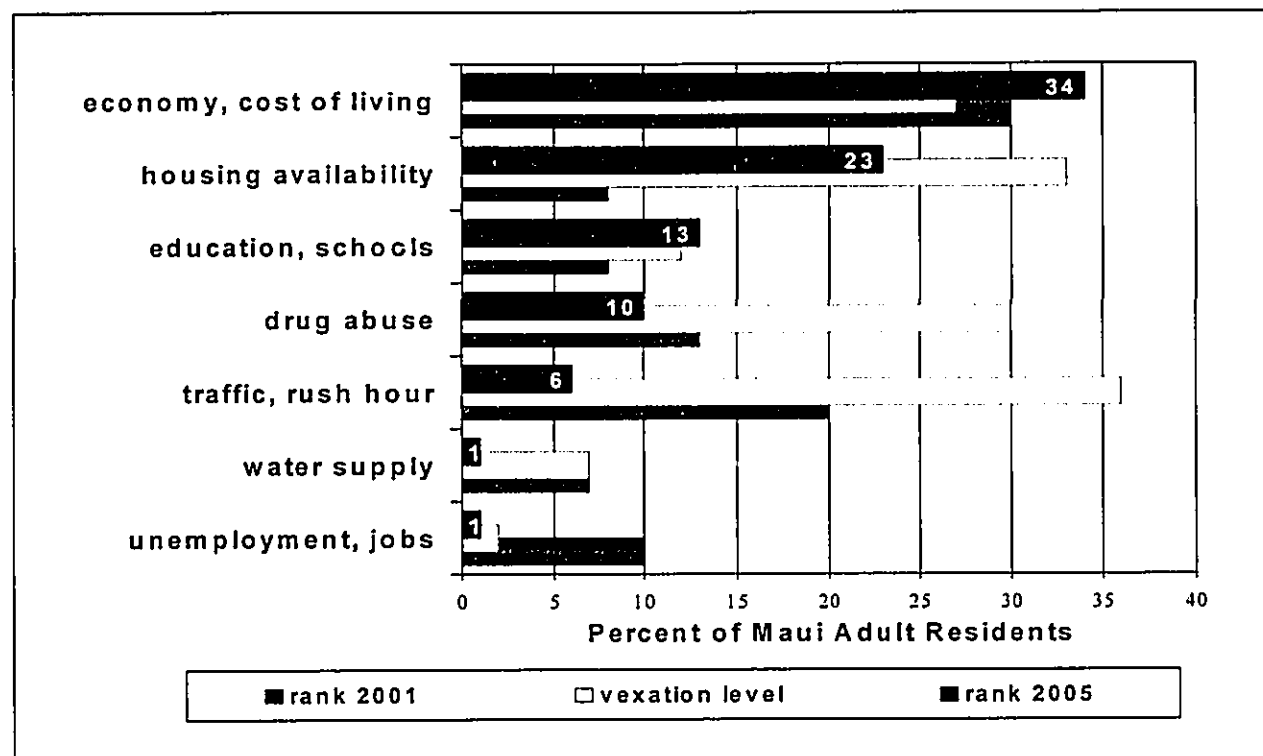
### **2.94.030 Affordable Housing Policy**

- A. An applicant shall be required to construct affordable housing at a minimum of one affordable housing unit for every four apartment-hotel, hotel, or motel rooms or fraction thereof. Affordable housing requirements shall be assessed by the department of public works upon the issuance of any building permit, and shall be available for occupancy concurrent with or prior to occupancy of the apartment-hotel, hotel, or motel.
- B. An applicant shall be responsible to file with the department of human concerns a written affordable housing program, consistent with the affordable housing guidelines of the county. The affordable housing guidelines shall be prepared by the department of planning and the department of human concerns, and enacted by the Maui County council. Such guidelines shall include but not be limited to the review factors listed in subsection C of this section.
- C. Pending enactment by the Maui County council of the housing guidelines required in this chapter, the human concerns director shall review all affordable housing proposals and shall consider the following factors in his or her review:
1. Type of units;
  2. Rental, fee simple units, or leasehold units;
  3. Provision for retention of units:
    - a. Affordable housing for a period not less than ten years;
  4. Location of units; and
  5. Affordable rates.
- D. Each affordable housing proposal shall be reflected in an agreement drafted to be enforceable by the county, and shall bind all persons having an interest in the property. The unexecuted agreement shall be submitted to the council for its review and comment. The council shall then transmit its comments and the agreement to the administration for further negotiation and modification, if appropriate, and for proper execution. The affordable housing agreement shall be approved and signed by the mayor and properly recorded prior to the issuance of the building permit. A copy of the executed affordable housing agreement shall be transmitted to the council. (Ord. 2093 § 1 (part), 1992)

## APPENDIX B: COMMUNITY ISSUES, MAUI 2001-2005

Since 2001, the County of Maui has conducted an annual survey of Maui County residents to measure their current situation, their view of problems in the County, their expectations of County government, and their satisfaction with government services. The Maui County Resident Satisfaction Survey is conducted each spring among a probability sample of more than 500 households. Figure B-1 provides an overview of results from that survey between 2001 and 2005.

Exhibit B-1: Most Important Problems Facing Maui Families, 2001-2005



Source: County of Maui Resident Satisfaction Survey, 2001-2005.

See: [www.co.maui.hi.us/mayor/pdf/2004survey.pdf](http://www.co.maui.hi.us/mayor/pdf/2004survey.pdf)

Ranks shows for 2001 and 2005 are percent of Maui residents who said each issue was a major problem for Maui County Families. The vexation level is the percent of families who said the issue had a major negative impact on their family's Quality of Life.

The cost of living in Maui County has been the number one problem perceived by Maui residents since 2001. The percent of residents who classify it as a major problem has been between 30 and 34 percent for five years. Housing is the fastest rising problem in the County. About seven percent of resident named it as a major problem in 2001, rising to 23 percent in 2005. Drug abuse has remained fairly stable as the 4<sup>th</sup> most important problem in the County. Traffic congestion has changed a lot. The importance of the problem dropped notably since 2001, when it was the number two problem in the County. But while it is named by only six percent as a major problem facing Maui families, more than 35 percent of Maui residents say traffic has a major negative impact on their household. Unemployment and concern over Maui's water supply have also dropped significantly since 2001.

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**Appendix K**  
*Preliminary Engineering & Drainage Report*

**PRELIMINARY ENGINEERING REPORT  
FOR  
HYAT REGENCY MAUI ADDITION**

Kaanapali, Maui, Hawaii  
TMKs: (2) 4-4-13: 4, 5 and 8

Owner & Developer  
Host Marriot Corporation LLP (Owner)  
Hyatt Regency Maui (Operator)

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March 2006

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### APPENDIX

- A. Preliminary Drainage Report

**PRELIMINARY ENGINEERING REPORT  
FOR THE  
HYATT REGENCY MAUI ADDITION**

**I. INTRODUCTION**

This report provides a brief description of the project site and available infrastructure. It also evaluates adequacy of existing infrastructure and discusses infrastructure improvements and mitigation measures to support the project.

The Hyatt Regency Maui (HRM) is part of the 1,200 acre Ka'anapali Beach Resort which was built in the 1950's and 1960's. The hotel sits on 18.4 acres of land presently zoned H-2 by Maui County and identified as TMK: (2) 4-4-013: 08. Access to the hotel is from Ka'anapali Parkway and Nohea Kai Drive. The hotel is located between Hanakao'o Beach Park and the Marriott Maui Ocean Club Resort. See Figures 1 and 3.

The project proposes to subdivide a portion of the property to create an approximately 4.5 acre parcel to be used for a timeshare building project. A subdivision application will be submitted to the County. This area is presently used as a parking lot with access off of the HRM access road which connects to Nohea Kai Drive. In addition the project includes two other parcels owned by the HRM.

Parcel 5, TMK: (2) 4-4-013: 05, is located north of, and across the HRM access road and Nohea Kai Drive. Parcel 5 is also adjacent to the 17<sup>th</sup> and 18<sup>th</sup> holes of the Ka'anapali South Golf Course and contains the HRM tennis facility and additional parking used by the hotel valet service. As part of the project, all but two of the six tennis courts and the tennis court clubhouse facility will be demolished. They will be replaced with 266 additional parking stalls and landscaping. Added to the existing 375 stalls, there will be 641 total stalls.

Parcel 4, TMK: (2) 4-4-013: 04 is located adjacent to the 1<sup>st</sup> and 16<sup>th</sup> holes of the golf course and east of the tennis court facility. A small drainage ditch separates the two parcels. This lot is primarily used for employee parking. Portions of the parking lot are paved; however, much of the existing parking area is unpaved. The lot currently supports approximately 533 cars in mostly unmarked stalls. The project proposes to pave some of the unimproved portions of the parking lot and delineate 452 stalls. In addition trees and irrigation will be added in accordance with County requirements for parking lots.

The timeshare project on Parcel 8 is bounded on the mauka end by the existing HRM access road from Nohea Kai Drive. The Marriott property adjoins the project area to the west and the Napili Tower of the HRM adjoins the east end of the project. Makai of the project is the HRM outdoor function area, the beach walkway and the ocean. The site is about seven feet lower than the access road and a bank separates the road from the existing parking lot below. Elevations of the area range from elevation 9 in the parking lot to elevation 10 in the outdoor function area.



Parcel 4 is generally flat and ranges in elevation from 9.5 in the parking area to 7.5 along the drainage ditch. Parcel 5 is also relatively flat as it adjoins the 1<sup>st</sup> and 16<sup>th</sup> holes of the golf course.

In all parcels, the existing drainage patterns will be maintained. Improvements to the drainage systems and the installation of underground detention systems will be constructed to control any increase in runoff generated by the proposed development.

The project sits within the C, A4 and V12 Flood Zones as shown in FEMA FIRM Maps 150003 0153 C and 15003 0161 C dated September 17, 1997 and August 3, 1998, respectively, and shown in Figure 2. The majority of Parcel 8 is located in Zone C which is an area exposed to minimal flooding. Zone A4 is in the 100-year flood zone with base flood elevation of 9.0. Zone V12 is in an area where 100-year coastal flooding occurs with a base flood elevation of approximately 9.0. See Figure 2.

The finished floor elevation of the proposed building is 17.0.

According to the Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai and Lanai, State of Hawaii, prepared by the USDA, Soil Conservation Service, there are three soil classifications found on the project site. The dominant soil type is the Jaucas Sand, 0 to 15% slopes (JaC). Jaucas Sand is classified as having very slow runoff and a severe wind erosion hazard. The remaining soil types are the Kealia Silt Loam (KMV) and Beaches (BS).

## II. EXISTING INFRASTRUCTURE

### 2.1 Water System

Kaanapali Resort is served by a private water system under the jurisdiction of Hawaii Water Service Company (HWSC).

The sources of potable water for the private water system are four wells with an aggregate design capacity of 3.7 MGD. In 2002, the current pumping rate of the wells was around 2.9 MGD.

Preliminary meetings and phone correspondence with Jeff Eng, General Manager of HWSC, indicate that the private water system cannot currently meet the demands of the project. The project, Parcels 4, 5 and 8, is expected to have a water demand of 75,525 GPD for the building and landscape areas, an increase of approximately 27,000 GPD.

HRM will institute internal water conservation measures to offset the new demand.

### 2.2 Wastewater System

A 12" gravity sewer line on Nohea Kai Drive collects wastewater from hotels on the makai (west) side of this road and directs it into a County pump station. This pump station conveys wastewater to the County's 21-inch gravity transmission line on Hono'api'ilani Highway. Another pump station near the intersection of Hono'api'ilani Highway and Ka'anapali Parkway and a series of force mains and gravity interceptors then transport wastewater from Kaanapali Resort and Lahaina Town to the Lahaina Wastewater Reclamation Facility (LWRF) south of Honokawai Gulch for treatment and processing.

Using a peaking factor of 2, the County's Division of Wastewater Reclamation (CDWR) estimates that the pump station and transmission system in Kaanapali is presently operating at roughly 67% of capacity. They also indicated that in June of 2002, the average daily flow through the LWRF was around 6.38 MGD. The plant capacity was up sized in 1995 from 6.7 to 9.0 MGD. Although the average daily flow capacity of the facility is now 9.0 MGD, the plant has a design peak flow capacity of 19.8 MGD to accommodate higher wet weather flows.

Wastewater from the new tower will be directed to the existing 12" gravity system in Nohea Kai Drive.

### 2.3 Drainage

Storm runoff is handled by a combination of underground detention systems, storm drain connections to offsite drainage systems and sheetflow to an offsite waterway. The total runoff generated by Parcel 8, 5, and 4 respectively under a 50-year/1-hour storm are 12.2-cfs, 24.4-cfs, and 25.3-cfs respectively. Of this total, 8.5-cfs discharges into an offsite drainage system, 3.7-cfs is handled by an underground detention system, and 49.7-cfs flows into an adjacent waterway.

### 2.4 Solid Waste

Non-recyclable solid waste is presently collected by contracted private firms and transported to the County's solid waste transfer station at Olowalu or directly to the County's land fill site in Puunene in Central Maui.

### 2.5 Electrical and Telephone Systems

Electrical and telephone distribution systems in Kaanapali Resort have all been *constructed underground*. The HRM project will be served off the underground distribution system on Nohea Kai Drive.

### III. PROPOSED INFRASTRUCTURE IMPROVEMENTS

#### 3.1 Water System

Preliminary meetings and phone correspondence with Jeff Eng, General Manager of Hawaii Water Service Company (HWSC), indicate that the private water system cannot currently meet the demands of the project. The proposed project is expected to have a water demand of 75,525 GPD, including the building and landscape areas.

To accommodate the project HRM is considering, subject to the completion of on-going engineering studies, water conservation measures such as:

1. The use of brackish and/or reclaimed water for non-potable water uses such as irrigation.
2. The installation of rain sensors on all automatic irrigation controllers to prevent over watering.
3. The utilization of low-flow fixtures and devices throughout the existing HRM property.
4. The use of water conserving washing machines and ice makers.

These measures are consistent with the County Department of Water Supply policy for potential mitigation measures aimed at water conservation.

#### 3.2 Wastewater System

The project is expected to increase the wastewater rate by approximately 225 GPD per unit resulting in a wastewater demand of 32,600 GPD.

The County's Division of Wastewater Reclamation (CDWR) uses a more conservative 250 GPD per unit for hotel rooms without laundry facilities. Based on our discussion with the staff at the County's Division of Wastewater Reclamation, the existing pump station and force main in Kaanapali Resort as well as the County's transmission and Wastewater Reclamation Facility in Lahaina all have ample reserve capacity to handle the additional wastewater that will be generated by the proposed projects.

The water conservation measures proposed by the HRM and the resulting reduction in wastewater from the existing HRM operations will also help to mitigate the increase in wastewater demand on the existing system.

### 3.3 Drainage

The existing drainage patterns shall be maintained and there will be no net increase in runoff volume leaving the site when the project is completed. The volume of surface runoff generated by the various parcels will increase by approximately 10%. The additional runoff will be handled by new underground detention systems. New catch basins and storm drain systems will be installed to minimize surface ponding and to direct storm runoff into the underground detention systems.

### 3.4 Solid Waste

Construction solid waste will be handled in accordance with the County's solid waste policy, recycling materials that are reusable whenever feasible.

### 3.5 Electrical and Telephone Systems

Preliminary discussions with MECO indicate that they have adequate capacity to handle the additional load that will be created by the proposed 145 timeshare units.

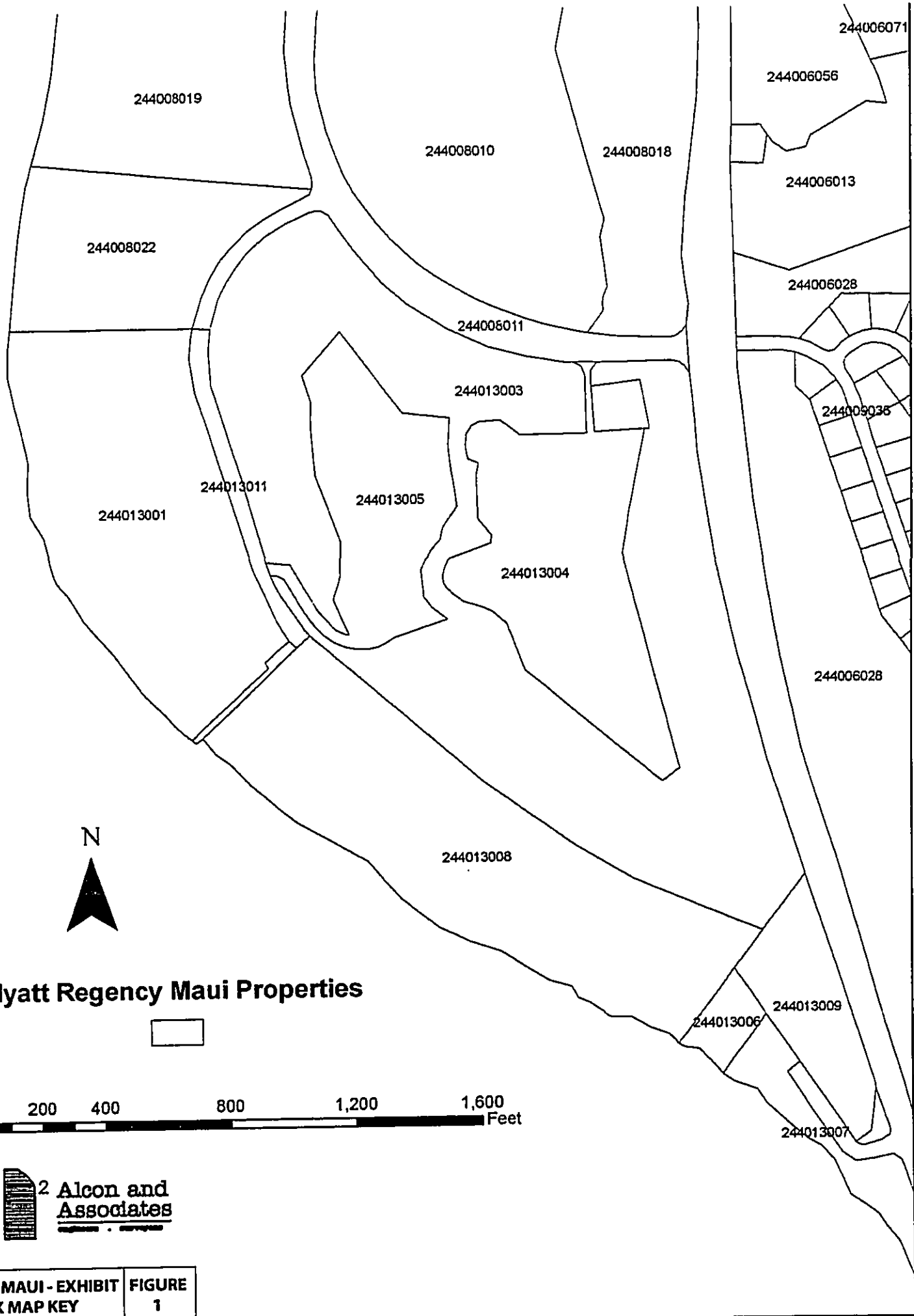
## IV. CONCLUSION

Based on our evaluation of the existing infrastructure serving the project site and implementation of the mitigation measures mentioned above, it is our professional opinion that the project will not have any significant adverse impact on the existing infrastructure and surrounding environment.

## V. REFERENCES

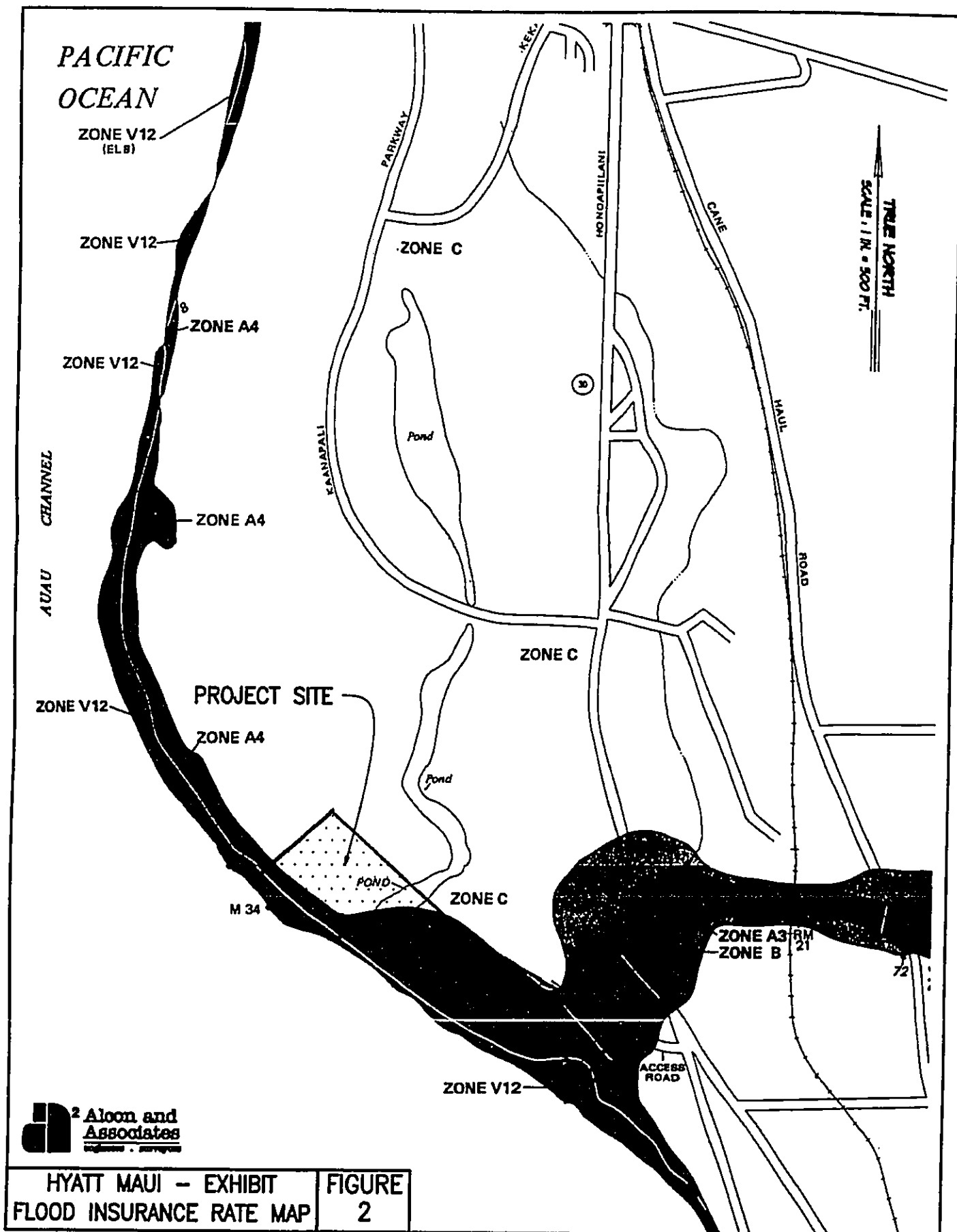
- 1) EISPN for the project prepared by Chris Hart and Partners
- 2) Phone conversation with staff at County Division of Water Reclamation.
- 3) Phone conversation with staff at MECO.

**FIGURES:**

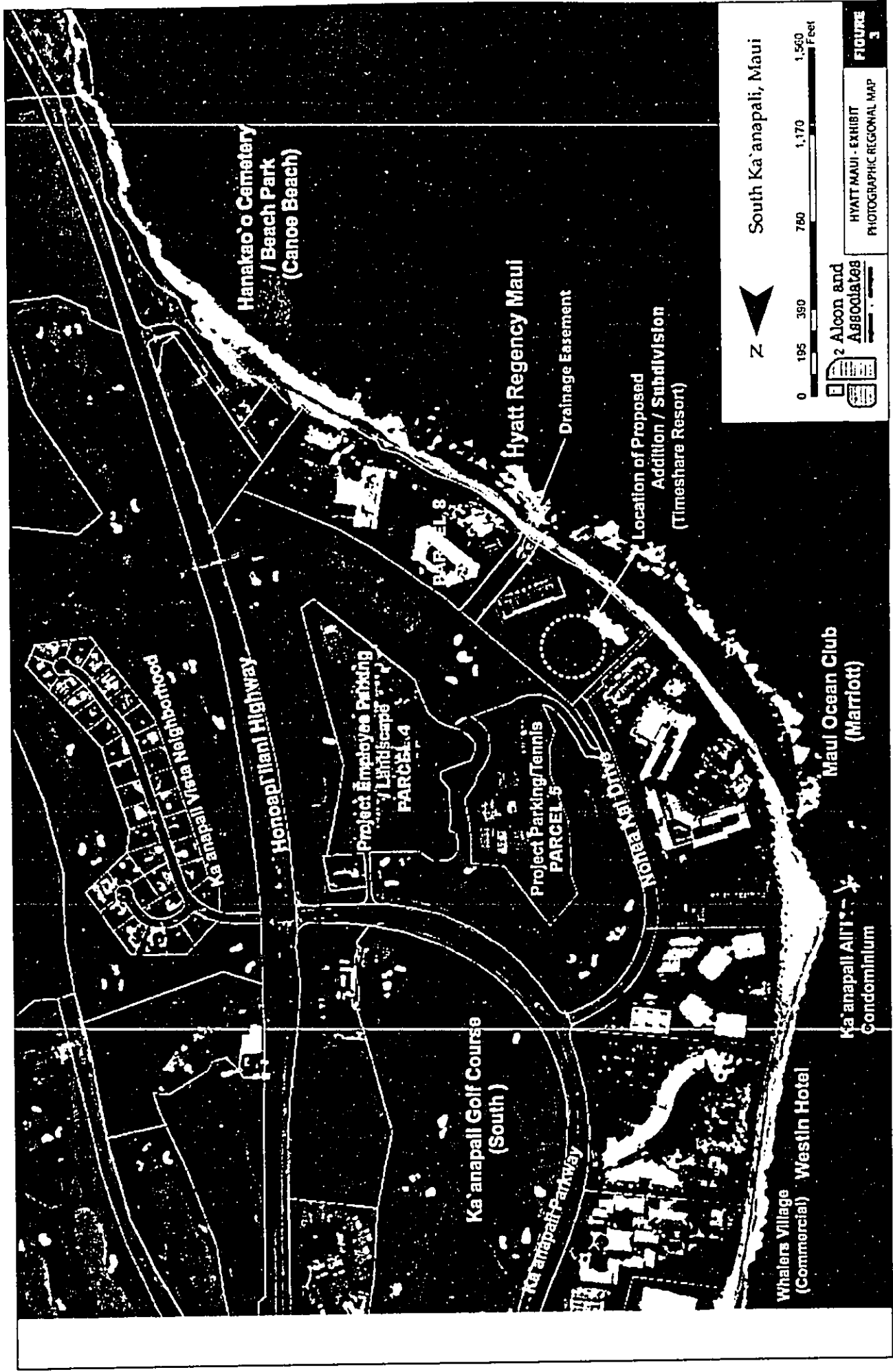


<b>HYATT MAUI - EXHIBIT TAX MAP KEY</b>	<b>FIGURE 1</b>
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South Ka'anapali, Maui

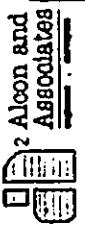
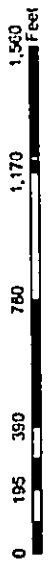


FIGURE 3

**APPENDIX A:**  
**PRELIMINARY DRAINAGE REPORT**

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**PRELIMINARY DRAINAGE REPORT  
FOR  
HYAT REGENCY MAUI ADDITION**

Kaanapali, Maui, Hawaii  
TMKs: (2) 4-4-13: 4, 5 and 8

**Owner & Developer  
Host Marriot Corporation LLP (Owner)  
Hyatt Regency Maui (Operator)**

**Prepared By:  
Alcon & Associates  
716 Umi Street, Suite 250  
Honolulu, Hawaii 96819**

**March 2006**

## REFERENCES

1. *Title MC-15, Chapter 4: Rules for the Design of Storm Drainage Facilities in the County of Maui*. Department of Public Works and Waste Management, County of Maui, July 1995.
2. *Soil Survey for the Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii*. Soil Conservation Service, United States Department of Agriculture, June 1998.
3. *Flood Insurance Rate Map, Maui County, Hawaii*. Community-Panel Numbers 150003-0153C and 15003-0161C. Federal Emergency Management Agency, Federal Insurance Administration, September 17, 1997 and August 3, 1998, respectively.
4. *Applied Hydrology*. McGraw-Hill Series in Water Resources and Environmental Engineering. Chow, Ven Te. McGraw-Hill, 1988.

## DESCRIPTION OF PROJECT SITE

The primary project site, Parcel 8, is a 4.5 acre (Ac) area which will be subdivided out of the existing 18.4-Ac Hyatt Regency Maui (HRM) parcel, TMK: (2) 4-4-13:008. This subdivided parcel is bordered by an access drive connecting HRM to Nohea Kai Drive to the east, the shoreline to the west, the Marriot Ocean Club to the north, and HRM Napiau Tower to the south.

Parcel 8 is currently occupied by a paved parking lot and concrete outdoor function deck. Excluding various mounds created for landscaping, the site is generally flat with a typical elevation of approximately 9.0-ft. Access to the parking lot is from the HRM access drive which connects the HRM to Nohea Kai Drive.

In addition to the primary site, the project will also include two other parcels owned by HRM. Parcel 5, TMK: (2) 4-4-13:005, is located north of the HRM access road (see Figure 1). This site is occupied by the HRM tennis facility and a paved parking lot used for overflow and valet parking. This site is relatively flat with an average slope of 0.1 percent and a typical elevation of approximately 9.0-ft.

The second additional parcel, Parcel 4, TMK (2) 4-4-13:004, is located east of the HRM tennis facility and is adjacent to the 1<sup>st</sup> and 16<sup>th</sup> holes of the Kaanapali South Golf

Course. A waterway separates Parcel 4 from Parcel 5. About two-thirds of Parcel 4 is used as unmarked parking. Much of the parking lot is unpaved. The remainder of the parcel is occupied by a plant nursery and sod farm. The area generally slopes west toward the water course.

The various parcels which comprise the project site lie within flood zone designations C, A4, and V12 as shown in Reference 3. The majority of Parcel 8 is designated Zone C which is considered an area exposed to minimal flooding. Zone A4 is areas within the 100-year flood zone with a base flood elevation of 9-ft. Zone V12 is areas where 100-year coastal flooding occurs with a base flood elevation of 9-ft.

The dominant soil type within the area is Jaucas San, 0 to 15% slopes (JaC), see Reference 2. Jaucas sand is considered to have very slow runoff and a severe wind erosion hazard. The other soil types designated within the project area are Kealia Silt Loam (KMW) and Beaches (BS).

#### **PROJECT DESCRIPTION**

A new timeshare building is proposed for the primary site, Parcel 8. This building with its appurtenances will replace the existing parking lot and outdoor function deck. The HRM tennis facility in Parcel 5 will be demolished. The parking lot in Parcel 5 will be modified to provide an additional 266 parking stalls and landscaping. Another 452 parking stalls will be added to Parcel 4.

#### **HYDROLOGY**

The rational method was used to calculate peak runoff quantities as outlined in Reference 1 using a 50-year, 1-hour rainfall intensity. The estimated rainfall used was 2.5-inches. Times of concentration and adjustments to the rainfall intensity for specific durations were estimated using Plate 1 and Plate 2 (Reference 1), respectively.

The Rational Formula:

$$Q = C I A$$

where,

Q	Peak Runoff Flow (cfs)
C	Runoff Coefficient
I	Rainfall Intensity, Adjusted for Duration (in/hr)
A	Drainage Area (Ac)

Complete hydrology calculations with applicable drainage maps are attached, see *Appendix A: Hydrology Calculations*. Estimated peak runoff volumes were calculated for the existing condition and the proposed developed conditions. The improvements shown for the proposed developed conditions are conceptual only.

#### **EXISTING CONDITIONS**

For simplicity, each parcel is examined as an individual site. The drainage areas for each parcel are described below.

##### ***Parcel 8***

Parcel 8 is divided into two drainage areas. Area E8-1 is composed of the existing parking lot and the roof area from the restroom/storage building. This area is collected in an underground drainage system which conveys approximately 8.5 cubic-feet-per-second (cfs) of storm runoff southeast into a double box culvert east of Napiu Tower.

The second drainage area, Area E8-2, covers the remainder of the site which includes the outdoor function deck and adjoining landscape areas. Approximately 3.7-cfs of runoff from this area is collected in an underground detention system comprised of 30" aluminum perforated subdrain pipes.

##### ***Parcel 5***

Parcel 5 is divided into four drainage areas. Area E5-1 encompasses the southern portion of the parking lot; Area E5-2 encompasses the northern portion of the parking lot; Area E5-3 encompasses the HRM tennis facility; and Area E5-4 encompasses the

landscape area west of the parking lot buffering the parking lot from the golf course. Runoff from Areas E5-1 and E5-2, 10.1-cfs and 7.1-cfs respectively, are collected by underground drainage systems which discharge into the waterway between Parcel 5 and Parcel 4. Runoff from Area E5-3, 6.1-cfs, sheet flows east into the waterway. Approximately 2.1-cfs of runoff from Area E5-4 sheetflows west onto the golf course.

**Parcel 4**

Parcel 4 is a single drainage basin, Area E4-1. Runoff from Area E4-1, approximately 25.3-cfs, generally sheet flows in a southwest direction until it enters the waterway separating Parcel 4 and Parcel 5.

**PROPOSED CONDITIONS**

Like the existing conditions, each parcel is examined as an individual site. The drainage areas for each parcel are described below.

**Parcel 8**

Under the proposed conditions, Parcel 8 is divided into two drainage areas. Area P8-1 encompasses the new beach access parking lot, the porte cochere, and the timeshare building. The existing underground drainage system from Area E8-1 will be reconfigured to collect 7.1-cfs of runoff from area P8-1.

Area P8-2 will encompass the remainder of Parcel 8. This includes the new swimming pools, pool deck, outdoor group venue, and associated landscape areas. Approximately 5.2-cfs of runoff will be collected in a new underground detention system which shall replace the existing detention system in Area E8-2.

**Parcel 5**

The drainage areas under the proposed conditions are similar to the existing conditions for Parcel 5. Area P5-1 will encompass the southern portion of the parking lot; Area P5-2 will encompass the northern portion of the parking lot; and Area P5-3 encompasses two existing tennis courts which will not be demolished. The existing underground drainage systems in Areas P5-1 and P5-2 shall be modified to accommodate the additional parking areas with runoff increasing to 12.7-cfs and 11.3-cfs respectively. These drainage systems, which will reuse the existing outfalls from Area E5-1 and E5-2,

discharge into the waterway to the east. Approximately 2.1 of runoff will sheetflow into the waterway from Area P5-3. Area P5-4 is the same area as Area E5-4 with 2.1-cfs sheetflowing west into the golf course.

***Parcel 4***

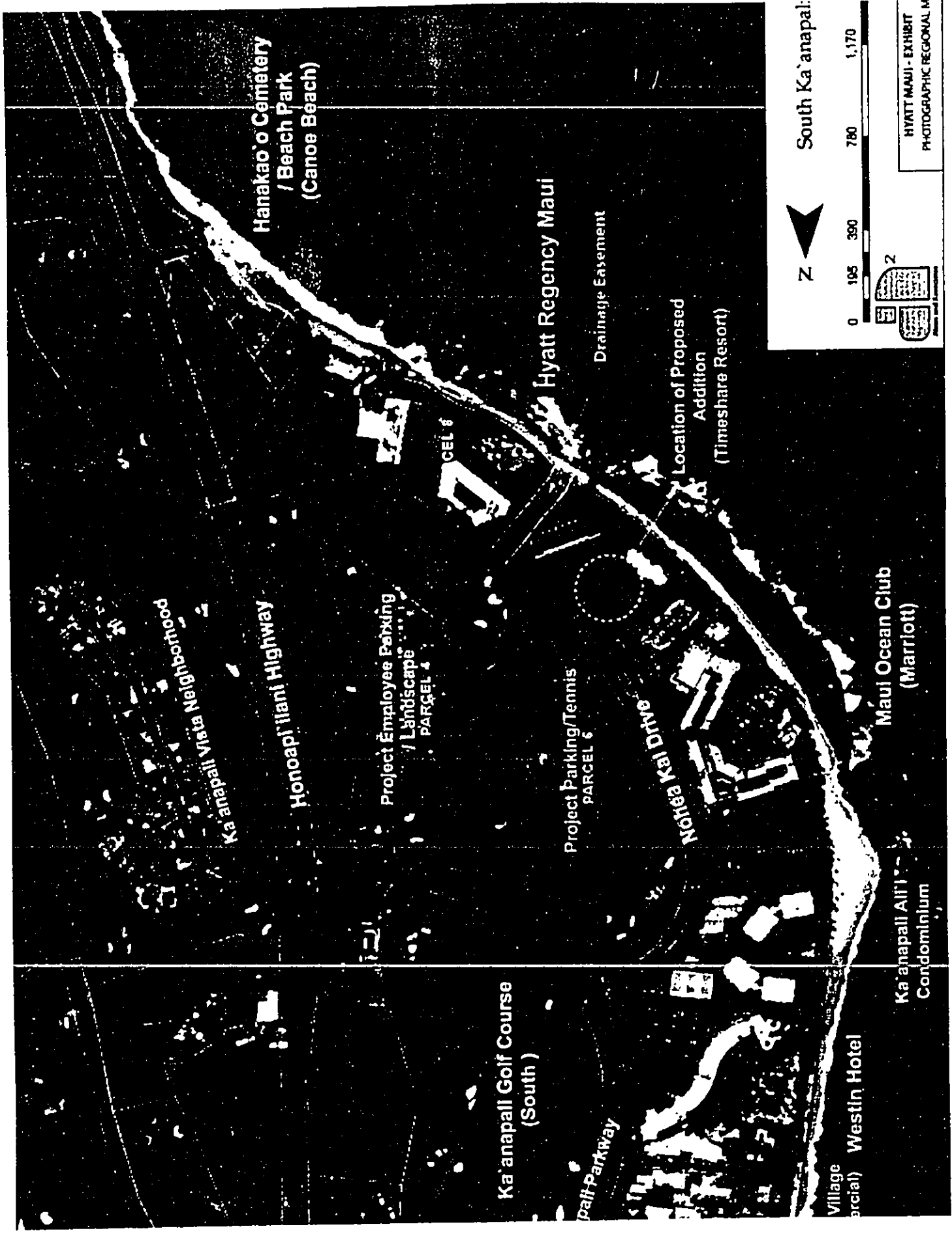
Although the parking area will be expanded and the unpaved areas will be improved with AC paving and landscaping, the general drainage pattern will be maintained. Runoff from Area P4-1, approximately 29.6-cfs, will sheetflow southwest into the waterway separating Parcel 4 and Parcel 5.

**CONCLUSIONS**

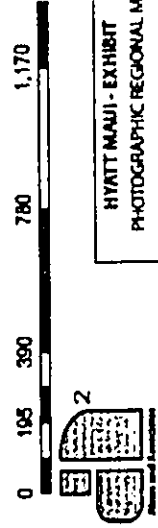
There is an expected 11-percent increase in the runoff generated by three parcels under the proposed condition. The net effect upon offsite areas and drainage systems like the golf course, waterway, and double box culvert will be an overall decrease in runoff volume. For example, Parcel 8 will discharge 1.4-cfs less into the double box culvert under the proposed conditions (P8-1 compared to E8-1). The increase under the proposed condition for P8-2 compared to E8-2 will be handled with the new underground detentions system which will be designed to accommodate the increase in runoff.

Likewise, new underground detentions systems will be added to Parcel 5 and Parcel 4 to accommodate the expected increase in runoff of 2.8-cfs and 4.3-cfs respectively. The proposed drainage patterns with the addition of the underground detention systems are expected to maintain the existing drainage flow pattern and volumes.





South Ka'anapali:



Hanakao o Cemetery  
/ Beach Park  
(Canoe Beach)

Hyatt Regency Maui

Drainage Easement

Location of Proposed  
Addition  
(Timeshare Resort)

Ka'anapali Vista Neighborhood

Honoapi'iiani Highway

Project Employee Parking  
/ Landscape  
PARCEL 4

Project Parking/Tennis  
PARCEL 6

Maha'ala Kai Drive

Maui Ocean Club  
(Marriott)

Ka'anapali All In  
Condominium

Ka'anapali Golf Course  
(South)

Golf Parkway

Village  
(Commercial) WestIn Hotel



0 195 390 780 1,170

HYATT MAUI - EXHIBIT  
PHOTOGRAPHIC REGIONAL M

**APPENDIX A:**  
**PRELIMINARY HYDRAULIC CALCULATIONS**

**Preliminary Hydraulic Calculations**  
Rev. March 2006

**Existing Conditions**

Area	Impremeable		Landscape		Recirculating		Weighted C	Tc (min)	150 (in/hr) A (Ac)	Q50 (cfs)	
	A	C	A	C	A	C					
E8-1	1.7	0.95	0.4	0.20	0.0	0.00	0.81	10	5.0	2.1	8.5
E8-2	0.6	0.95	1.0	0.20	0.0	0.00	0.48	12	4.8	1.6	3.7

Area	Impremeable		Landscape		Recirculating		Weighted C	Tc (min)	150 (in/hr) A (Ac)	Q50 (cfs)	
	A	C	A	C	A	C					
E5-1	1.6	0.95	0.3	0.20	0.0	0.00	0.83	8	6.4	1.9	10.1
E5-2	1.1	0.95	0.3	0.20	0.0	0.00	0.79	8	6.4	1.4	7.1
E5-3	1.2	0.95	1.6	0.20	0.0	0.00	0.52	18	4.2	2.8	6.1
E5-4	0.4	0.95	0.8	0.20	0.0	0.00	0.45	22	3.8	1.2	2.1

Area	Impremeable		Landscape		Unpaved Parking		Weighted C	Tc (min)	150 (in/hr) A (Ac)	Q50 (cfs)	
	A	C	A	C	A	C					
E4-1	2.7	0.95	4.8	0.20	3.3	0.85	0.59	20	4.0	10.8	25.3

**Proposed Conditions**


Area	Impremeable		Landscape		Recirculating		Weighted C	Tc (min)	150 (in/hr) A (Ac)	Q50 (cfs)	
	A	C	A	C	A	C					
P8-1	1.0	0.95	0.3	0.20	0.0	0.00	0.78	6	7.0	1.3	7.1
P8-2	0.9	0.95	1.1	0.20	0.4	0.00	0.45	12	4.8	2.4	5.2

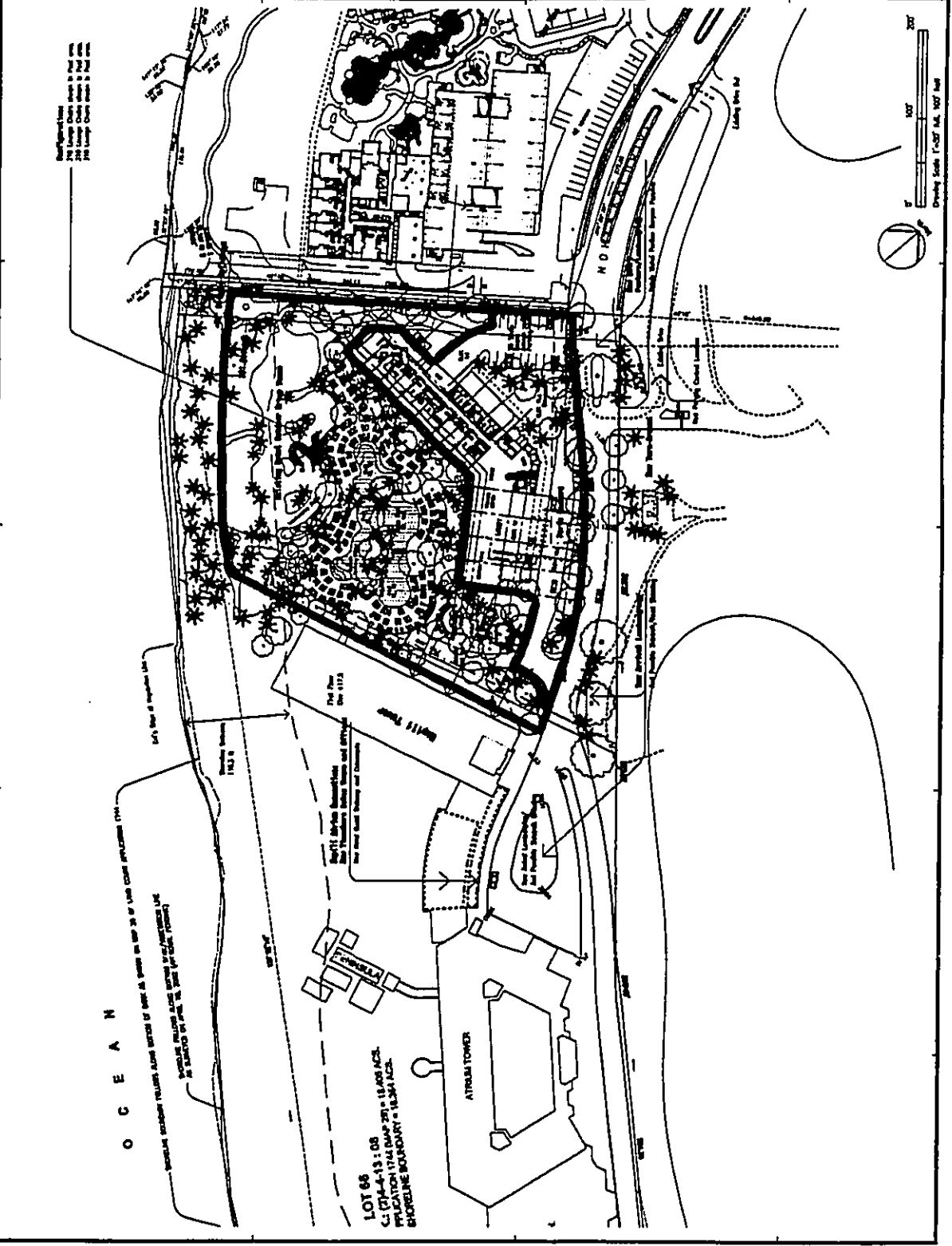
Area	Impremeable		Landscape		Recirculating		Weighted C	Tc (min)	150 (in/hr) A (Ac)	Q50 (cfs)	
	A	C	A	C	A	C					
P5-1	2.0	0.95	0.4	0.20	0.0	0.00	0.83	8	6.4	2.4	12.7
P5-2	1.8	0.95	0.3	0.20	0.0	0.00	0.84	8	6.4	2.1	11.3
P5-3	0.3	0.95	1.1	0.20	0.0	0.00	0.36	17	4.2	1.4	2.1
P5-4	0.4	0.95	0.8	0.20	0.0	0.00	0.45	22	3.8	1.2	2.1

Area	Impremeable		Landscape		Unpaved Parking		Weighted C	Tc (min)	150 (in/hr) A (Ac)	Q50 (cfs)	
	A	C	A	C	A	C					
P4-1	7.0	0.95	3.8	0.20	0.0	0.40	0.69	20	4.0	10.8	29.6

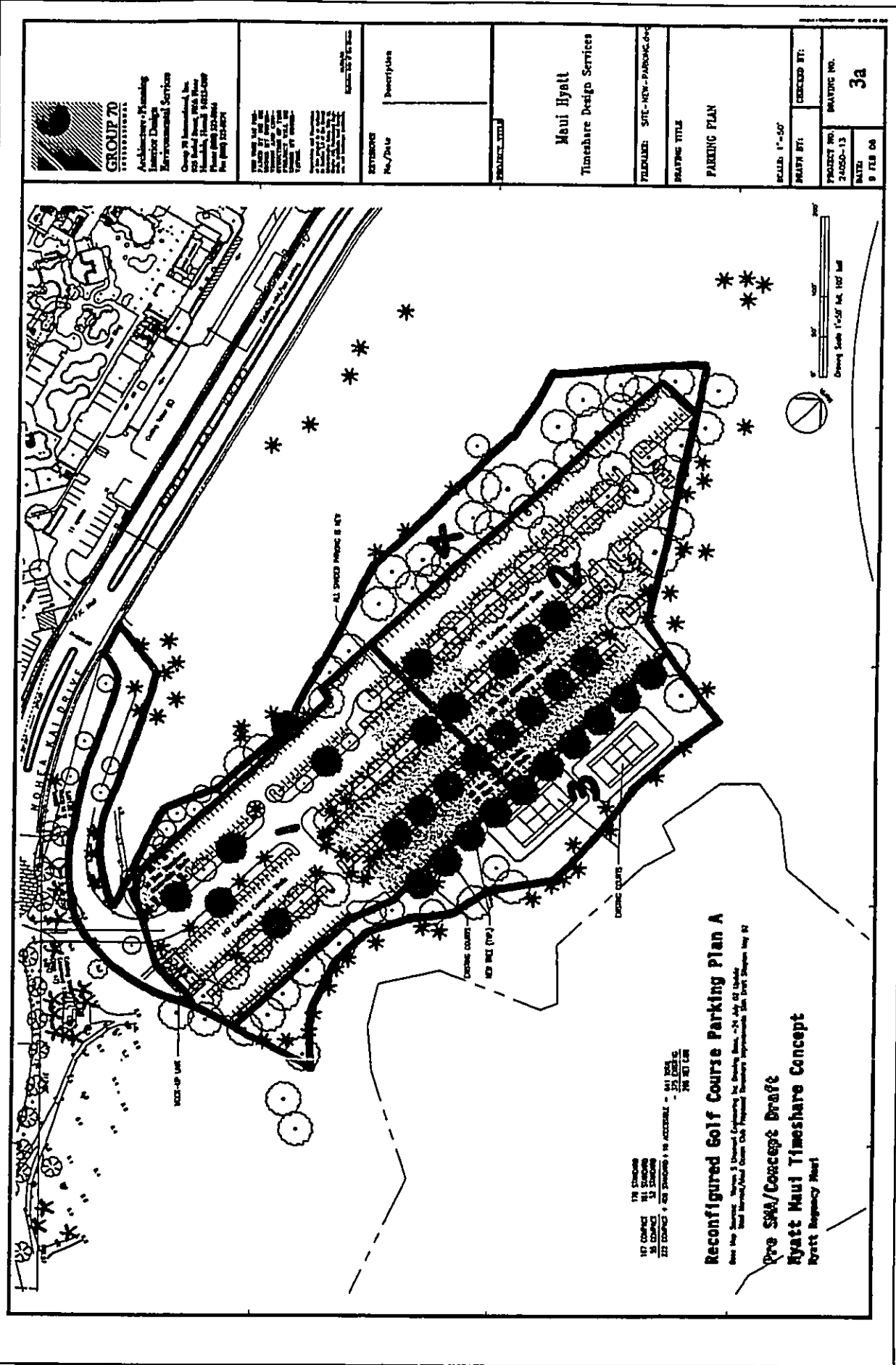




 <b>GROUP 70</b> ARCHITECTURE Architects, Planning Interior Design Environmental Services Group 70 Architecture, Inc. 225 West Street, Suite 200 Honolulu, HI 96813-1000 Tel: (808) 521-2200	PROJECT NO. 21000-13	SHEET NO. <b>A0.1a</b>
	DATE: 16 FEB 06	PROJECT TITLE <b>SITE PLAN</b>
CLIENT: Maui Ilyatt TimeShare Design Services	DRAWN BY: SITE: 1-70-06-019	SCALE: 1/50" = 1'-0" CHECKED BY:



PARCEL 8: PROPOSED



147 SPACES  
 51 SPACES  
 51 SPACES  
 222 SPACES + 402 SPACES + 19 ACCESSIBLE = 641 SPACES  
 271 SPACES  
 370 SPACES

**Reconfigured Golf Course Parking Plan A**  
 Date: May 2008. Shows 3 General Conditions for Existing Area. 2/14/08. 02/14/08.  
 Maui Golf Course Club Property. Property boundaries shown. 2/14/08. 02/14/08.

**Pre SMA/Concept Draft**  
**Hyatt Maui Timeshare Concept**  
 Brett Respency Maui

<b>GROUP 70</b> ARCHITECTURAL Architecture • Planning Interior Design Environmental Services 625 W. Kalia Road, Suite 100 Honolulu, Hawaii 96813-2099 Phone: (808) 938-8888 Fax: (808) 938-8887	REVISIONS No./Date Description	PROJECT TITLE <b>Maui Hyatt</b> Timeshare Design Services	PROJECT NO. SITE-NEW-PARKING-04-0
	DRAWING TITLE <b>PARKING PLAN</b>	SCALE: 1"=50' DRAWN BY: CHECKED BY:	PROJECT NO. 24050-13 DATE: 9 FEB 08

**PARCEL 4: PROPOSED**

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**Appendix L**  
*Traffic Impact Assessment Report*





TRAFFIC IMPACT ANALYSIS REPORT FOR

# HYATT REGENCY TIME SHARE PROJECT

IN KAA NAPALI, MAUI, HAWAII

Prepared For

**CHRIS HART & PARTNERS, INC.**

1955 Main Street, Suite 200  
Wailuku, Maui, Hawaii 96793

Prepared By

**Phillip Rowell and Associates**

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April 12, 2006

Revised November 15, 2006

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## APPENDICES

Appendix A	Site Plan
Appendix B	Suggested Regional Transportation Improvement Alternatives

## **1. INTRODUCTION**

---

Phillip Rowell and Associates has been retained to prepare a traffic impact analysis for a proposed expansion of the Hyatt Regency in Kaanapali, Maui. The approximate location of the project on the Island of Maui is shown in Figure 1.

This introductory chapter discusses the location of the project, the proposed development, and the study methodology.

### **Purpose and Objectives of Study**

1. Determine and describe the traffic characteristics of the proposed project.
2. Quantify and document the traffic related impacts of the proposed project.
3. Identify and evaluate traffic related improvements required to provide adequate access to and egress from the proposed project and to mitigate the project's traffic impacts.

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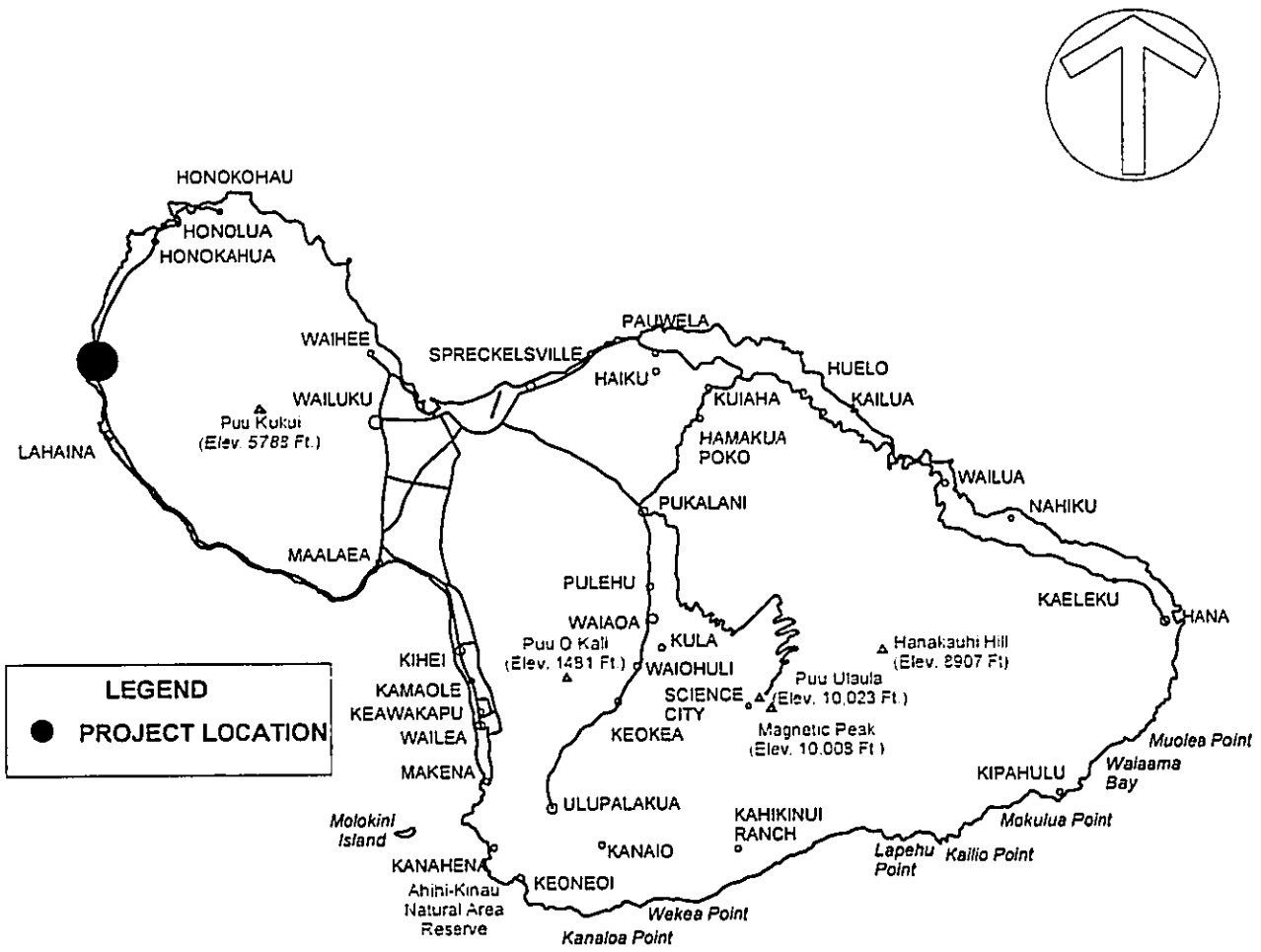


Figure 1  
PROJECT LOCATION MAP

**Project Location and Description**

A preliminary site plan of the project is shown as Appendix A. The following is a summary of the project:

1. The project is located along the west side of Nohea Kai Drive between the existing Hyatt Regency and the Marriott Ocean Club.
2. The project will consist of 131 timeshare units. There will be no lock-off units.
3. Parking for the new facility will be located along the south side of Nohea Kai drive across from the project. Both valet and self parking will be available. This will result in pedestrian traffic crossing Nohea Kai Drive in the vicinity of the project.
4. Employees will park in a separate, existing lot. The entrance to the employee parking lot is along the south side of Kaanapali Parkway approximately 500 feet west of Honoapiilani Highway (right-of-way of Honoapiilani Highway to center of driveway).

**Horizon Year**

The year 2010 was used as the horizon year, even though scheduled completion is earlier. This year was selected to be consistent with other traffic studies for projects within Kaanapali Resort area.

The design horizon year represents a date for which future background traffic projections were estimated. These projections include traffic generated by other planned projects within and adjacent to the study area and background traffic growth.

### **Study Methodology**

The following is a summary list of the tasks performed:

1. The study area and the scope of work were defined using criteria established by the Institute of Transportation Engineers<sup>1</sup> for projects that generate less than 100 peak hour trips. This was based on the results of a preliminary trip generation analysis that determined the proposed project will generate 72 trips during the afternoon peak hour. See Table 1.
2. A site reconnaissance was performed to identify existing roadway cross-sections, intersection lane configurations, traffic control devices, and surrounding land uses.
3. Existing peak-hour traffic volumes for the study intersections were obtained and summarized.
4. Existing levels-of-service of the study intersections was determined using the methodology described in the *Highway Capacity Manual*.
5. A list of related development projects within and adjacent to the study area that will impact traffic conditions at the study intersections was compiled. This list included both development projects and anticipated highway improvement projects.
6. Future background traffic volumes at the study intersections without traffic generated by the study project were estimated.
7. Peak hour traffic that the proposed project will generate was estimated using trip generation analysis procedures recommended by the Institute of Transportation Engineers.
8. A level-of-service analysis for future traffic conditions with traffic generated by the study project was performed.
9. The impacts of traffic generated by the proposed project at the study intersections was quantified and summarized.
10. Locations that project generated traffic significantly impacts traffic operating conditions were identified.
11. Recommendations, improvements or modifications necessary to mitigate the traffic impacts of the project and to provide adequate access to and egress from the site were formulated.
12. A report documenting the conclusions of the analyses performed and recommendations was prepared.

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<sup>1</sup> Institute of Transportation Engineers, *Transportation and Land Development, Second Edition*, Washington, D.C., 2002, pages 3-1 thru 3-16.

**Table 1 Suggested Requirements for Various Types of Traffic Impact Analyses<sup>(2)</sup>**

	Trip Generation Threshold			
	Access Location & Design Review	Small Development: Traffic Impact Assessment	Medium Development: Traffic Impact Statement	Large Development: Regional Traffic Analysis
	T ≤ 100 Peak Hour Trips	100 < T ≤ 500 Peak Hour Trips	500 < T ≤ 1000 Peak Hour Trips	T > 1000 Peak Hour Trips
Pre-application meeting or discussion	✓	✓	✓	✓
Analysis of Roadway Issues				
Existing condition analysis within study area	✓	✓	✓	✓
Sight distance evaluation	✓	✓	✓	✓
Nearby driveway locations	?	✓	✓	✓
Existing traffic conditions at nearby intersections and driveways		✓	✓	✓
Future road improvements		?	✓	✓
Crash experience in proximity to site	?	✓	✓	✓
Trip generation of adjacent development		?	✓	✓
Trip distribution analysis		✓	✓	✓
Background traffic growth		?	✓	✓
Future conditions analysis at nearby intersections		?	✓	✓
Mitigation identification and evaluation		?	?	✓
Site Issues				
Traffic generation	✓	✓	✓	✓
Traffic distribution	?	✓	✓	✓
Evaluate number, location & spacing of access points	?	✓	✓	✓
Evaluate access design, queuing, etc.	✓	✓	✓	✓
Evaluate site circulation	✓	✓	✓	✓
Other Analyses				
Gap analysis for unsignalized locations		?	?	✓
TSM/TDM Mitigation measures (car- or van-pooling, transit, etc.)- transit agency participation			?	✓
Effect on traffic signal progression, analysis of proposed signal locations			?	✓

Notes:  
 (1) Key: ✓ = required, ? = may be appropriate on a case-by-case basis  
 (2) Source: Institute of Transportation Engineers, *Transportation and Land Development*, Washington, D.C., 2002, p.3-6  
 (3) TSM/TDM = Transportation System Management/Transportation Demand Management  
 (4) A traffic signal should not be permitted



### Study Area

The study area for this study is consistent with the study area for other traffic impact studies in Kaanapali and recent direction from the County of Maui Department of Public Works. The study area is shown on Figure 2. The study intersections are listed in Table 2.

**Table 2 Study Intersections, Right-of-Way Control and Jurisdiction**

Number	Intersection	Right-of-Way Control	Jurisdiction
1	Honoapiilani Highway at Kaanapali Parkway	Signalized	State
2	Kaanapali Parkway at Nohea Kai Drive	Unsignalized	Private
3	Kaanapali Parkway at Kekaa Drive	Unsignalized	Private
4	Kekaa Drive at Kualapa Loop	Unsignalized	Private
5	Kekaa Drive at Maui Eldorado	Unsignalized	Private
6	Honoapiilani Highway at Maui Eldorado	Unsignalized	State
7	Honoapiilani Highway at Puukoolii Road	Signalized	State

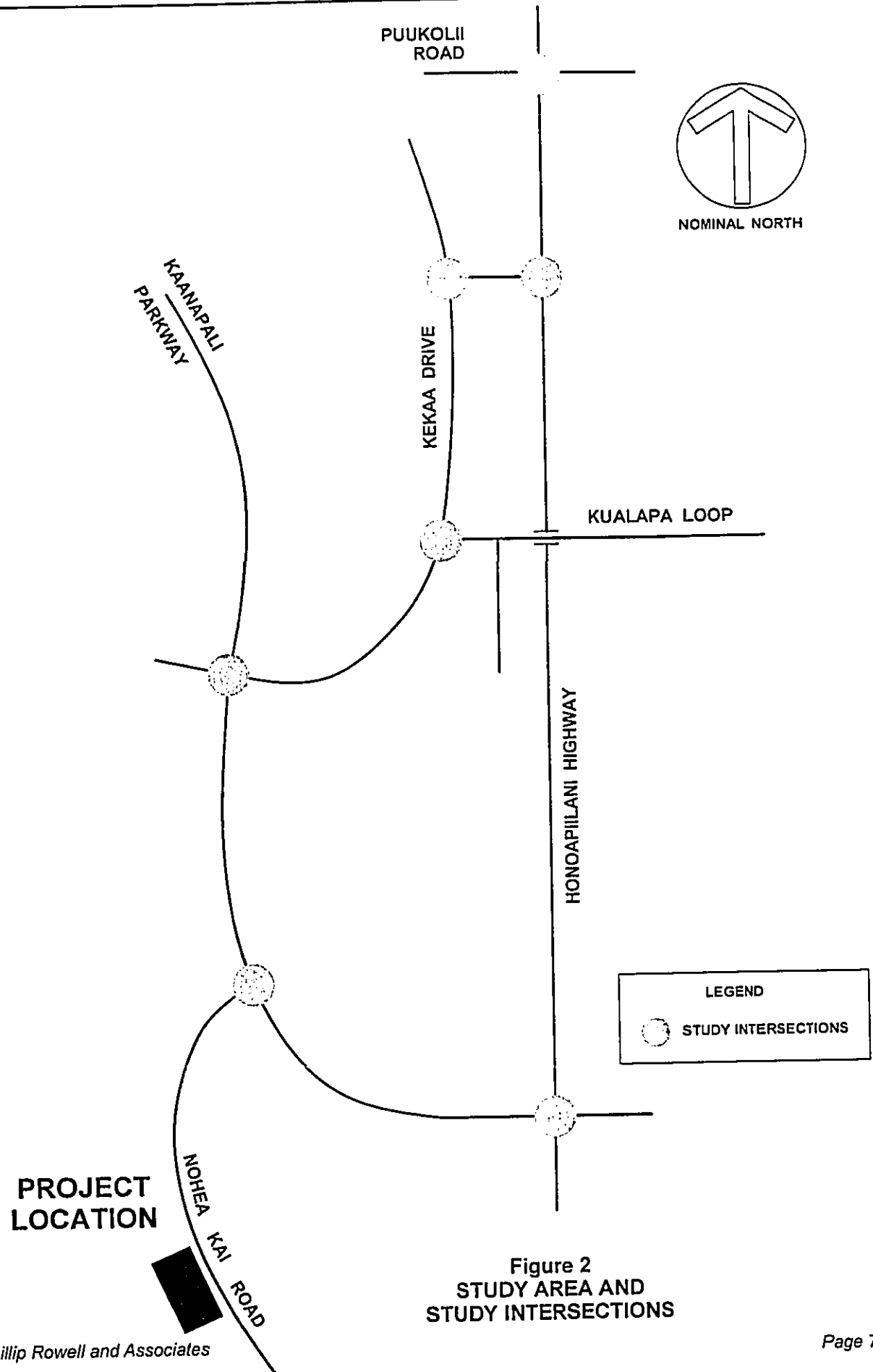
### Order of Presentation

Chapter 2 describes existing traffic conditions, the Level-of-Service (LOS) concept and the results of the Level-of-Service analysis of existing conditions.

Chapter 3 describes the process used to estimate 2010 background traffic volumes and the resulting background traffic projections. Background conditions are defined as future background traffic conditions without traffic generation by the study project.

Chapter 4 describes the methodology used to estimate the traffic characteristics of the proposed project, including 2010 background plus project traffic projections.

Chapter 5 describes the traffic impacts of the proposed project, identifies potential mitigation measures and summarizes the traffic impact study.



## **2. ANALYSIS OF EXISTING CONDITIONS**

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This chapter presents the existing traffic conditions on the roadways adjacent to the proposed project. The level-of-service (LOS) concept and the results of the level-of-service analysis for existing conditions are also presented. The purpose of this analysis is to establish the base conditions for the determination of the impacts of the project which are described in a subsequent chapter.

### **Description of Existing Streets and Intersection Controls**

Access to and egress from the project is via Nohea Kai Drive. Nohea Kai Drive is a two-way divided roadway. The roadway is not striped for four lanes but there is sufficient width to do so in the future. The analysis performed for this study assumed that Nohea Kai Drive would operate as a two-way, two-lane divided roadway.

Kaanapali Parkway is also a two-way divided roadway. It is not striped for two lanes in each direction. However, there is sufficient width for two lanes in each direction and traffic operates accordingly. Therefore, the following analyses assumed that this roadway is a four-lane divided roadway. The intersection of Kaanapali Parkway at Nohea Kai Drive is unsignalized.

Figure 3 is a schematic indicating the lane configurations and right-of-way controls of the study intersections.

### **Existing Peak Hour Traffic Volumes**

The existing morning and afternoon peak hour traffic volumes are shown in Figures 4 and 5. The peak hour volumes were determined from traffic counts of the study intersections.

1. The traffic counts were performed during the third week of December, 2005. All counts were completed before December 22. This period was selected because occupancy of resort hotels are close to capacity.
2. The morning counts were performed between 6:30 AM and 9:00 AM. The afternoon counts were performed between 3:30 PM and 6:00 PM.
3. The traffic counts include buses, trucks and other large vehicles. Mopeds and Bicycles were not counted.
4. The traffic volumes shown are the peak hourly volume of each movement rather than the peak sum of all approach volumes.
5. The traffic volumes of adjacent intersections may not match the volumes shown for an adjacent intersection because the peak hours of the adjacent intersections may not coincide and there are driveways between the intersections.
6. Pedestrian activity was negligible.
7. Based on traffic data shown in SDOT's 24-Hour Traffic Count Station Summary data for the intersection of Honoapiilani Highway at Kaanapali Parkway, the afternoon peak hour represents 8.2% of the total daily traffic along Honoapiilani Highways.
8. Based on our afternoon peak hour counts and the 24-hour counts summarized by SDOT, the afternoon peak hour traffic volume along Kaanapali Parkway represents 9.5% of the total daily traffic along Kaanapali Parkway.
9. Also based on SDOT counts, large vehicles comprise less than 3% of the total vehicles.
10. In response to comments received regarding the first draft of the traffic study, the traffic counts used in the level-of-service analysis were compared to traffic data obtained since submitted of the traffic study report<sup>2</sup>. The volumes reported in this study are those used to develop the coordination plan for Honoapiilani Highway. The volumes reported in the coordination study report are consistent with the volumes used for this TIAR. The conclusion is that the traffic data used in our analyses are valid and are consistent with the data used in other studies along this corridor.
11. It was observed that heavy construction traffic comprises a significant percentage of traffic along Honoapiilani Highway during the peak hours. This was also report by field personnel during the traffic surveys. Based on this observation, management of construction related traffic during the peak commute periods will mitigate poor traffic conditions during these periods.

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<sup>2</sup> Austin, Tsutsumi & Associates, Inc., *Traffic Signal Synchronization of Honoapiilani Highway from Shaw Street to Lower Honoapiilani Highway*, May 15, 2005

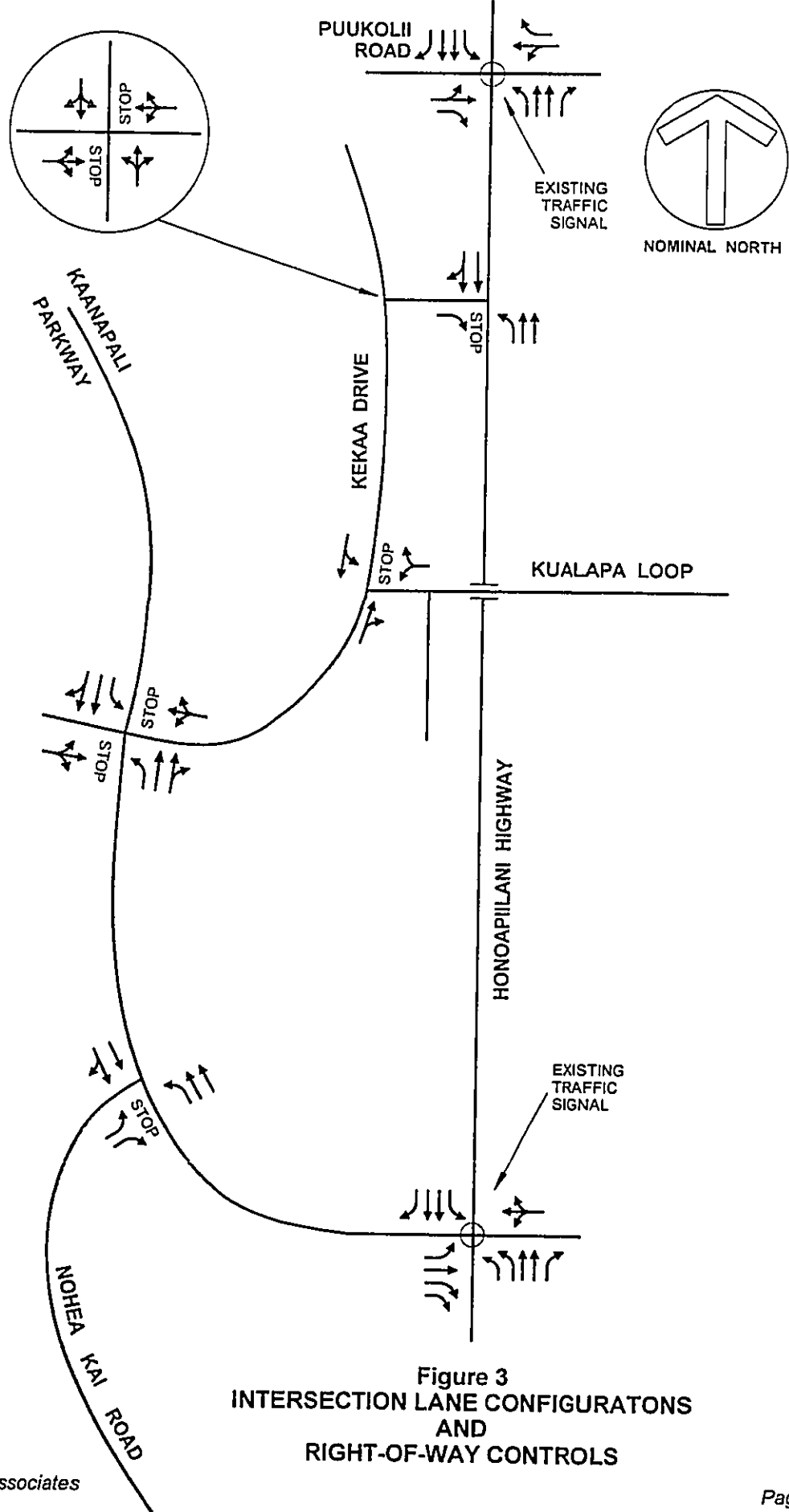
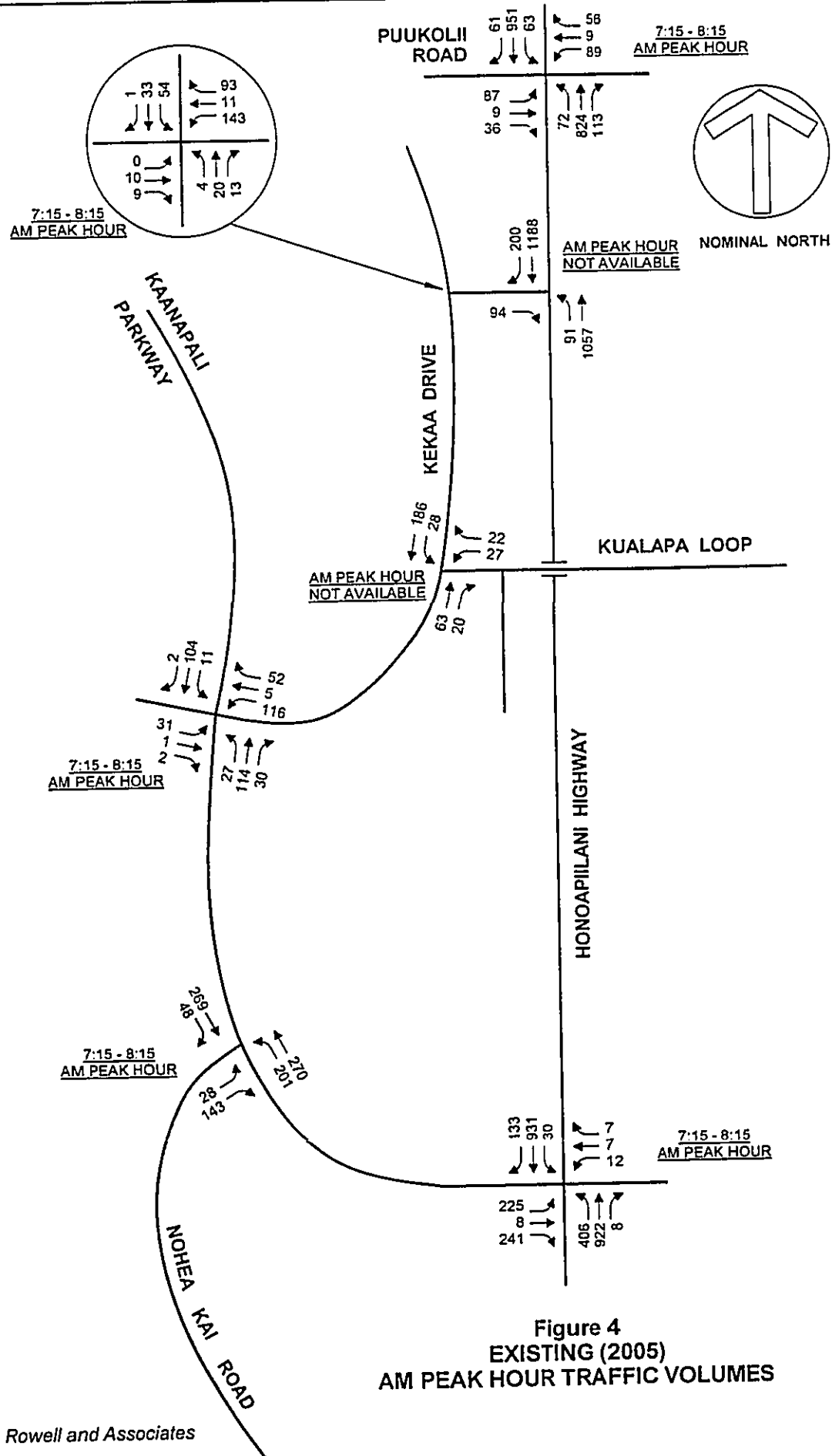


Figure 3  
INTERSECTION LANE CONFIGURATIONS  
AND  
RIGHT-OF-WAY CONTROLS



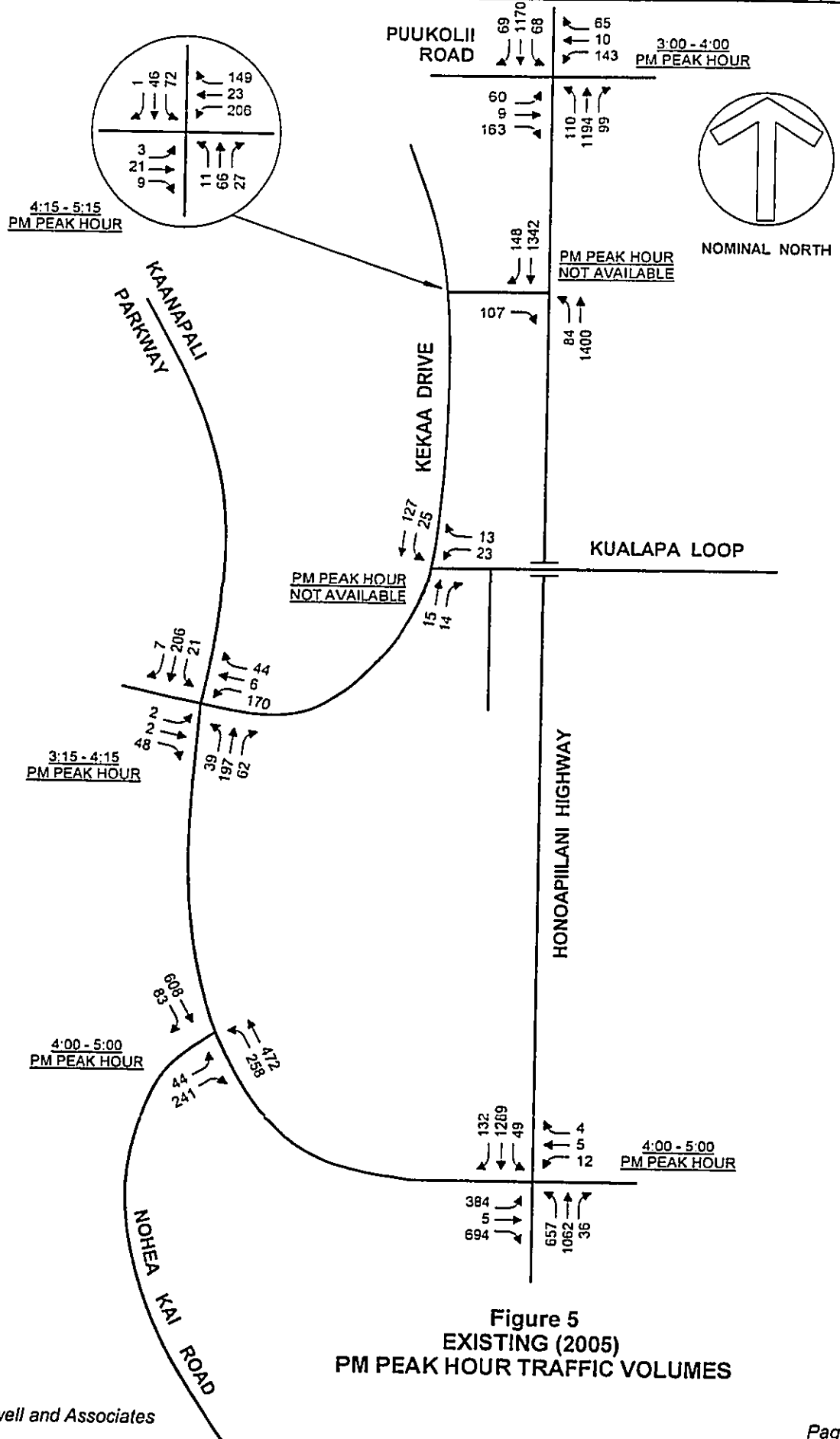


Figure 5  
EXISTING (2005)  
PM PEAK HOUR TRAFFIC VOLUMES

**Level-of-Service Concept**

*Signalized Intersections*

"Level-of-Service" is a term which denotes any of an infinite number of combinations of traffic operating conditions that may occur on a given lane or roadway when it is subjected to various traffic volumes. Level-of-service (Level-of-Service) is a qualitative measure of the effect of a number of factors which include space, speed, travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience.

There are six levels-of-service, A through F, which relate to the driving conditions from best to worst, respectively. The characteristics of traffic operations for each level-of-service are summarized in Table 3. In general, Level-of-Service A represents free-flow conditions with no congestion. Level-of-Service F, on the other hand, represents severe congestion with stop-and-go conditions. Level-of-service D is typically considered acceptable for peak hour conditions in urban areas.

Corresponding to each level-of-service shown in the table is a volume/capacity ratio. This is the ratio of either existing or projected traffic volumes to the capacity of the intersection. Capacity is defined as the maximum number of vehicles that can be accommodated by the roadway during a specified period of time. The capacity of a particular roadway is dependent upon its physical characteristics such as the number of lanes, the operational characteristics of the roadway (one-way, two-way, turn prohibitions, bus stops, etc.), the type of traffic using the roadway (trucks, buses, etc.) and turning movements.

**Table 3 Level-of-Service Definitions for Signalized Intersections<sup>(1)</sup>**

Level of Service	Interpretation	Volume-to-Capacity Ratio <sup>(2)</sup>	Stopped Delay (Seconds)
A, B	Uncongested operations; all vehicles clear in a single cycle.	0.000-0.700	<20.0
C	Light congestion; occasional backups on critical approaches	0.701-0.800	20.1-35.0
D	Congestion on critical approaches but intersection functional. Vehicles must wait through more than one cycle during short periods. No long standing lines formed.	0.801-0.900	35.1-55.0
E	Severe congestion with some standing lines on critical approaches. Blockage of intersection may occur if signal does not provide protected turning movements.	0.901-1.000	55.1-80.0
F	Total breakdown with stop-and-go operation	>1.001	>80.0

Notes:

- (1) Source: *Highway Capacity Manual, 2000.*
- (2) This is the ratio of the calculated critical volume to Level-of-Service E Capacity.



*Unsignalized Intersections*

Like signalized intersections, the operating conditions of intersections controlled by stop signs can be classified by a level-of-service from A to F. However, the method for determining level-of-service for unsignalized intersections is based on the use of gaps in traffic on the major street by vehicles crossing or turning through that stream. Specifically, the capacity of the controlled legs of an intersection is based on two factors: 1) the distribution of gaps in the major street traffic stream, and 2) driver judgement in selecting gaps through which to execute a desired maneuver. The criteria for level-of-service at an unsignalized intersection is therefore based on delay of each turning movement. Table 4 summarizes the definitions for level-of-service and the corresponding delay.

**Table 4 Level-of-Service Definitions for Unsignalized Intersections<sup>(1)</sup>**

Level-of-Service	Expected Delay to Minor Street Traffic	Delay (Seconds)
A	Little or no delay	<10.0
B	Short traffic delays	10.1 to 15.0
C	Average traffic delays	15.1 to 25.0
D	Long traffic delays	25.1 to 35.0
E	Very long traffic delays	35.1 to 50.0
F	See note (2) below	>50.1

Notes:

(1) Source: *Highway Capacity Manual, 2000.*

(2) When demand volume exceeds the capacity of the lane, extreme delays will be encountered with queuing which may cause severe congestion affecting other traffic movements in the intersection. This condition usually warrants improvement of the intersection.

**Level-of-Service Analysis of Existing Conditions**

*Signalized Intersections*

State Department of Transportation (Honolulu) requested the Synchro software package be used to performed level-of-service analyses. Accordingly, Synchro 6 was used to calculate the traffic signal timings. The timings were then downloaded into the Highway Capacity Software to calculate the levels-of-service of the signalized intersections. Both software packages are based on the *Highway Capacity Manual*.

The resulting levels-of-service of the signalized study intersections are summarized in Table 5. The results shown in the table are the volume-to-capacity ratios, delays and levels-of-service of all the controlled movements of the signalized study intersection.

**Table 5 Existing (2005) Levels-of-Service - Signalized Intersections**

Intersection and Movement	AM Peak Hour			PM Peak Hour		
	V/C <sup>(1)</sup>	Delay <sup>(2)</sup>	LOS <sup>(3)</sup>	V/C <sup>(1)</sup>	Delay <sup>(2)</sup>	LOS <sup>(3)</sup>
<b>Honoapiilani Hwy at Kaanapali Pkwy</b>	0.65	20.6	C	1.23	98.2	F
Eastbound Left	0.65	32.1	C	1.27	184.7	F
Eastbound Thru	0.02	19.9	B	0.01	35.4	D
Eastbound Right	0.20	21.4	C	0.76	51.0	D
Westbound Left, Thru & Right	0.06	20.3	C	0.26	62.3	E
Northbound Left	0.62	31.0	C	1.13	122.0	F
Northbound Thru	0.55	14.0	B	0.73	21.0	C
Northbound Right	0.00	9.3	A	0.05	11.1	B
Southbound Left	0.15	30.5	C	0.52	71.6	E
Southbound Thru	0.67	19.7	B	1.23	145.0	F
Southbound Right	0.08	13.1	B	0.10	22.7	C
<b>Honoapiilani Hwy at Puukooli Road</b>	0.76	18.5	B	0.97	21.3	C
Eastbound Left & Thru	0.33	34.9	C	0.23	33.4	C
Eastbound Right	0.06	31.1	C	0.31	35.1	D
Westbound Left & Thru	0.33	35.1	D	0.51	39.2	D
Westbound Right	0.10	31.6	C	0.13	32.1	C
Northbound Left	0.32	38.9	D	0.50	43.4	D
Northbound Thru	0.46	13.8	B	0.67	17.2	B
Northbound Right	0.07	10.4	B	0.07	10.3	B
Southbound Left	0.34	41.5	D	0.37	42.2	D
Southbound Thru	0.56	16.3	B	0.69	18.7	B
Southbound Right	0.04	11.1	B	0.04	11.1	B

NOTES:

1. V/C denotes ratio of volume to capacity.
2. Delay is in seconds per vehicle.
3. LOS denotes Level-of-Service calculated using the operations method described in *Highway Capacity Manual*. LOS is based on delay.

Table 6 is a comparison of the calculated levels-of-service to the observed levels-of-service of the signalized intersections. As shown, there are discrepancies between the calculated and observed levels-of-service. These discrepancies can be explained as follows:

1. Backups from downstream intersections constrains the number of vehicles that can travel through the intersection or complete a particular turning movement. This constraint will reduce the number of vehicles that go through the intersection and therefore reduces the volume-to-capacity ratio and total vehicle delay at the intersection, which are that determine the level-of-service of an intersection.
2. The high percentage of heavy construction vehicles using the subject section of Honopiilani Highway may have a greater impact of traffic conditions that the *Highway Capacity Manual* methodology accounts for.
3. It has been suggested in several of the comments received that the traffic volumes using the study intersections has increased significantly since the traffic counts were performed in late 2004 and therefore the levels-of-service calculated using these volumes is not consistent with current conditions.

**Table 6      Calculated Versus Observed Levels-of-Service**

Intersection	AM Peak Hour		PM Peak Hour	
	Calculated LOS	Observed LOS	Calculated LOS	Observed LOS
Honoapiilani Highway at Kaanapali Parkway	C	D	F	E
Honoapiilani Highway at Puukoolii Parkway	B	C	C	E

Unsignalized Intersections

The results of the Level-of-Service analysis of the unsignalized intersections are summarized in Table 7. Shown are the control delays and Levels-of-Service of each movement. Volume-to-capacity ratios are not calculated for unsignalized intersections.

**Table 7 Existing (2005) Levels-of-Service Analysis for Unsignalized Intersections<sup>(1)</sup>**

Intersection and Movement	AM Peak Hour		PM Peak Hour	
	Delay <sup>1</sup>	LOS <sup>2</sup>	Delay <sup>1</sup>	LOS <sup>2</sup>
<b>Kaanapali Pkwy at Nohea Kai Drive</b>				
Northbound Left	8.6	A	11.1	B
Eastbound Left	16.6	C	30.6	D
Eastbound Right	10.2	B	14.7	B
<b>Kaanapali Pkwy at Kekaa Drive</b>				
Northbound Left	7.5	A	7.8	A
Southbound Left	7.5	A	7.8	A
Westbound Left, Thru & Right	11.6	B	16.5	C
Eastbound Left, Thru & Right	10.7	B	9.4	A
<b>Kekaa Drive at Kualapa Loop</b>				
Southbound Left	7.4	A	7.3	A
Westbound Left & Right	10.1	B	9.4	A
<b>Kekaa Drive at Maui Eldorado</b>				
Northbound Left, Thru & Right	7.3	A	7.3	A
Southbound Left, Thru & Right	7.4	A	7.5	A
Westbound Left, Thru & Right	11.5	B	17.6	C
Eastbound Left, Thru & Right	9.5	A	11.2	B
<b>Honoapiilani Hwy at Maui Eldorado</b>				
Northbound Left	16.8	C	16.5	C
Eastbound Right	20.1	C	21.1	C

NOTES:

- (1) Delay in seconds per vehicle.
- (2) LOS denotes Level-of-Service calculated using the operations method described in Highway Capacity Manual. Level-of-Service is based on delay.

Conclusions of the Level-of-Service Analysis

1. During the morning peak hour, all intersections and traffic movements operate at Level-of-Service D, or better.
2. During the afternoon peak hour, the intersection of Honoapiilani Highway at Kaanapali Parkway operates at Level-of-Service F. The eastbound left, the northbound left and the southbound through movement operates at Level-of-Service F and has a high volume-to-capacity ratio. The westbound approach operates at Level-of-Service E as the delay is long. However, the volume-to-capacity ratio is only 0.26, which implies that the poor level-of-service is the result of having to wait for the traffic signal to go through the cycle before this movement receives a green light to move.
3. During the afternoon peak hour, the intersection of Honoapiilani Highway at Puukolii Road operates a Level-of-Service C and all movements operate a Level-of-Service D, or better.
4. For the unsignalized intersections, all movements operate at Level-of-Service C, or better, except the left turn movement from westbound Nohea Kai Drive to northbound Kaanapali Parkway, which operates at Level-of-Service D during the afternoon peak hour.

Other conditions observed during the traffic surveys are:

1. Despite the Level-of-Service B shown, left turns from northbound Kaanapali Parkway to westbound Nohea Kai Drive are congested during the afternoon peak period. Queues up to ten vehicles in length were observed.
2. Because of the long delays for left turns from and onto Kaanapali Parkway at Nohea Kai Drive, drivers are taking risks to make the turning maneuver.
3. Speeding vehicles were observed along Kaanapali Parkway. Several near misses were observed as drivers turning left from Nohea Kai Drive misjudged the speed of these approaching vehicles.
4. Drivers turning left from Kaanapali Parkway are using the refuge area in the median openings as a left turn storage lane.
5. As drivers approach Nohea Kai Drive from Honoapiilani Highway, there appears to be confusion as to whether they should be on the left or right side of Kaanapali Parkway.
6. Pedestrian traffic is insignificant at the study intersection.
7. Less than ten large vehicles, such as truck and buses, were observed during the peak periods. Therefore, the impact of these large vehicles is minimal.

### **3. PROJECTED BACKGROUND TRAFFIC CONDITIONS**

The purpose of this chapter is to discuss the assumptions and data used to estimate 2010 background traffic conditions. Background traffic conditions are defined as future traffic volumes without the proposed project.

Future traffic growth consists of two components. The first is ambient background growth that is a result of regional growth and cannot be attributed to a specific project. This growth factor is also used to account for project not identified during the data collection efforts or for which no traffic related information could be located. The second component is estimated traffic that will be generated by other development projects in the vicinity of the proposed project.

#### **Background Traffic Growth**

The *Maui Long Range Transportation Plan*<sup>3</sup> concluded that traffic in Maui would increase an average of 1.6% per year from 1990 to 2020. This growth rate was used to estimate the background growth between 2005 and the various design years for this project. The growth factor was calculated to be 1.0826 using the following formula:

$$F = (1 + i)^n$$

where F = Growth Factor

i = Average annual growth rate, or 0.016

n = Growth period in years

---

<sup>3</sup> Kaku Associates, October 1996

The growth factors were applied to the northbound and southbound traffic movements along Honoapiilani Highway.

**Related Projects**

The second component in estimating background traffic volumes is traffic resulting from other proposed projects in the vicinity. Related projects are defined as those projects that are under construction or have been approved for construction and would significantly impact traffic in the study area. Related projects may be development projects or roadway improvements.

The projects that were identified as related projects and the source of the traffic assignments for each are listed in Table 8. Traffic from these projects was assigned to the appropriate traffic movements at the study intersections.

<u>Project</u>	<u>Source of Traffic Assignments</u>
Lanikeha	TIAR for Lanikeha
The Pinnacle	TIAR for Lanikeha
The Summitt	TIAR for Lanikeha
Pulelehua	TIAR for Pulelehua
Maui Preparatory Academy	TIAR for Pulelehua
Kapalua Mauka	TIAR for Pulelehua
Kaanapali 2020	TIAR for Pulelehua
Kaanapali Coffee Farms	TIAR for Pulelehua
Honokowai DHHL	Trip Generation Estimate
Kaanapali Residences (LandTech)	See Note (1)
Starwood	See Note (1)
Intrawest Honua Kai	See Note (1)
Kaanapali Ocean Resort Westin	See Note (1)
Kahana Ridge Villas	See Note (1)
Napili Hau Mauka	Draft TIAR for Project
Marriott Ocean Club	TIAR for Marriott Ocean Club

Notes:  
 (1) The number of trips was estimated using the project description and Institute of Transportation Engineers trip generation data and distributed along the adjacent roadway network.

**2010 Background Traffic Projections**

2010 background traffic projections were calculated by expanding existing traffic volumes by the appropriate growth rates and then superimposing traffic generated by related projects. The resulting 2010 background peak hour traffic volumes are shown in Figures 6 and 7.



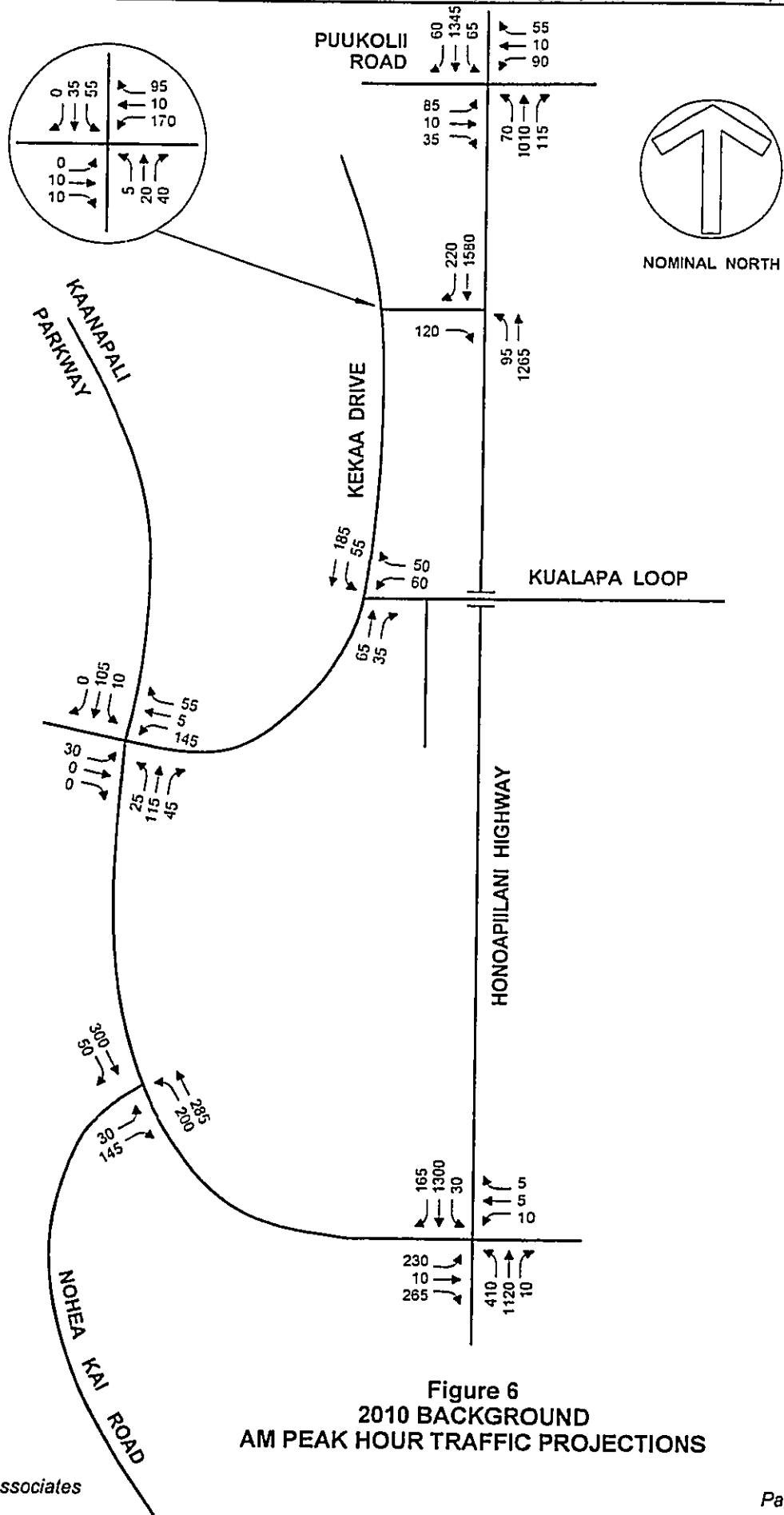


Figure 6  
2010 BACKGROUND  
AM PEAK HOUR TRAFFIC PROJECTIONS

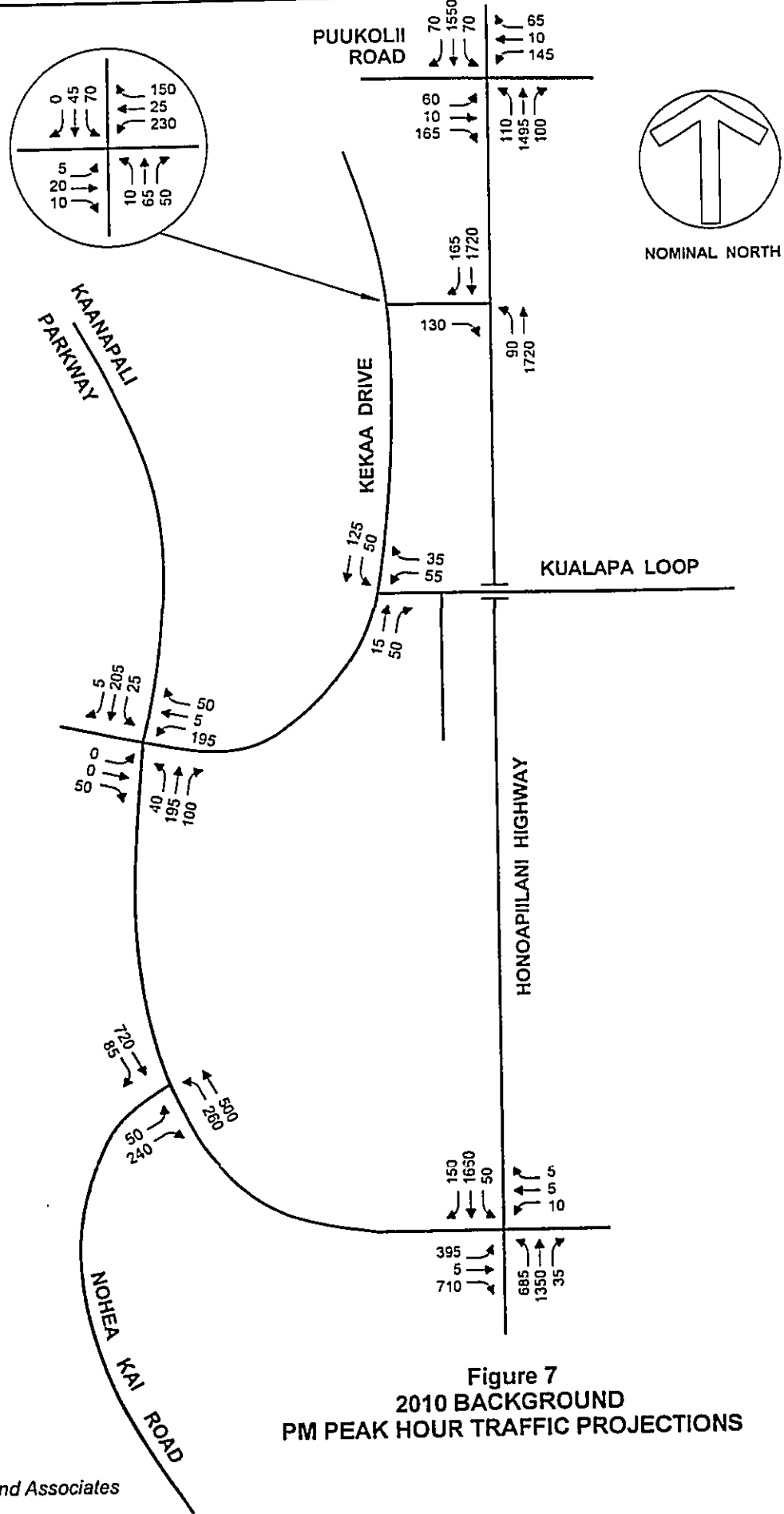


Figure 7  
2010 BACKGROUND  
PM PEAK HOUR TRAFFIC PROJECTIONS

## **4. PROJECT-RELATED TRAFFIC CONDITIONS**

---

This chapter discusses the methodology used to identify the traffic-related impacts of the proposed project. This chapter presents the generation, distribution and assignment of project generated traffic and the cumulative plus project traffic projections. The result of the level-of-service analysis of cumulative plus project conditions is presented in the following chapter.

### **Methodology**

Generally, the process involves the determination of weekday peak-hour trips that would be generated by the proposed project, distribution and assignment of these trips on the approach and departure routes, and finally, determination of the levels-of-service at affected intersections and driveways subsequent to implementation of the project.

In summary, estimation of project related traffic was accomplished using the following steps:

1. Land uses comparable to the proposed land uses for which Institute of Transportation Engineers trip generation data were available were identified.
2. Future traffic generated by the proposed development was estimated.
3. Project generated traffic was distributed and assigned to the appropriate traffic movements at the study intersections.
4. 2010 background plus project traffic projections were estimated by superimposing the traffic generated by the proposed project to the 2010 background traffic projections described in the previous chapter.

**Equivalent Trip Generation Rates**

The Institute of Transportation Engineers trip generation data does not provide trip generation data for land uses described exactly as the proposed uses. There are no trip generation rates provided for timeshares as proposed.

For the proposed uses, it was determined that the proposed timeshare units are comparable to the characteristics described for an all-suites hotel (Land Use Code 311). The common characteristics are separate sitting and sleeping areas and, in some cases, a small kitchen.

The comparable land uses used for the trip generation analysis are summarized in Table 9.

**Table 9 Equivalent Land Uses**

<u>Proposed User</u>	<u>Comparable Land Use</u>	<u>ITE Land Use Code</u>	<u>Trip Generation Parameter</u>
Existing Development	Hotel	310	Occupied Room
Timeshare	All-Suites Hotel	311	Occupied Room

**Trip Generation of Proposed Project**

The peak hour traffic generated by the project was estimated using the following assumptions:

1. There will be 131 timeshare units.
2. The proposed timeshare units will have traffic characteristics comparable to an all-suites hotel as described by the Institute of Transportation Engineers.
3. 100% of the rooms will be occupied.
4. There are no lock-off units.

The trip generation analysis calculations for the proposed project are summarized in Table 10. The trips shown are the peak hourly trips generated by the project, which typically coincide with the peak hour of the adjacent street. As shown, the project will generate 68 trips during the morning peak hour, 46 inbound and 22 outbound. During the afternoon peak hour, the project will generate 30 inbound and 42 outbound trips for a total of 72 trips.

**Table 10 Trip Generation Analysis**

Period & Direction		Timeshare Units (All-Suites Hotel)		
		Trips per Unit or Percent	Units	Trips
AM Peak Hour	Total	0.52	131	68
	Inbound	67%		46
	Outbound	33%		22
PM Peak Hour	Total	0.55		72
	Inbound	42%		30
	Outbound	58%		42

**Trip Distribution and Assignments**

The project-related trips were distributed along the anticipated approach routes to the project site based on the directional distribution of existing peak hour traffic along the streets within the study area. The trip distribution pattern was estimated using existing turning movements at the key intersection along the approach and departure routes to the project. Separate distributions were estimated for the morning and afternoon peak periods.

The morning and afternoon peak hour trip assignments are shown in Figures 8 and 9, respectively. The total number of trips shown on the figures add up to slightly higher numbers than those shown in Table 10 due to rounding.

**2010 Background Plus Project Projections**

Background plus project traffic conditions are defined as 2010 background traffic conditions plus project related traffic. The incremental difference between background and background plus project is the traffic impact of the project under study.

2010 background plus project traffic projections were estimated by superimposing the peak hourly traffic generated by the proposed project on the 2010 background peak hour traffic volumes presented in Chapter 3. The 2010 background plus the project traffic projections are shown on Figures 13 and 14.

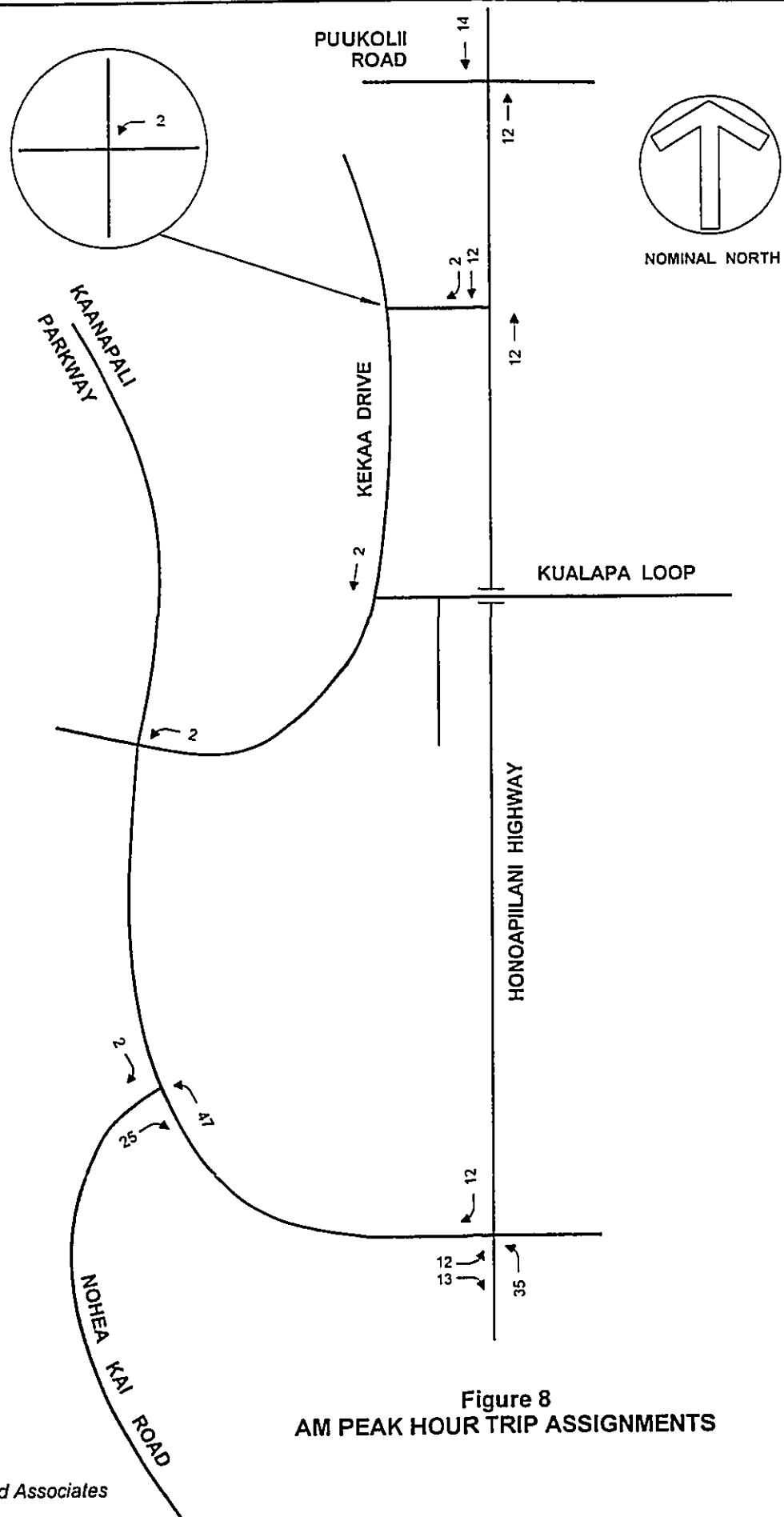


Figure 8  
AM PEAK HOUR TRIP ASSIGNMENTS

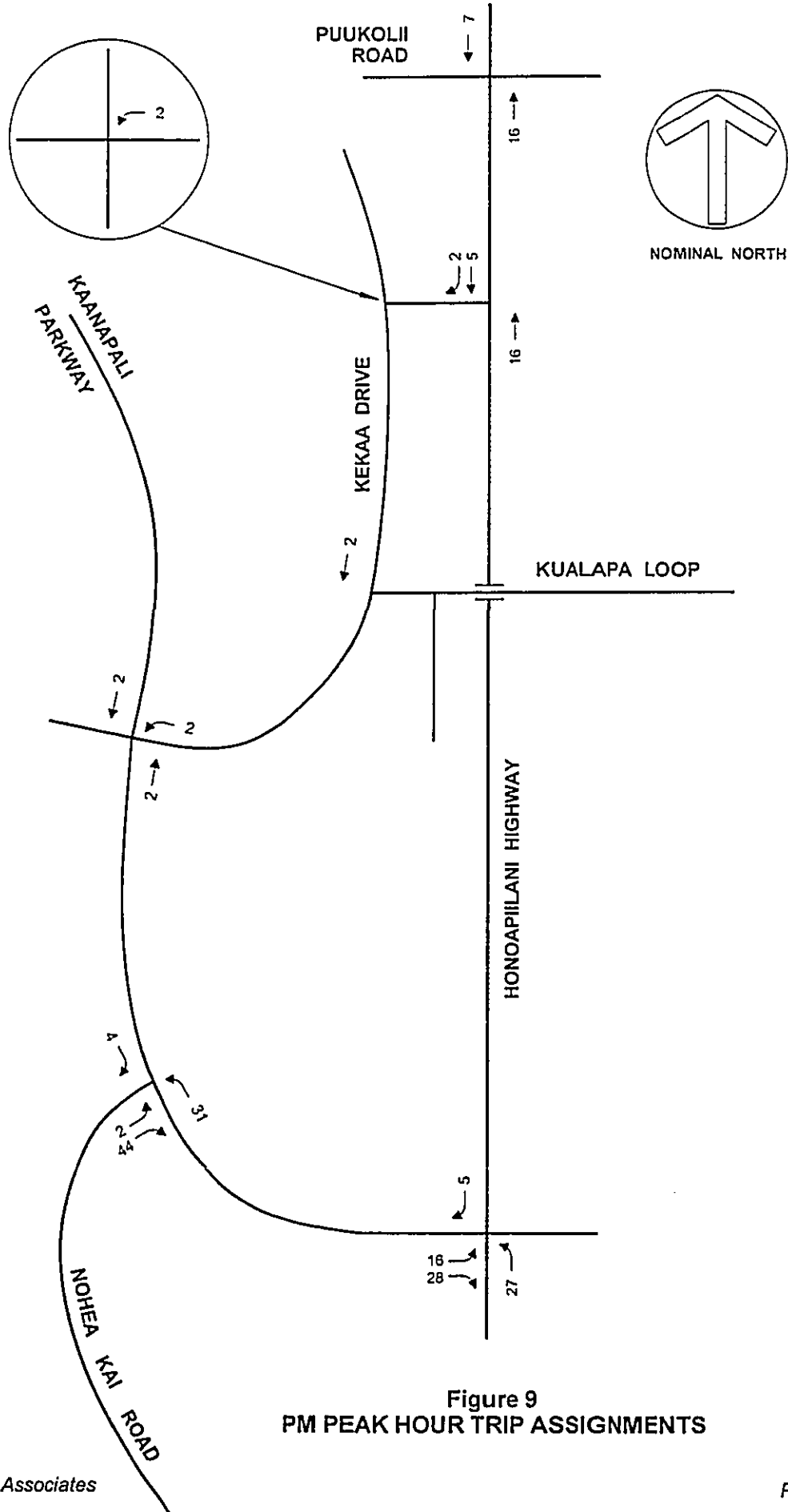
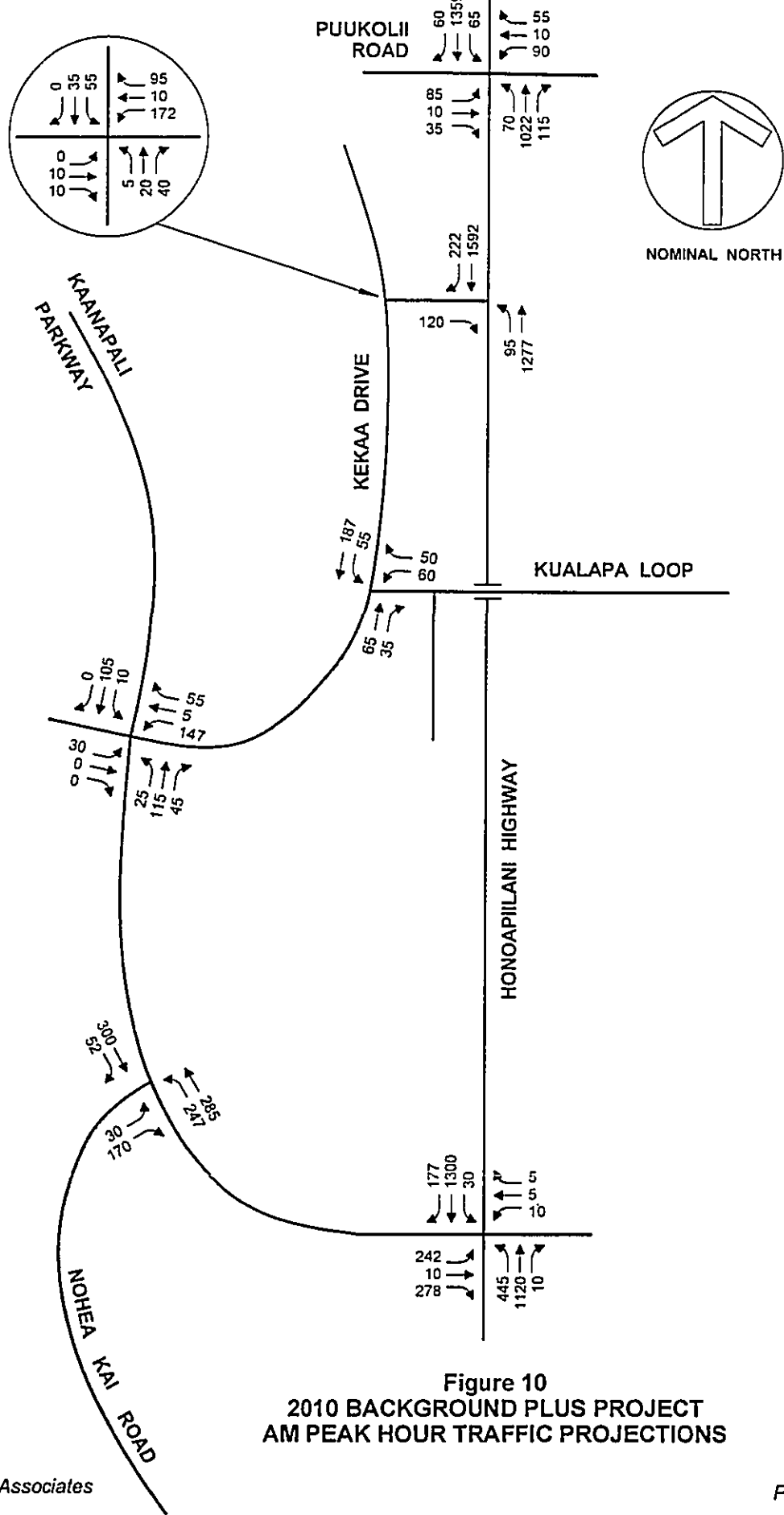
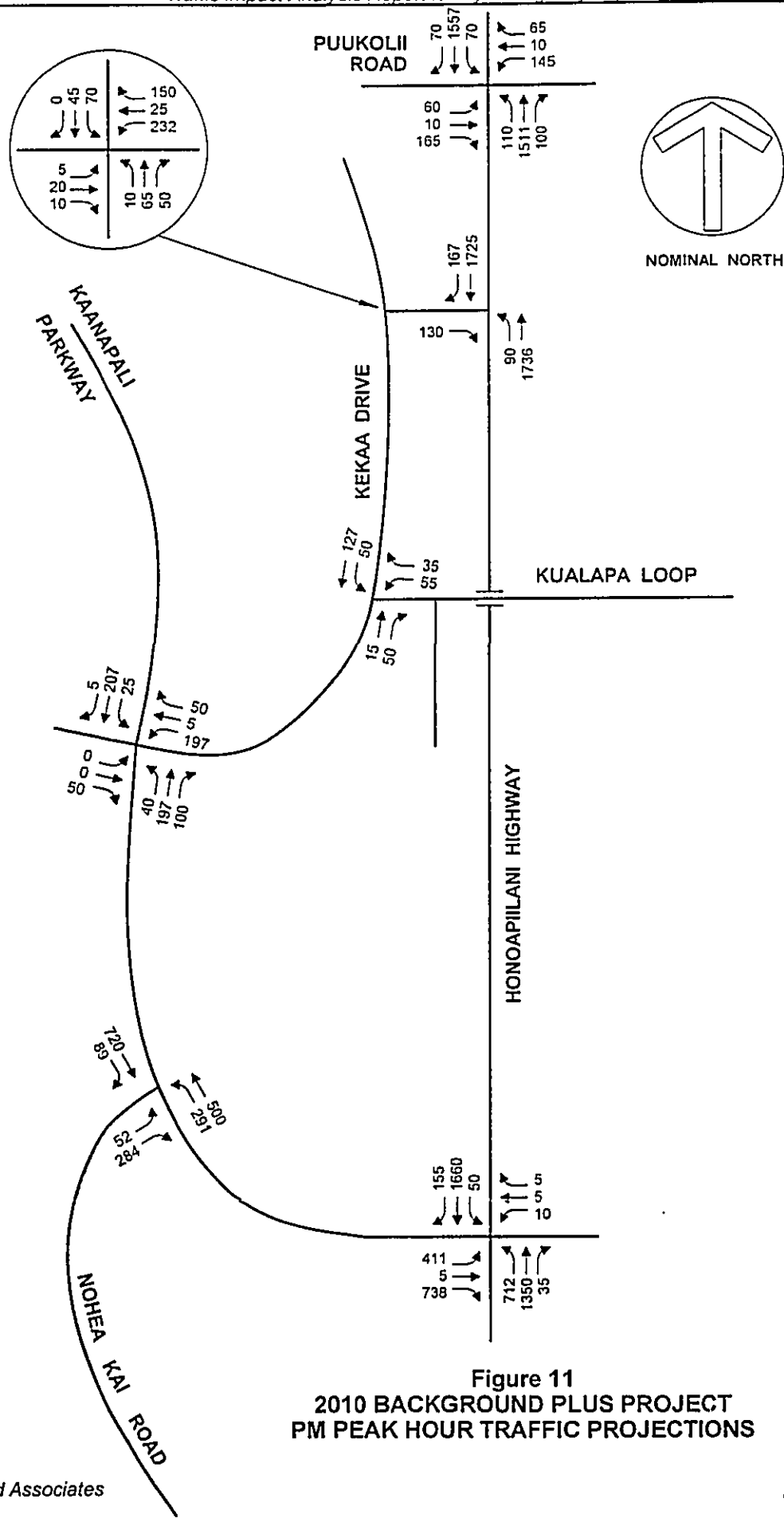


Figure 9  
PM PEAK HOUR TRIP ASSIGNMENTS







## **5. CONCLUSIONS AND RECOMMENDATIONS**

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The purpose of this chapter is to summarize the results of the level-of-service analysis, which identifies the project-related impacts. In addition, any mitigation measures necessary and feasible are identified and other access, egress and circulation issues are discussed.

The impact of the project was assessed by analyzing the changes in traffic volumes and levels-of-service at the study intersections.

### **Changes in Total Intersection Volumes**

An analysis of the changes in traffic volumes at the study intersections along Honoapiilani Highway is summarized in Table 11. The changes in traffic volumes along Honoapiilani Highway range from 0.6% to 2.0%. Obviously, the largest changes are at the intersection of Honoapiilani Highway at Kaanapali Parkway, where the morning and afternoon increases are 2.0% and 1.5%, respectively. This compares to increases of 21.5% and 16.9%, respectively, as a result of background growth and traffic generated by related development projects.

An analysis of the project's pro rata share of the increase of traffic volumes between 2005 and 2010 is summarized in Table 12. The project's share of traffic growth along Honoapiilani Highway ranges from 3.0% to 10.3%, with the largest increase at the intersection of Honoapiilani Highway at Kaanapali Parkway. Growth as a result of background growth and traffic generated by related projects ranges from 89.7% to 96.8%. The conclusion of this analysis is that traffic growth as a result of background growth and traffic generated by related projects is significantly greater than traffic growth as a result of project generated traffic.

**Table 11 Analysis of Total Intersection Approach Volumes Along Honoapiilani Highway <sup>(1)</sup>**

Intersection	Period	Existing	2010 Background	2010 Background Plus Project	Percent Growth	
					from Background Growth <sup>(2)</sup>	from Project Traffic <sup>(3)</sup>
Honoapiilani Hwy at Kaanapali Pkwy	AM	2930	3560	3632	21.5%	2.0%
	PM	4329	5060	5136	16.9%	1.5%
Honoapiilani Highway at Maui Eldorado	AM	2630	3280	3306	24.7%	0.8%
	PM	3081	3825	3848	24.1%	0.6%
Honoapiilani Hwy at Puukoolii Road	AM	2370	2950	2976	24.5%	0.9%
	PM	3160	3850	3873	21.8%	0.6%
Averages	AM	2643	3263	3305	23.5%	1.3%
	PM	3523	4245	4286	20.5%	1.0%

Notes:

- (1) Volumes shown are total intersection approach volumes or projections.
- (2) Background growth compared to existing volumes.
- (3) Growth from project traffic compared to background plus project traffic projections.

**Table 12 Analysis of Growth of Total Intersection Approach Volumes <sup>(1)</sup>**

Intersection	Period	Existing	2010 Background	Background Plus Project	Background Growth <sup>(2)</sup>		Project Trips <sup>(3)</sup>	
					Volume	% of 2005 to 2010 Growth	Volume <sup>(4)</sup>	% of 2005 to 2010 Growth
Honoapiilani Hwy at Kaanapali Pkwy	AM	2930	3560	3632	630	89.7%	72	10.3%
	PM	4329	5060	5136	731	90.6%	76	9.4%
Honoapiilani Highway at Maui Eldorado	AM	2630	3280	3306	650	96.2%	26	3.8%
	PM	3081	3825	3848	744	97.0%	23	3.0%
Honoapiilani Hwy at Puukoolii Road	AM	2370	2950	2976	580	95.7%	26	4.3%
	PM	3160	3850	3873	690	96.8%	23	3.2%
Averages	AM	2643	3263	3305	620	93.7%	42	6.3%
	PM	3523	4245	4286	722	94.6%	41	5.4%

Notes:

- (1) Volumes shown are total intersection approach volumes or projections.
- (2) Background versus existing.
- (3) Background plus project versus background.
- (4) Project generated traffic

#### **Methodology for Level-of-Service Analysis**

1. As previously noted, State Department of Transportation (Honolulu) has requested the Synchro software package be used to performed level-of-service analyses. Accordingly, Synchro 6 was used to calculate the traffic signal timings. The timings were then downloaded into the Highway Capacity Software to calculate the levels-of-service of the signalized intersections. Both software packages are based on the methodology described in the *Highway Capacity Manual*.
2. In the past, the LA Department of Transportation standard was used to determine the significance of the impacts of project generated traffic. SDOT has consistently responded that they prefer to use the engineering judgement and discretion of their staff to assess the traffic impacts of a project and the effectiveness of possible mitigation measures, along with the standards of the Institute of Transportation Engineers . Accordingly, we have used the Institute of Transportation Engineers standard that a Level-of-Service D is the minimum acceptable level-of-service and that the criteria is applicable to the overall intersection rather than each controlled lane group. If project generated traffic causes the level-of-service to drop below Level-of-Service D (Levels-of-Service E or F), then mitigation should be provided to improve the level-of-service to Level-of-Service D or better. If the Level-of-Service is E or F without project generated traffic and project generated traffic causes the delay of increase, then mitigation should be provided to improve the delay to be equal to or less than the delay for background without project conditions.
3. The *Highway Capacity Manual* defines level-of-service by delay. We have used the same definitions.

#### **Results of the Level-of-Service Analysis**

The level-of-service analysis of the signalized intersections was performed for background and background plus project conditions and then compared. The incremental difference of the volume-to-capacity ratios and delays between the two conditions is the impact of the project. The existing right-of-way controls and intersection configurations will be maintained.

The results of the level-of-service analysis of the signalized intersections are summarized in Table 13. The results for three intersections are shown. Shown are the volume-to-capacity ratios, average vehicle delays and levels-of-service.

The results of the level-of-service analysis of the unsignalized intersections are summarized in Table 14. Shown are the average vehicle delays and levels-of-service of the controlled lane groups. Overall delays and levels-of-service are not calculated for unsignalized intersections.

Table 13 2010 Levels-of-Service - Signalized Intersections

Intersection and Movement	AM Peak Hour						PM Peak Hour					
	Without Project			With Project			Without Project			With Project		
	V/C <sup>(1)</sup>	Delay <sup>(2)</sup>	LOS <sup>(3)</sup>	V/C	Delay	LOS	V/C <sup>(1)</sup>	Delay <sup>(2)</sup>	LOS <sup>(3)</sup>	V/C	Delay	LOS
<b>Honoapiilani Hwy at Kaanapali Pkwy</b>	0.78	25.6	C	0.80	25.9	C	1.01	68.2	E	1.03	69.1	E
Eastbound Left	0.65	32.4	C	0.69	33.9	C	0.90	69.7	E	0.94	76.1	E
Eastbound Thru	0.02	19.9	B	0.02	19.9	B	0.01	35.3	D	0.01	35.3	D
Eastbound Right	0.23	21.7	C	0.25	21.9	C	0.58	44.9	D	0.62	46.0	D
Westbound Left, Thru & Right	0.05	20.1	C	0.05	20.1	C	0.17	59.7	E	0.17	59.7	E
Northbound Left	0.63	31.1	C	0.68	32.5	C	0.87	59.3	E	0.90	62.8	E
Northbound Thru	0.67	16.0	B	0.67	16.0	B	0.68	19.8	B	0.68	19.8	B
Northbound Right	0.01	9.3	A	0.01	9.3	A	0.03	11.0	B	0.03	11.0	B
Southbound Left	0.15	30.5	C	0.15	30.5	C	0.39	65.7	E	0.39	65.7	E
Southbound Thru	0.93	32.3	C	0.93	32.3	C	1.17	119.7	F	1.17	119.7	F
Southbound Right	0.13	13.6	B	0.15	13.8	B	0.10	22.8	C	0.11	22.9	C
<b>Honoapiilani Hwy at Puukolii Road</b>	0.77	20.9	C	0.77	21.1	C	0.98	27.0	C	0.98	27.3	C
Eastbound Left & Thru	0.32	34.8	C	0.32	34.8	C	0.23	33.4	C	0.23	33.4	C
Eastbound Right	0.06	31.1	C	0.06	31.1	C	0.32	35.2	D	0.32	35.2	D
Westbound Left & Thru	0.34	35.2	D	0.34	35.2	D	0.52	39.5	D	0.52	39.5	D
Westbound Right	0.09	31.6	C	0.09	31.6	C	0.13	32.1	C	0.13	32.1	C
Northbound Left	0.32	38.7	D	0.32	38.7	D	0.50	43.4	D	0.50	43.4	D
Northbound Thru	0.57	15.3	B	0.58	15.4	B	0.84	22.5	C	0.85	22.9	C
Northbound Right	0.08	10.4	B	0.08	10.4	B	0.07	10.3	B	0.07	10.3	B
Southbound Left	0.35	41.8	D	0.35	41.8	D	0.38	42.5	D	0.38	42.5	D
Southbound Thru	0.79	21.6	C	0.80	21.9	C	0.91	28.4	C	0.92	28.8	C
Southbound Right	0.04	11.1	B	0.04	11.1	B	0.05	11.1	B	0.05	11.1	B

NOTES:

- V/C denotes ratio of volume to capacity.
- Delay is in seconds per vehicle.
- LOS denotes Level-of-Service calculated using the operations method described in Highway Capacity Manual. LOS is based on delay.

**Table 14 2010 Levels-of-Service Analysis for Unsignalized Intersections**

Intersection and Movement	AM Peak Hour				PM Peak Hour			
	Without Project		With Project		Without Project		With Project	
	Delay <sup>1</sup>	LOS <sup>2</sup>	Delay	LOS	Delay	LOS	Delay	LOS
<b>Kaanapali Pkwy at Nohea Kai Drive</b>								
Northbound Left	8.7	A	8.9	A	12.2	B	12.8	B
Eastbound Left	17.0	C	19.3	C	37.4	E	44.2	E
Eastbound Right	10.4	B	10.6	B	16.4	C	18.4	C
<b>Kaanapali Pkwy at Kekaa Drive</b>								
Northbound Left	7.5	A	7.5	A	7.7	A	7.8	A
Southbound Left	7.6	A	7.6	A	7.9	A	7.9	A
Westbound Left, Thru & Right	12.1	B	12.2	B	18.5	C	18.8	C
Eastbound Left, Thru & Right	10.7	B	10.7	B	9.1	A	9.1	A
<b>Kekaa Drive at Kualapa Loop</b>								
Southbound Left	7.5	A	7.5	A	7.4	A	7.4	A
Westbound Left & Right	11.1	B	11.1	B	10.2	B	10.2	B
<b>Kekaa Drive at Maui Eldorado</b>								
Northbound Left, Thru & Right	7.3	A	7.3	A	7.3	A	7.3	A
Southbound Left, Thru & Right	7.4	A	7.4	A	7.6	A	7.6	A
Westbound Left, Thru & Right	12.3	B	12.3	B	19.8	C	20.0	C
Eastbound Left, Thru & Right	9.6	A	9.6	A	11.4	B	11.4	B
<b>Honoapiilani Hwy at Maui Eldorado</b>								
Northbound Left	24.7	C	25.2	D	24.6	C	24.7	C
Eastbound Right	33.8	D	34.3	D	36.4	E	36.7	E

NOTES:

- (1) Delay in seconds per vehicle.
- (2) LOS denotes Level-of-Service calculated using the operations method described in Highway Capacity Manual. Level-of-Service is based on delay.

**Conclusions of Level-of-Service Analysis**

*Honoapiilani Highway at Kaanapali Parkway*

1. During the morning peak hour, all movements will operate at Level-of-Service C, or better.
2. During the afternoon peak hour, the intersection will operate at Level-of-Service E, without and with project generated traffic. There is no change on the level-of-service of any traffic movement as a result of project generated traffic.

*Honoapiilani Highway at Puukoolii Road*

3. The intersection will operate at Level-of-Service C, during the morning and afternoon peak hours, without and with project generated traffic. All movements will operate at Level-of-Service D, or better.

*Kaanapali Parkway at Nohea Kai Drive*

4. The intersection of Kaanapali Parkway at Nohea Kai Drive will operate at Level-of-Service C, or better, during the morning peak hour.
5. During the afternoon peak hour, left turns from eastbound Nohea Kai Drive to northbound Kaanapali Parkway will operate at Level-of-Service E, without and with the project. *Mitigation should be considered to improve this condition.*

*Kaanapali Parkway at Kekaa Drive*

6. All movements at the intersection of Kaanapali Parkway at Kekaa Drive will operate at Level-of-Service B, or better, during the morning peak hour and Level-of-Service C, or better, during the afternoon peak hour.

*Kekaa Drive at Kualapa Loop*

7. All movements will operate at Level-of-Service B, or better, during both peak periods, without and with project generated traffic.

*Kekaa Drive at Maui Eldorado*

8. All movements at the intersection of Kekaa Drive and the Maui Eldorado entrance will operate at Level-of-Service B, or better, during the morning peak hour and Level-of-Service C, or better, during the afternoon peak hour.

*Honoapiilani Highway at Maui Eldorado*

9. During the morning peak hour, all movements operate at Level-of-Service D, or better, which is an acceptable level-of-service. During the afternoon peak hour, the right turns onto southbound Honoapiilani Highway will operate at Level-of-Service E. The average vehicle delay is 36.4 seconds without the project and 36.7 seconds with the project. An average vehicle delay of 35.0 seconds, or less, is Level-of-Service D. Therefore, the average vehicle delays is only slightly above the delay that would be an acceptable level-of-service. This means that the Level-of-Service E would be for only a very short time period during the peak hour. We have been advise that Level-of-Service E will be tolerated for short periods during the peak hour is the overall intersection will operate at an acceptable level-of-service. Level-of-Service E is considered acceptable under certain circumstances. "Level-of-Service E is sometimes tolerated for minor movements such as left turns when there are no feasible mitigating measures or if it helps maintain the main through movements at acceptable levels-of-service."<sup>4</sup> In this case, the minor movement is the right turn onto Honoapiilani Highway.

**Mitigation**

Based on the findings of the level-of-service analysis, the following mitigation is recommended. The following descriptions are limited to measures and programs that are feasible for the developer to implement. In response to comments on the draft report, additional programs that can be assessed on a regional basis are listed and described in Appendix B.

A. Honoapiilani Highway at Kaanapali Parkway

No specific mitigation measure has been recommended as the project's share of total traffic at the intersection of Honoapiilani Highway at Kaanapali Parkway is small. As shown in Table 10, project generated traffic will increase peak hour traffic volumes at the subject intersection 2.0% during the morning peak hour and 1.5% during the afternoon peak hour.

Also, as shown in Table 11, the project's pro rata share of traffic growth between 2005 and 2010 is 10.3% of the projected increase during the morning peak hour volume and 9.4% of the projected increase of the afternoon peak hour volume. These percentages represent of project's share of improving the intersection as described in the *Maui Long Range Land Transportation Plan*. As the projected traffic conditions are the basis of the level-of-service analysis and other development projects in the area represent a much larger percentage of the anticipated traffic growth, the proposed project should only be liable for it's pro rata share on improving the intersection.

B. Kaanapali Parkway at Nohea Kai Drive

As noted in the previous section, mitigation is required at the intersection of Kaanapali Parkway at Nohea Kai Drive to mitigate an expected Level-of-Service E during the afternoon peak hour. It should be noted that this intersection will operate at Level-of-Service E without and with the project. This implies that background growth and traffic from the related projects increases the traffic volumes and delays such that Level-of-Service E is the result. The proposed project contributes additional traffic that further aggravates the long delays.

Mitigation is also considered in order to address adverse conditions observed during the traffic surveys and reconnaissance. Three potential mitigation measures were assessed and the results are summarized in the following paragraphs.

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<sup>4</sup> M&E Pacific, Inc. *Traffic Impact Analysis Report for Lihue Civic Center Master Plan*, October 2005, p. 25



*All-Way Stop*

Conversion of the intersection to an all-way STOP sign controlled intersection would result in lower levels-of-service than for the unmitigated conditions. The morning level-of-service would decrease from Level-of-Service C to Level-of-Service E and the afternoon level-of-service would decrease from Level-of-Service E to Level-of-Service F.

*Signalization*

The peak hour warrants for a traffic signal are satisfied for both morning and afternoon peak hour conditions without the project. The warrants will also be satisfied for peak hour conditions with the project. As a signalized intersection, all movements will operate at Level-of-Service C, or better, during morning and afternoon peak hours. However, the phasing of the traffic signal would have to be coordinated with the traffic signal at the intersection of Honoapiilani Highway at Kaanapali Parkway to insure that queues do not extend into the intersection with Honoapiilani Highway.

*Roundabout*

An analysis of the intersection as a roundabout was performed. This analysis concluded that the intersection would have a volume-to-capacity ratio of 0.43 during the morning weekday peak hour. This implies that the intersection would operate at Level-of-Service A or B if converted to a roundabout. During the afternoon peak hour, the intersection would operate at Level-of-Service C as a roundabout. The conclusion is that a roundabout at the intersection is a viable mitigation measure.

*Summary and Recommendations*

The conclusion of the analysis of the mitigation alternatives is that signalization or conversion to a roundabout are the only viable alternatives. Signalization will create challenges relative to coordination with the existing traffic signal at the intersection with Honoapiilani Highway. Traffic signals would also be out of character with the resort development.

Conversion from a STOP sign controlled intersection to a roundabout is viable as the intersection would operate at Level-of-Service C, or better, during both peak periods. A roundabout would also address the speeding issues along Kaanapali Parkway, provide better guidance for drivers that are unfamiliar with the area and provide opportunities to provide direction to incoming vehicles.

C. Traffic Demand Management Mitigation Strategies

1. *Develop a Construction Traffic Management Plan*

During the traffic surveys, it was observed that a significant percentage of the morning peak hour traffic is comprised of construction related traffic. Little can be done about the projects that are already under construction, but the proposed project should develop a plan that will minimize the number of vehicles added to the peak hour traffic stream. Measures that should be considered are the use of shuttle buses to move construction workers to and from the construction area, scheduling material deliveries for off-peak periods, scheduling multiple deliveries for a single trip, etc. The objective of the construction traffic management plan is to add the minimum number of vehicles to the peak hour traffic flows.

2. *Implement an Employee Ridesharing Program*

A ridesharing program should be developed and implemented for Hyatt employees, both existing and future employees of the timeshare project. The recent West Maui Commuter Needs Survey determined that of the employees that drive to work during the peak hour, 57% drove alone. The significance of this is that the majority of the employees that commute during the peak hour are good candidates for a ridesharing program. The goal of this program should be to divert 100 employees, or approximately 10% of the total employees, to a ridesharing program. As the estimated number of peak hour trips for the project is 72 during the afternoon peak hour, meeting this goal would result in a net decrease in peak hour trips as a result of the ridesharing program.

As envisioned, shuttle buses or vans, provided by the resort, would pick up employees and deliver them to work in the morning and return them home in the afternoon. Employees should be encouraged to participate by educating them about the cost savings (fuel, insurance, etc.), eliminating free parking and possibly cash bonuses.

This program would be most effective if implemented resort-wide.

3. *Provide Rental Car Facilities On-Site*

Currently, guest pick up a rental car and then drive to the resort. This can be changed by encouraging guest to ride a shuttle bus to and from the airport and picking up their rental cars at the resort. Rental cars can also be delivered to the hotel. The shuttle bus service should be free to encourage as many guests as possible to participate.

4. *Provide Free Bicycles for Hotel Guests*

Several hotels provide free bicycles for hotel guests. Hyatt should participate in the plan by providing bicycles for guests and encouraging them to use them, especially for short trips within the resort. Hyatt should also work with other hotels in the resort to implement this program resort-wide.

**Other Traffic Issues**

*Safety at the Intersection of Honoapiilani Highway at Kaanapali Parkway*

Several comment letters noted recent fatal pedestrian accidents at the intersection of Honoapiilani Highway at Kaanapali Parkway. It is the policy of SDOT not to provide accident reports, so it is not possible to determine the contributing factors to these accidents.

It is standard practice to provide a short all red clearance interval at the end of each traffic signal phase. This all red phase is typically 0.5 second. It is suggested that a longer all red phase be used. This longer all red phase will have to be determined considering the adverse effect of the level-of-service versus safety needs of the intersection.

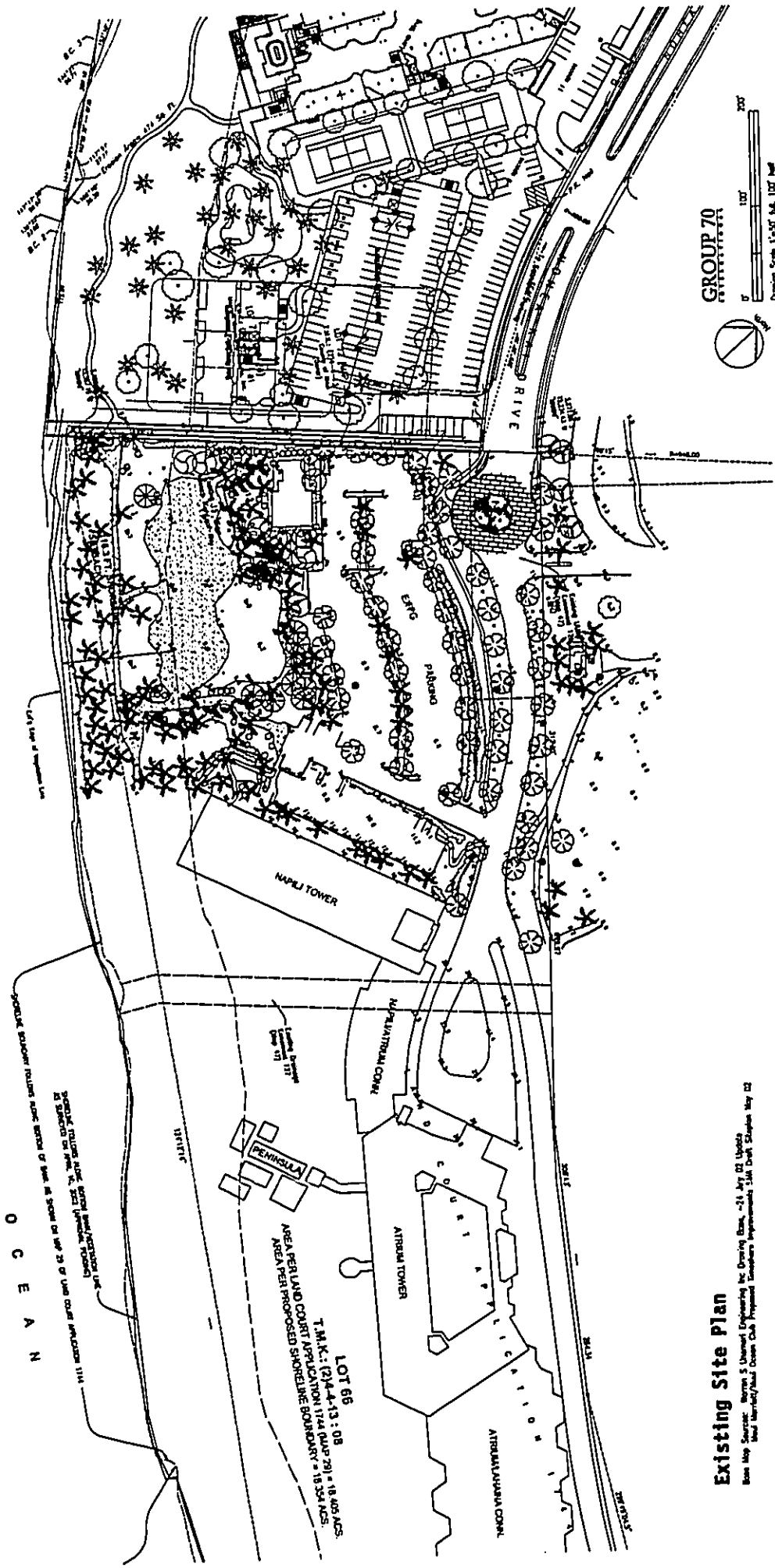
*Regional Traffic Impact*

The proposed project will obviously have an impact on the regional transportation system and all project traffic will approach via Honoapiilani Highway, which is a State facility. As previously noted in this report, project generated traffic represents only 2.0% of the morning peak hour traffic and 1.5% of the afternoon peak hour traffic at the intersection of Honoapiilani Highway at Kaanapali Parkway. The project's share of traffic at locations further away from this intersection will be less because traffic dissipates further from the project site.

*Pedestrian Activity Across Nohea Kai Drive at Project Entrance*

An analysis of pedestrian and vehicular activity at the project's entrance along Nohea Kai Drive concluded that a maximum 100 to 125 pedestrians may cross Nohea Kai Drive at the entrance to the parking lot and project's porte cochere. It is recommended that this intersection be converted to an All-Way STOP sign controlled intersection to address the safety of these pedestrians as well as to control the speed of vehicles approaching the intersection.

**APPENDIX A**  
**SITE PLAN**



**GROUP 70**  
 100' 200' 300' 400' 500' 600' 700' 800' 900' 1000' 1100' 1200' 1300' 1400' 1500' 1600' 1700' 1800' 1900' 2000' 2100' 2200' 2300' 2400' 2500' 2600' 2700' 2800' 2900' 3000' 3100' 3200' 3300' 3400' 3500' 3600' 3700' 3800' 3900' 4000' 4100' 4200' 4300' 4400' 4500' 4600' 4700' 4800' 4900' 5000' 5100' 5200' 5300' 5400' 5500' 5600' 5700' 5800' 5900' 6000' 6100' 6200' 6300' 6400' 6500' 6600' 6700' 6800' 6900' 7000' 7100' 7200' 7300' 7400' 7500' 7600' 7700' 7800' 7900' 8000' 8100' 8200' 8300' 8400' 8500' 8600' 8700' 8800' 8900' 9000' 9100' 9200' 9300' 9400' 9500' 9600' 9700' 9800' 9900' 10000

Drawing Scale 1"=50' N.A. 100' N.S.  
 Date: 3-25-89  
 13 Aug 02

**Existing Site Plan**

Base Map Source: Barry S. Unsworth Engineering Inc. Drawing Date: 21 July 02, Update  
 Maui Municipality/County of Maui Planning Department/3rd Draft/September May 02

**Pre SMA/Concept Draft**  
**Hyatt Maui Timeshare Concept**  
 First Agency Maui

O C E A N

LOT 66  
 T.M.K.: (2)4-4-13: 08  
 AREA PER LAND COURT APPLICATION 1744 (PLUP 29) = 18,405 ACS.  
 AREA PER PROPOSED SHORELINE BOUNDARY = 18,354 ACS.

NAPILI TOWER

ATRIUM TOWER

PENINSULA

ATRIUM TOWER

NAPILI TOWER

STREET

STREET

STREET

STREET

STREET

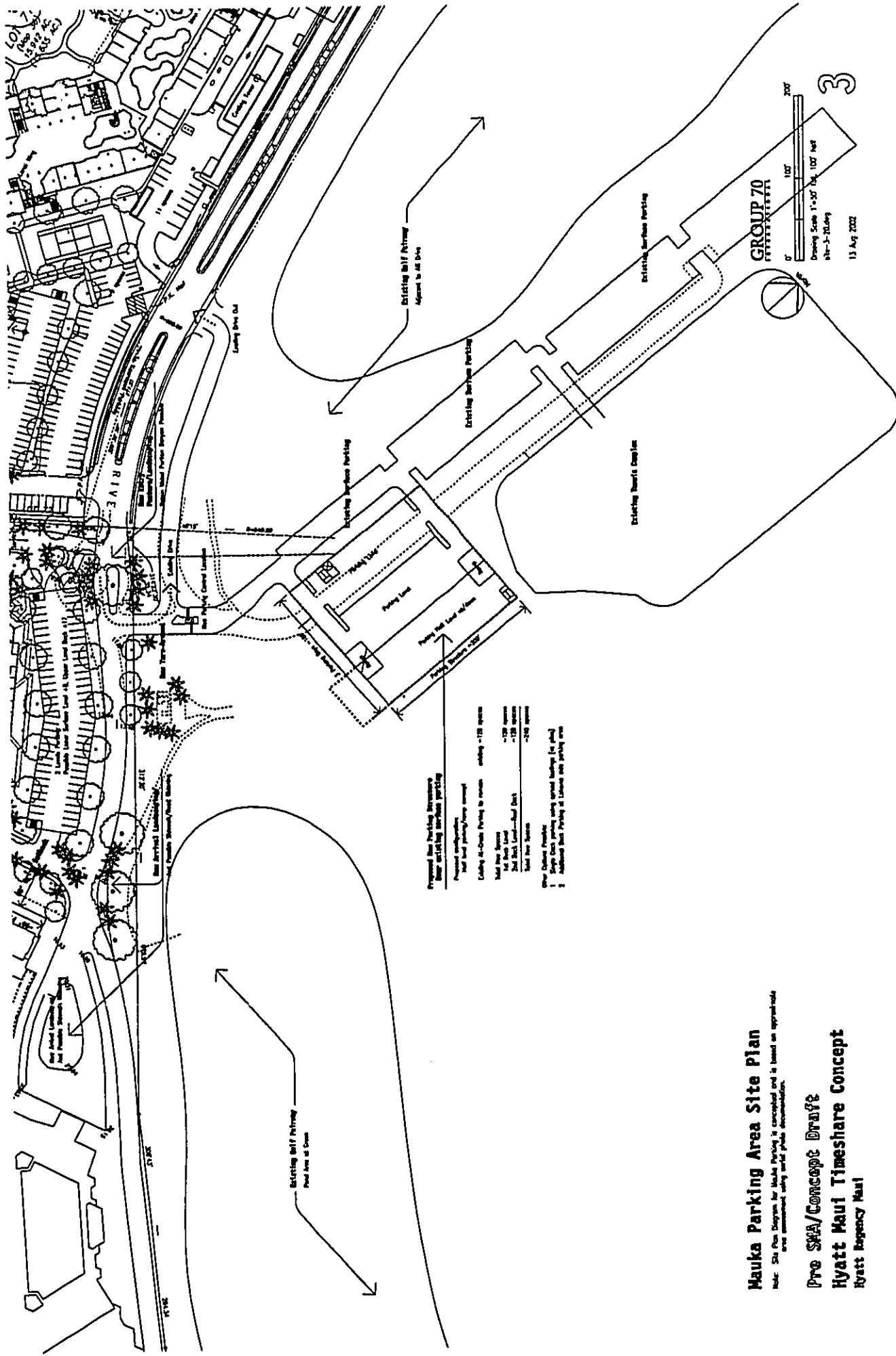
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STREET





**Hauka Parking Area Site Plan**  
 Note: Site Plan prepared for Hauka Parking is conceptual and is based on approximate  
 area determined using aerial photo interpretation.

**Pre SNA/Concept Draft**  
**Hyatt Maui Timeshare Concept**  
 Hyatt Regency Maui

Proposed New Parking Structures  
 Area including surface parking

Proposed configuration	Total New Parking/Structure Capacity
Existing At-Court Parking to remain	~120 spaces
New Two-Story	~120 spaces
New Three-Story	~120 spaces
New Four-Story	~120 spaces

Other Notes:  
 - Single Deck parking along ground level (for pool)  
 - Additional Deck Parking at Leisure Club parking area

**GROUP 70**

0 100' 200'

Drawing Scale 1"=20' Max. 100' feet  
 08-1-2019y

13 Aug 2022

3

## APPENDIX B

### SUGGESTED REGIONAL TRANSPORTATION IMPROVEMENT ALTERNATIVES

1. Ban daytime maintenance and construction activities along and adjacent to Honoapiilani Highway.
2. Ban heavy vehicles along Honoapiilani Highway during peak hours.
3. Improve the West Maui (Kapalua) airport to accommodate small jet planes. Newspaper articles have quoted DOT as stating that the major problem along Honoapiilani Highway is the arrival times of planes carrying tourist that drive their rental cars from the airport to Kaanapali and Kapalua. If these tourist can fly directly from Honolulu to West Maui, they will no longer contribute to the congestion along Honoapiilani Highway between Maalaea and Lahaina.
4. Provide free bicycles for hotel guest to use within and around Kaanapali.
5. Construct a bike path between Kaanapali and Lahaina comparable to the bike path in Venice Beach and Marina Del Rey. Tourist can then bike to Lahaina and the parks between Lahaina and Kaanapali rather than drive.
6. Provide a water ferry service between Kaanapali, Lahaina and Maalaea that can be used by tourist and employees.
7. Study the impacts of the recent expansion of cruise ship operations on the traffic patterns of West Maui.



**Appendix M**  
*Shoreline Setback Structures*

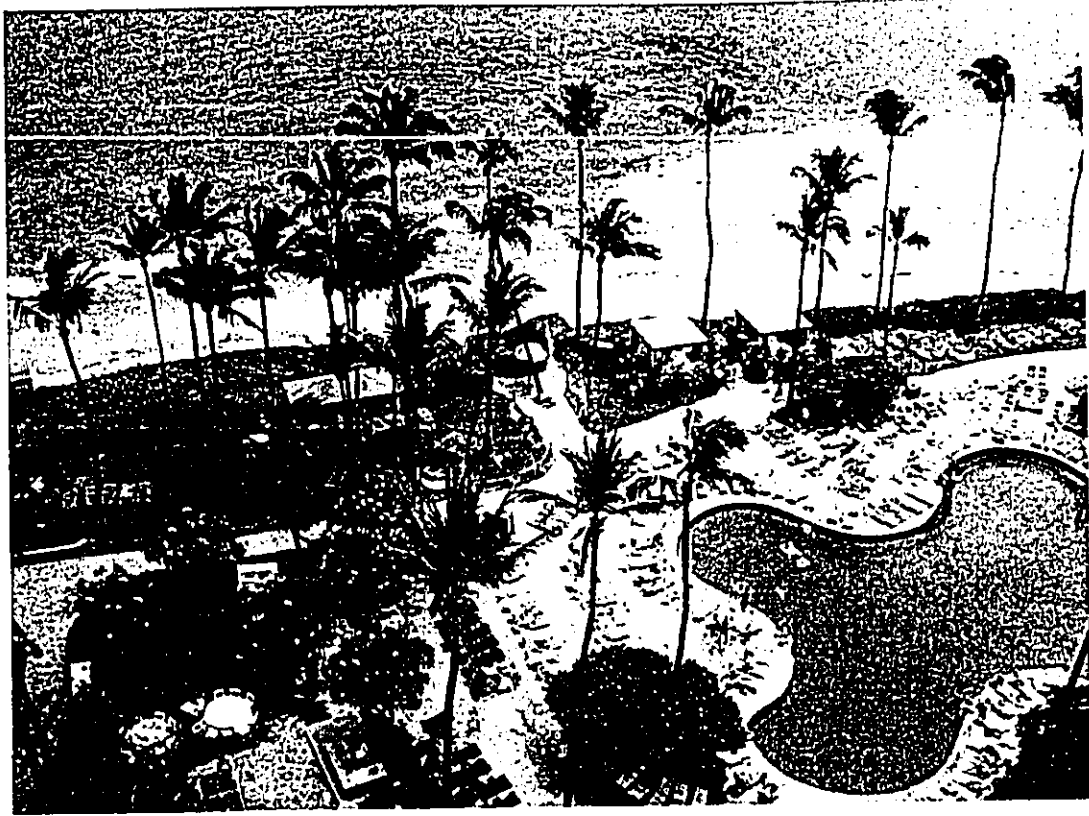
### Shoreline Structures

Several structures are located within the shoreline setback at the existing hotel site, Lot B. A number of these are permitted structures, including:

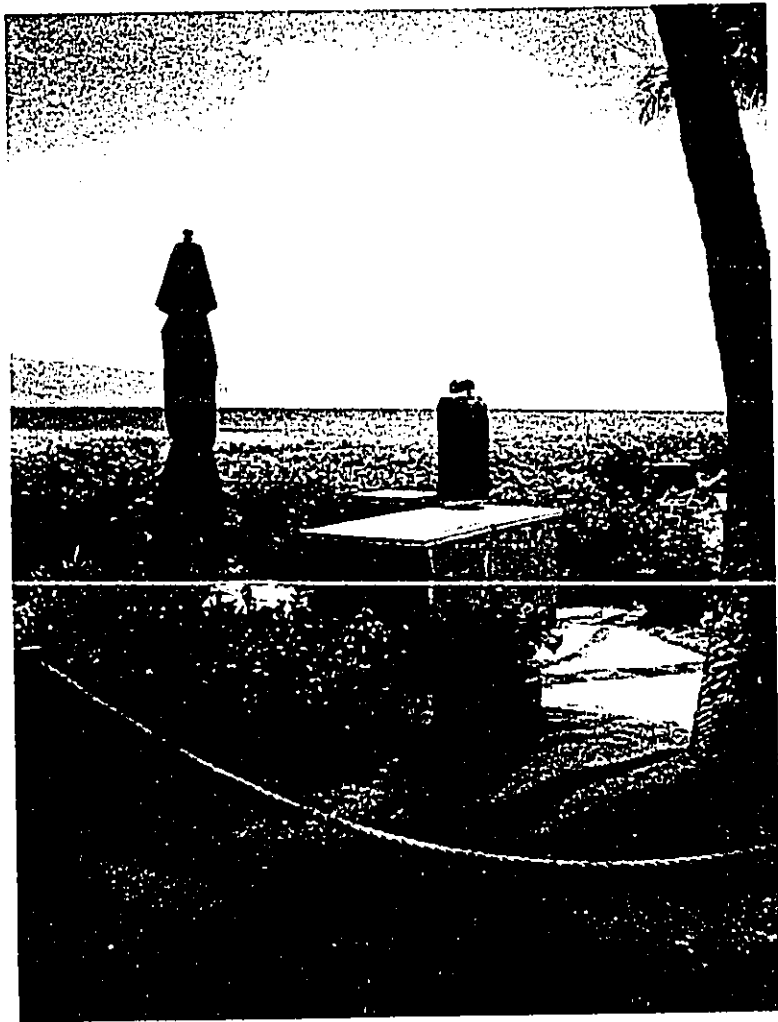
- Beach walkway: permitted with original hotel via B 1167 in 1977.
- Napili Gardens outdoor venue: permitted via SM1 92006 in 1992.
- Kids' swimming pool: latest modification permitted via SM2 2002/0058 and 200/0008.
- Spa and Fitness Facility: latest modification permitted via SM2 2002/0173 and SSA 2002/0018.

Various other structures are existing, non-conforming structures. The applicant will be seeking appropriate permitting as part of a separate application, either for after-the-fact approval or for permitting to demolish:

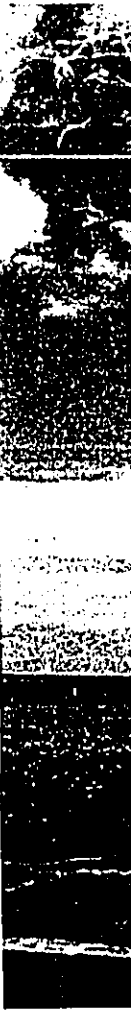
- Three (3) massage cabanas
- Massage reservation table
- Two (2) wooden sundecks
- Decorative statue



Massage Cabanas



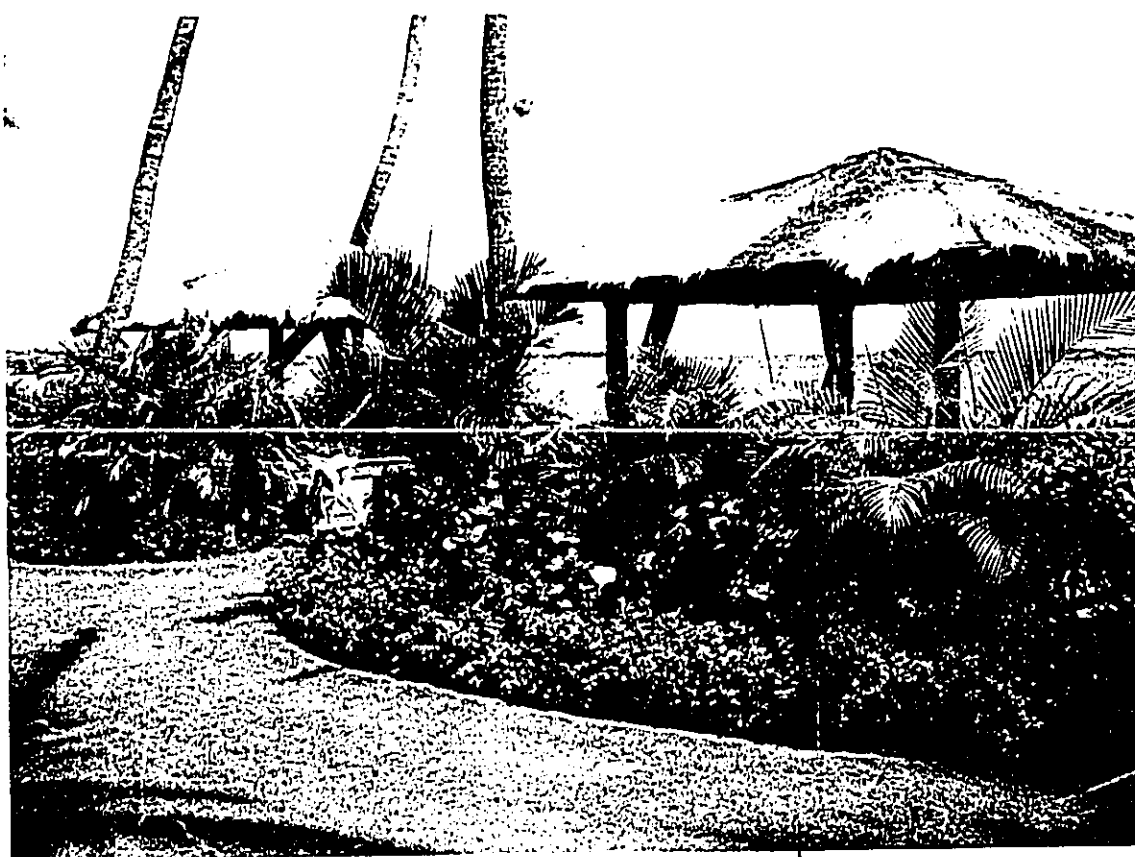
Massage Cabana  
Reservation Table



as



Decorative Statue



Wooden  
Sunplatforms



Hyatt Regency Maui Addition  
EXISTING, NON-CONFORMING  
STRUCTURES IN THE SHORELINE

Appendix M

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**Appendix N**  
*EISPN Comment & Response Letters*



In accordance with the Environmental Impact Statement Rules, an Environmental Impact Statement Preparation Notice (EISPN) was prepared for the proposed project. The EISPN was mailed out to appropriate agencies, organizations, and individuals on January 6, 2006. During the 30-day public comment period, agencies and others were provided the opportunity to comment on the proposed action.

A list of those receiving the EISPN is followed by the comments received and responses to the substantive comments.

**Hyatt Regency Maui Addition Project  
EISPN Transmittal and Comment Letter Tracking**

	EISPN # Copies	Comment Letter Date	Letter Index Code
<b>STATE</b>			
OEQC	4	1/11/2006	A2
State Dept of Business Economic Development & Tourism (DBEDT)	1	1/13/2006	A4
State DBEDT Strategic Industries Division	1		
State DBEDT Planning Office Land Use Division	1		
State Dept of Health Maui District Health Office	2	1/23/2006	A6
State Dept of Land & Natural Resources (DLNR)	5		
State DLNR SHPD	1	5/26/2006	
State DLNR, OCCL	1		
State Dept of Transportation (DOT)	4	2/8/2006	A12
DOT, Maui District Engineer	1		
Office of Hawaiian Affairs	1	1/30/2006	A9
UH Environmental Center	1		
UH Sea Grant Extension Office	1		
<b>FEDERAL</b>			
USDA Natural Resources Conservation Service - Wailuku Field Office	1	1/23/2006	A7
US Army Corps of Engineers	1	1/25/2006	A8
US Fish & Wildlife Service	1		
<b>COUNTY</b>			
Dept of Fire Control & Public Safety	1	1/31/2006	A10
Dept of Housing & Human Concerns	1	1/12/2006	A3
Dept of Parks & Recreation	1	2/16/2006	
Dept of Planning	2	12/22/2005	A1
Police Dept	1	1/18/2006	A5
Dept of Public Works & Environmental Services Management	5	3/2/2006	
Dept of Water Supply	1	2/7/2006	A11
Mayor's Office	1		
<b>LIBRARIES</b>			
Nearest State Library (Lahaina)	1		
<b>MEDIA</b>			
Honolulu Advertiser	1		
Honolulu Star Bulletin	1		
Maui News	1		
<b>ELECTED OFFICIALS</b>			
County Councilmember JoAnn Johnson			
<b>LOCAL UTILITIES</b>			
MECO			
<b>COMMUNITY BUSINESSES, GROUPS &amp; INDIVIDUALS</b>			
Maui Marriott Resort & Ocean Club	1		
Maui Marriott Resort & Ocean Club (meeting)	6	2/1/2006	C7
Ka'anapali Ali'i Condominium AOAO	1		
Westin Maui Resort & Spa	1		
Ka'anapali Development Corp. (AMFAC)	1		
Ka'anapali Golf Estates	1		
Ka'anapali Operations Association	4		
Kahana Canoe Club	1		
Lahaina Canoe Club	1		
Napili Canoe Club	1		
<b>Ka'anapali Vista Neighborhood</b>			
Darcel Gilbert	1	1/31/2006	C1
Darcel Gilbert		2/4/2006	C2

Joe Harrison, MD	1	2/3/2006	C3
Stephanie Ouchi	1	2/4/2006	C4
Pauline Schlosser		2/4/2006	C5
Norman & Margie Kay		2/5/2006	C6
Leeann & Dave Siefker	1	2/6/2006	C8
David & Kay Brott		2/6/2006	C9
Ben Azman	1		
Warren Leland	1		
S.A. Scott	1		
Isaac D. Hall	1		
Richard & Jayne Amijo	1		
Cindy Schenck		2/6/2006	C10



Feb-02-06 02:20pm From-DEPT OF PLANNING COUNTY OF MAUI

808-242819

T-586 P.02/03 F-071



DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, HONOLULU  
BUILDING 223  
FORT SHAFTER, HAWAII 96858-5440

REPLY TO  
ATTENTION OF: CEPOH-EC-T

'06 JAN 30 P2:04

January 25, 2006

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

Civil Works Technical Branch

Mr. Kivette A. Caigoy, Staff Planner  
County of Maui  
Department of Planning  
250 South High Street --  
Wailuku, Maui, Hawaii 96793

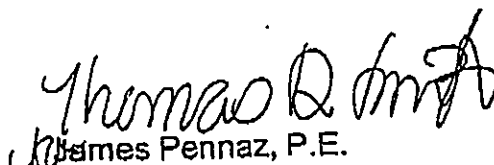
Dear Mr. Caigoy:

Thank you for the opportunity to review and comment on the Environmental Impact Statement Public Notice (EISPN) for the Hyatt Regency Project, Maui (TMK 2-4-4: 13; por. 4, 5, and 8). The following comments are provided in accordance with Corps of Engineers authorities to provide flood hazard information and to issue Department of the Army (DA) permits.

- a. Based on the information provided, a DA permit is not required for the project.
- b. We concur with the flood hazard information provided on page 12 of the EISPN.

Should you have any questions, please call Ms. Jessie Dobinchick of my staff at 438-8876.

Sincerely,

  
James Pennaz, P.E.  
Chief, Civil Works  
Technical Branch

A8



CHRIS  
HART  
& PARTNERS, INC.

July 10, 2006

Mr. James Pennaz, P.E., Chief  
Civil Works Technical Branch  
Department of the Army  
U.S. Army Engineer District, Honolulu  
Building 223  
Fort Shafter, HI 96858

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Pennaz:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated January 25, 2006 and are responding to your comments.

Based on the information contained in the EISPN, the applicant acknowledges that a Department of the Army is not required and that the flood hazard information shown in the report is correct.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

United States Department of Agriculture



 NRCS Natural Resources Conservation Service

*Our People...Our Islands...In Harmony*

210 Ima Kala Street, Suite #209, Wailuku, HI 96793-2100

January 23, 2006

Ms Kivette Caigoy, Staff Planner  
County of Maui  
Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793

Dear Ms Caigoy,

SUBJECT.: I.D.: EIS 2006/0002 and SM1 2006/0001  
TMK: (2) 4-4-013: 3,4,5 & 8  
PROJECT NAME: Hyatt Regency Maui Addition  
APPLICANT: Host Marriot and Subsidiaries

Design parking lot/driveways which will direct and capture run off to landscape areas..

Maintenance of temporary erosion control measures should be maintained and grubbing materials needs to be discarded correctly to reduce the impact of run off to the ocean

Native plants and groundcovers are highly recommended for this area to reduce water usage. Landscaping should be incorporated and coordinated with construction activities so that vegetated areas will be planted and irrigated as soon as possible.

Thank you for the opportunity to comment.

Sincerely,

Ranae Ganske-Cerizo  
District Conservationist



July 10, 2006

Ms. Ranae Ganske-Cerizo, District  
Conservationist  
Natural Resources Conservation Service  
U. S. Department of Agriculture  
210 Imi Kala Street, Suite 209  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Ganske-Cerizo:

On behalf of the applicant, HMC Maui LLC, we acknowledge the receipt of your letter dated January 23, 2006 and are responding to your comments.

During the project's detailed design phase, consideration will be given to using and directing surface runoff from parking lots and driveways toward landscaped areas to help with irrigation.

In addition to Best Management Practices, regularly scheduled inspections of temporary drainage and erosion control features will be undertaken during the construction of the project to ensure the integrity and function of these features. All cleared and grubbed material will be promptly removed so that runoff does not enter the ocean due to an altered drainage pattern.

The use of appropriate native plants and drought-tolerant species will be given primary consideration for new and replacement landscape planting. The landscape planting plan shall be coordinated with construction activities when and wherever possible to minimize potential erosion and runoff in areas proposed for new or replacement landscape planting.

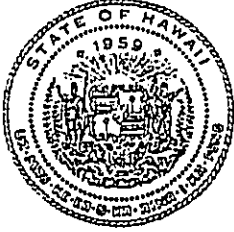
Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

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



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE  
GOVERNOR  
THEODORE E. LIU  
DIRECTOR  
MARK K. ANDERSON  
DEPUTY DIRECTOR

STRATEGIC INDUSTRIES DIVISION  
235 South Beretania Street, Leleopapa A Kamehameha Bldg., 5<sup>th</sup> Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-3807  
Fax: (808) 586-2536  
Web site: www.hawaii.gov/dbedt

January 13, 2006

**RECEIVED**  
JAN 25 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning  
CC: *Rob*

Host Marriot and Subsidiaries  
c/o Chris Hart & Partners, Inc.  
1955 Main Street, Suite 200  
Wailuku, Hawaii 96793

Dear Mr. Hart:

Re: Environmental Impact Statement Preparation Notice (EISPN)  
Hyatt Regency Maui Addition, Lahaina, Maui  
Tax Map Key: (2) 4-4-013, 3, 4, 5 & 8

In response to your January 6, 2006, notice, thank you for the opportunity to provide comments on the EISPN for the Hyatt Regency Maui Addition, a new timeshare guestroom building and pool amenity. We note that this is a 12-story above grade facility that will contain two and three bedroom units for vacation rental or ownership and that other informational material have been provided to your company by our office. Our comments are addressed to: 1) State energy conservation goals, 2) Energy saving design practices and technologies, and 3) recycling and recycled-content products.

(1) State energy conservation goals. Project buildings, activities, and site grounds should be designed with energy saving considerations. The mandate for such consideration is found in Chapter 344, HRS ("State Environmental Policy") and Chapter 226 ("Hawaii State Planning Act"). In particular, we would like to call to your attention HRS 226 18(c) (4) which includes a State objective of promoting all cost-effective energy conservation through adoption of energy-efficient practices and technologies. We suggest that you contact Maui Electric Co., Inc., which may offer demand-side management rebates for energy efficient technologies.

(2) Energy saving design practices and technologies. Methods and technologies that could be considered during the design phase of the project include:

- a. Use of site shading, orientation, and use of naturally ventilated areas to reduce cooling load;
- b. Maximum use of day lighting;
- c. Use of high efficiency compact fluorescent lighting;
- d. Exceed Model Energy Code requirements;
- e. Use of photovoltaics, fuel cells and other renewable energy sources.

**A4**

Host Marriot and Subsidiaries  
Page 2  
January 13, 2006

- f. Use of roof and gutter to divert rainwater for landscaping; and
  - g. Use of landscaping for dust control and to minimize heat gain to area.
- (3) Recycling and recycled-content products.
- a. Develop a job-site recycling plan for the construction phase of the project and recycle as much construction and demolition waste as possible;
  - b. Incorporate provisions for recycling into the project – a collection system and space for bins for recyclable;
  - c. Specify and use products with recycled-content such as: steel, concrete aggregate fill, drywall, carpet and glass tile; and
  - d. Specify and use as appropriate, locally produced products such as plastic lumber, hydro-mulch, soil amendment and glass tile.

We recommend that you refer to selected energy efficient design and site development practices from the *Guidelines for Sustainable Building Design in Hawai`i: A Planner's Checklist*. Other references which are available include the *Hawaii Commercial Building Guidelines for Energy Efficiency* at <http://www.hawaii.gov/dbedt/ert/cbg/cbg.html> and the sustainability guidelines at <http://www.hawaii.gov/dbedt/ert/rebuild/pdfs/momisustainable.pdf>.

If you need clarification of any of the above, please do not hesitate to contact me.

Sincerely,



Maurice H. Kaya  
Chief Technology Officer

c: Maui Planning Department/Maui Planning Commission  
OEQC



July 10, 2006

Mr. Maurice H. Kaya, Chief Technology Officer  
Strategic Industries Division  
Department of Business,  
Economic Development & Tourism  
State of Hawaii  
PO Box 2359  
Honolulu, HI 96804

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Kaya:

On behalf of the applicant, HMC Maui LLC, we acknowledge the receipt of your letter dated January 13, 2006 and are responding to your comments.

1. **State Energy Conservation Goals.** Prior to the preparation of electrical construction drawings for the project, Maui Electric Company (MECO) will be consulted to discuss energy efficient practices and technologies and opportunities for demand-side management rebates for energy efficiency.
2. **Energy Saving Design Practices and Technologies.** The use of various energy-saving design measures and energy-conserving devices, including those suggested in your letter, will be carefully considered during the project's detailed design phase for inclusion in the project.
3. **Recycling and Recycled-content Products.** To the extent practicable, solid waste recycling measures and the use of materials with recycled content will be considered for implementation during project construction and demolition. Copies of the *Guidelines for Sustainable Building Design in Hawai'i: A Planner's Checklist* will be furnished to the project's design consultants to promote an awareness of energy efficient design and site development practices.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment.

Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning  
LANDSCAPE ARCHITECTURE AND PLANNING  
1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

LINDA LINGLE  
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M. D.  
DIRECTOR OF HEALTH

LORRIN W. PANG, M. D., M. P. H.  
DISTRICT HEALTH OFFICER

06 JAN 24 08:48

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
MAUI DISTRICT HEALTH OFFICE  
54 HIGH STREET  
WAILUKU, MAUI, HAWAII 96793-2102  
DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

January 23, 2006

Mr. Michael W. Foley  
Director  
Department of Planning  
County of Maui  
250 South High Street  
Wailuku, Hawai'i 96793

Attention: Kivette Caigoy

Dear Mr. Foley:

Subject: Hyatt Regency Maui Addition  
TMK: (2) 4-4-013: 3, 4, 5, & 8  
EIS 2006/002 and SM1 2006/0001

Thank you for the opportunity to comment on the proposed addition to the Hyatt Regency Maui. The following comments are offered:

1. Hawaii Administrative Rules, Chapter 11-46 sets maximum allowable sound levels from stationary equipment such as compressors and HVAC equipment. The attenuation of noise from these sources may depend on the location and placement of these types of equipment. This should be taken into consideration during the planning, design, and construction of the building and installation of these types of equipment.
2. The wastewater disposal systems for the filter systems of the swimming pools and water features should be designed and operated to prevent any discharges into the ocean.



Mr. Michael W. Foley  
January 23, 2006  
Page2

Should you have any questions, please call me at 808 984-8230.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Matsubayashi', enclosed within a hand-drawn oval.

Herbert S. Matsubayashi  
District Environmental Health Program Chief

c: Chris Hart & Partners, Inc.  
OEQC



July 10, 2006

Herbert S. Matsubayashi, Program Chief  
Maui District Health Office  
Department of Health  
State of Hawaii  
54 High Street, 3<sup>rd</sup> Floor  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Matsubayashi:

On behalf of the applicant, HMC Maui LLC, we acknowledge the receipt of your letter dated January 23, 2006 and are responding to your comments.

- 1. Noise Control.** The proposed project shall be developed in accordance with the Chapter 11-46, Hawaii Administrative Rules pertaining to *Community Noise Control* to ensure that noise from construction and demolition activities and hotel operations, including stationary noise sources, do not exceed acceptable noise levels. As suggested in your letter, stationary noise sources and their locations will be taken into account during the project's detailed design phase and appropriate mitigation measures will be established if required.
- 2. Swimming Pools and Water Features.** The wastewater disposal systems for the new swimming pools and water features will be designed and operated so there is no wastewater discharge into the ocean.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

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

DOCUMENT CAPTURED AS RECEIVED

Jun-06-06 12:38pm  
GOVERNOR OF HAWAII

From-DEPT OF PLANNING COUNTY OF MAUI

808-242819

T-350 P.02/03 F-888



06 JUN -2 P2:17

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED  
STATE HISTORIC PRESERVATION DIVISION  
801 KAMOKILA BOULEVARD, ROOM 553  
KAPOLEI, HAWAII 96707

DIVISION OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
ROBERT K. MASUDA  
DEPUTY DIRECTOR - LAND  
DEAN NAKANO  
ACTING DEPUTY DIRECTOR - WATER  
AQUATIC RESOURCES  
BOATING AND URBAN UTILIZATION  
BUREAU OF CONSERVATION  
CONSULTANTS WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ADMINISTRATION  
HAWAIIAN  
FOREST AND WILDLIFE  
HISTORIC PRESERVATION  
KAIKOLAWE ISLAND TRANSMISSION  
LAND  
STATE PARKS

May 26, 2006

Mr. Michael Foley  
County of Maui, Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793

LOG NO: 2006.1501  
DOC NO: 0605MK24  
Archaeology

Dear Mr. Foley:

**SUBJECT: Chapter 6E-42 Historic Preservation Review [County/Planning] -  
Environmental Impact Statement (EIS) for the  
Proposed Hyatt Regency Maui Addition (EIS 2006/0002 and SM1 2006/0001)  
Hanaka'o'o Ahupua'a, Lahaina District, Island of Maui  
TMK (2) 4-4-013:003, 004, 005, and 008 (previously 4-4-006:028)**

Thank you for the opportunity to review and comment on the Environmental Impact Statement for the Proposed Hyatt Regency Maui Addition. An archaeological assessment was recently conducted on the subject parcel within the area of potential effect (APE). We understand from discussions with Dr. Michael Dega (Scientific Consultant Services) that the deposit identified during the assessment work is comprised of fill (clinder and clay). However, given the sensitivity of the general area, we will concur with the recommendation for archaeological monitoring during all ground altering activities.

Based on the submitted plans, we understand the proposed undertaking consists of development of the north section of the parcel. The area is currently in use with on-grade parking and outdoor activity support facilities. The proposed development will include a guest room of 12 stories above grade housing two (2) and three (3) bedroom units for transient vacation rental or ownership (121 units approximately). Accessory features include a lobby, registration area, luggage storage, fitness facility, convenience store, and storage and administration areas.

In 2000, during excavations for a swimming pool on the previously developed adjacent property immediately to the north, an inadvertent discovery of disarticulated human skeletal remains representing a single individual (SIHP 50-50-03-4985) were identified. During the subsequent archaeological monitoring conducted by Archaeological Services Hawaii, additional disarticulated human skeletal remains were identified within fill deposits. Given the above information, we believe it is possible that site remnants may be present in the subsurface fill deposits of the subject property.

Therefore, we recommend the following should the subject project be approved:

- 1) A qualified archaeological monitor shall be present during all ground-altering activities conducted in the project area in order to document any historic properties which may be encountered during the proposed undertaking and to provide

Jun-06-06 12:38pm  
▲▲▲▲▲

From-DEPT OF PLANNING COUNTY OF MAUI

808-242810

T-850 P.03/03 F-856

DOCUMENT CAPTURED AS RECEIVED

mitigation measures as necessary. An acceptable archaeological monitoring plan will need to be submitted to the State Historic Preservation Division for review, prior to the commencement of any ground-altering activities. An archaeological monitoring plan must contain the following nine specifications: (1) The kinds of remains that are anticipated and where in the construction area the remains are likely to be found; (2) How the remains and deposits will be documented; (3) How the expected types of remains will be treated; (4) The archaeologist conducting the monitoring has the authority to halt the construction in the immediate area of the find in order to carry out the plan; (5) A coordination meeting between the archaeologist and construction crew is scheduled, so that the construction team is aware of the plan; (6) What laboratory work will be done on remains that are collected; (7) A schedule of report preparation; (8) Details concerning the archiving of any collections that are made; and (9) An acceptable report documenting the findings of the monitoring activities shall be submitted to the State Historic Preservation Division for review upon 180 days following the completion of the proposed undertaking.

2) The State Historic Preservation Division (Maui and O'ahu offices) shall be notified via facsimile upon the on-set and completion of the proposed undertaking.

Should you have any questions, please contact Dr. Melissa Kirkendall of the State Historic Preservation Division, Maui Section, at (808) 243-5169.

Aloha,

  
Melanie Chinen, Administrator  
State Historic Preservation Division

MK:kf

cc: Bert Ratte, Engineering, DSA, County of Maui, 250 S. High Street, Wailuku HI 96793  
Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku HI 96793



July 10, 2006

Melanie Chinen, Administrator  
State of Hawaii  
Department of Land and Natural Resources  
Historic Preservation Division  
Kakuhihewa Building, Room 555  
601 Kamokila Boulevard  
Kapolei, Hawaii 96707

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Chinen:

On behalf of the applicant, HMC Maui LLC, we acknowledge the receipt of your letter dated May 26, 2006 and are responding to your comments. An archeological monitoring plan will be prepared and submitted to your office for review and approval. A qualified archaeological monitor will be on-site during all ground-altering activities.

Thank you for providing us with your comments. As part of the environmental review process, copies of the Draft Environmental Impact Statement will be sent to you for processing and for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Michael Dega, Scientific Consulting Services  
Kivette Caigoy, Maui Department of Planning

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

LINDA LINGLE  
GOVERNOR



RODNEY K. HARAGA  
DIRECTOR

Deputy Directors  
BRUCE Y. MATSUI  
BARRY FUKUNAGA  
BRENNON T. MORIOKA  
BRIAN H. SEKIGUCHI

'06 FEB 13 P12:33

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED.

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

STP 8.2027

February 8, 2006

Mr. Michael W. Foley  
Director  
Department of Planning  
County of Maui  
250 South High Street  
Wailuku, Hawaii 96793

Dear Mr. Foley:

Subject: Hyatt Regency Maui Addition  
EIS Preparation Notice (EIS 2006/0002 and SM1 2006/0001)

We have the following comments in response to your request for our review of the subject application:

1. We wish to be included as a consulted party and recipient of at least four (4) copies of the Draft EIS.
2. In its environmental impact report, the applicant will need to provide a traffic impact analysis report (TIAR) for the proposed project for our review and approval. The TIAR should include (a) a by-approach LOS analysis for Honoapiilani Highway, Kaanapali Parkway, and the Honoapiilani Highway/Kaanapali Parkway intersection, together with mitigation measures for impacts from the project, (b) a discussion and review of other projects in the area connecting to Kaanapali Parkway, and (c) an assessment and evaluation of the cumulative traffic impacts attributable to the subject project and the other projects in the area.

We appreciate the opportunity to provide our comments.

Very truly yours,

RODNEY K. HARAGA  
Director of Transportation

c: Host Marriott, c/o Chris Hart & Partners, Inc.



July 10, 2006

Mr. Rodney K. Haraga, Director  
Department of Transportation  
State of Hawaii  
869 Punchbowl Street  
Honolulu, HI 96813

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Haraga:

On behalf of the applicant HMC Maui LLC, we confirm the receipt of your letter dated February 8, 2006 and are responding to your comments.

1. The Department of Transportation (DOT) has been designated as a consulted party and will be provided with four (4) copies of the Draft Environmental Impact Statement (DEIS) for review and comment.
2. A Traffic Impact Analysis Report will be provided to the DOT review and approval. To be included in the DEIS, this report will analyze existing traffic conditions and evaluate future traffic conditions with and without the project. Project-related vehicle direction and trip generation and peak hour traffic volumes will also be identified and discussed. A level of service analysis for signalized and unsignalized intersections in the project area (including those mentioned in your letter) will be included along with a discussion of traffic impacts and recommendations for traffic mitigation if required. The DEIS will also include a section on cumulative impacts which will identify and assess the cumulative effects the proposed project and other past, present, and reasonably foreseeable future projects will have upon various components of the environment in the project area including traffic, public services, infrastructure, the physical environment, and socio-economic conditions.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment.

Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepik, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Philip Rowell, Rowell & Associates  
Kivette Caigoy, Maui Department of Planning  
LANDSCAPE ARCHITECTURE AND PLANNING  
1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

LINDA LINGLE  
GOVERNOR OF HAWAII



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  
E-mail: oeqc@health.state.hi.us

GENEVIEVE SALMONSON  
DIRECTOR

RECEIVED  
JAN 11 2006  
CHRIS HART & PARTNERS  
Landscape Architecture & Planning  
C.C. Robb

January 11, 2006

Michael Foley  
Maui Planning Department  
250 South High St.  
Wailuku, HI 96793

Attn: Kivette Caigoy

Dear Mr. Foley:

Subject: Environmental impact statement preparation notice (EISPN)  
**Hyatt Regency Maui Addition**

We have the following comments:

Cumulative impacts: EAs and EISs on the Royal Lahaina Redevelopment, Kapalua Bay Residences, Kaanapali 2020 Plan and the Maui Ocean Club Sequel have been recent submissions to this office. Besides these, what kinds of development are going on or will be going on in this region of Maui? Cumulative impacts need to be disclosed and analyzed, not just for the Hyatt Regency, but for all activity in the region as a whole. This is required by the environmental impact statement law. Factors should include traffic, noise, air quality, water resources, visual aspects, changes to infrastructure, solid waste and wastewater, drainage, and flora and fauna.

Shoreline access: During the construction period, will public access to the shoreline be blocked? If so, for how long?

Figure 6: Figure 6 shows a line with long dashes and one with short dashes. If these represent the SMA and shoreline setback boundaries, label them as such on the map. Does this map also include the Maui Ocean Club? Where does the Hyatt property begin and end? Clearly delineate the property boundaries and the areas of proposed activity, especially in relation to the SMA and shoreline setback..

Recycling and reuse:

We strongly recommend establishment of:

- a) a recycling plan for construction & demolition solid waste;
- b) a recycling plan for solid waste after the development is operational; and
- c) a plan for use of reclaimed water for landscaping or any other non-potable uses.

A2



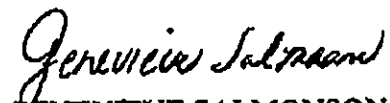
Michael Foley  
January 11, 2006  
Page 2

Permits and approvals: In section II.E, also list the status of each permit and approval. If some applications have not yet been made, indicate the expected application dates.

Paving and landscaping: Hawaii Revised Statutes 103D-407 requires the use of recycled glass in paving materials whenever possible, and HRS 103D-408 requires the use of native Hawaiian flora whenever and wherever possible. We also recommend the use of unthirsty plants. In the draft EIS indicate if you will follow these requirements.

If you have any questions, call Nancy Heinrich at 586-4185.

Sincerely,

  
GENEVIEVE SALMONSON  
Director

c: Robb Cole, Chris Hart & Partners



July 10, 2006

Ms. Genevieve Salmonson, Director  
Office of Environmental Quality Control  
State of Hawaii  
235 South Beretania Street, Suite 702  
Honolulu, HI 96813

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Salmonson:

On behalf of the applicant, HMC Maui LLC, we acknowledge the receipt of your letter dated January 11, 2006 and are responding to your comments.

1. **Cumulative Impacts.** The Draft Environmental Impact Statement (DEIS) will identify and evaluate the cumulative effects the proposed action and other past, present, and reasonably foreseeable future actions will have upon public services, infrastructure, and the physical and socio-economic environment in the West Maui region.
2. **Shoreline Access.** Public shoreline parking and access are located at the south end of the hotel grounds (Parcel 008) and will not be impacted by construction activities.
3. **Figure 6.** TMK parcels (2) 4-4-013: 004, 005, and 008 comprise the Hyatt Regency Maui and their locations and boundaries are shown on Figure 2 in the EISPN. Within the project area, lands that lie seaward of the *makai* edge of the Honoapiilani Highway right-of-way fall within the Special Management Area (SMA). The SMA boundary and the shoreline setback line on Parcel 008 will be shown and labeled as such on appropriate Figures in the DEIS. About half of the Maui Ocean Club site is shown on Figure 6 in the EISPN. The locations and boundaries of the Hyatt and Maui Ocean Club parcels and other lands in the surrounding area are shown in the aerial photograph labeled as Figure 3 in the EISPN.
4. **Recycling and Reuse.** The DEIS will include a discussion of recycling opportunities both during and after project construction. It is noted that the project is still in the planning stages and such discussion will be conceptual.
5. **Permits and Approvals.** The status of each required permit or approval will be noted in the DEIS, as will the anticipated application filing dates.
6. **Paving and Landscaping.** The applicant will consider, to the extent practicable, using recycled glass in paving materials. The use of appropriate indigenous plants and drought-tolerant species will be given primary consideration for new and replacement landscape planting.

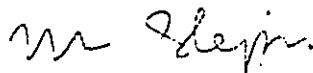
LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

Ms. Genevieve Salmonson  
July 10, 2006  
Page 2

Thank you for providing us with your comments. As part of the environmental review process, copies of the Draft Environmental Impact Statement will be sent to you for processing and for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

06 FEB -3 P12:49

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

HRD05/2192B

January 30, 2006

Kivette Caigoy, Staff Planner  
County of Maui, Department of Planning  
250 South High Street  
Wailuku, HI 96793

**RE: Environmental Impact Statement Preparation Notice for the Proposed Hyatt, Regency Maui Addition Project, Ka'anapali, Maui, TMK (2) 4-4-013: 3, 4, 5 & 8.**

Dear Kivette Caigoy,

The Office of Hawaiian Affairs (OHA) is in receipt of your January 6, 2006 request for comment on the above listed proposed project, TMK (2) 4-4-013: 3, 4, 5 & 8. OHA offers the following comments:

On page 14 of the Environmental Impact Statement Preparation Notice, it is stated that an Archaeological Inventory Survey Report will be completed in support of this project. Our staff asks that, due to the high probability of encountering material culture and burials, the inventory effort will focus primarily on sub-surface testing. The areas within the footprint of potential impact should be excavated so that 1) data will be recovered prior to construction-related earth disturbing activities (recovery during monitoring will not be sufficient), and 2) potential alterations to the building plan can be made prior to construction activities rather than during. This will save time, resources and money and is the preferred alternative when considering cultural and archaeological matters.

Our staff also recommends that the applicant contact Thelma Shimaoka of OHA's Maui office and Holouamoku Ralar of the Maui Hawaiian Civic Club, Lahaina Chapter. Both individuals will be able to assist you in the consultation process.

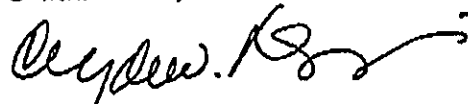
OHA further requests your assurances that if the project goes forward, should iwi or Native Hawaiian cultural or traditional deposits be found during ground disturbance, work will cease, and the appropriate agencies will be contacted pursuant to applicable law.

A9

Kivette Caigoy  
January 30, 2006  
Page 2

Thank you for the opportunity to comment. If you have further questions or concerns, please contact Jesse Yorck at (808) 594-0239 or [jessey@oha.org](mailto:jessey@oha.org).

'O wau iho nō,



Clyde W. Nāmu'o  
Administrator

CC: Thelma Shimaoka  
OHA Community Affairs Coordinator (Maui)  
140 Hoohana St., Ste. 206  
Kahului, HI 96732



July 10, 2006

Mr. Clyde W. Nāmu`o, Administrator  
Office of Hawaiian Affairs  
State of Hawaii  
711 Kapi`olani Boulevard, Suite 500  
Honolulu, HI 96813

**SUBJECT:** Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Namu`o:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated January 30, 2006 and are responding to your comments.

Subsurface testing has been conducted for the archaeological assessment as the local substrata and past occurrences of discoveries in the project area raise the possibility of locating cultural deposits and human burials during construction activities.

As suggested, Ms. Thelma Shimooka of your Maui office and Holuamoku Ralar of the Lahaina chapter of the Maui Hawaiian Civic Club will be consulted as part of the environmental review process.

We would also like to assure you that a qualified archaeologist will be on hand to monitor all ground-altering activities during the construction of the project. The archaeologist will have full authority to halt work in the vicinity of a find should an inadvertent discovery occur during monitoring. If archaeological features or cultural deposits are located, the State Historic Preservation Division (SHPD) will be promptly informed of the find in order to determine an acceptable course of action. If human remains are located, work will cease in the immediate vicinity of the find and the find will be protected from further disturbance. The SHPD and the Maui/Lana`i Islands Burial Council will then be promptly notified and procedures for the treatment of the remains will be implemented in accordance with Chapter 6E-43, Hawaii Revised Statutes.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment.

Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Michael Dega, Scientific Consulting Services  
Kivette Caigoy, Maui Department of Planning  
LANDSCAPE ARCHITECTURE AND PLANNING  
1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

ALAN M. ARAKAWA  
MAYOR



CARL M. KAUPALOLO  
CHIEF

NEAL A. BAL  
DEPUTY CHIEF

**COUNTY OF MAUI**  
DEPARTMENT OF FIRE AND PUBLIC SAFETY

200 DAIRY ROAD  
KAHULUI, MAUI, HAWAII 96732  
(808) 270-7561  
FAX (808) 270-7919

January 31, 2006

06 JAN 31 10:50  
DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

Kivette Caigoy, Staff Planner  
Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793

Subject: EIS 2006/0002 and SM1 2006/0001 TMK (2)-4-4-013:3, 4, 5 & 8  
Hyatt Regency Maui Addition

Dear Ms. Caigoy,

I have had an opportunity to review the subject application. The details of the project will be reviewed by our department during the building permit process. At this time, our department does not have any reason to prevent the project from moving forward.

I would like to add that the Hyatt Regency has installed a new fire alarm system as well as new cooking fire protection systems over the last two years. These are very valuable tools and we appreciate the investment the hotel has dedicated.

Please feel free to contact myself if there are any questions or concerns.

Sincerely,

Valeriano F. Martin  
Captain  
Fire Prevention Bureau



July 10, 2006

Mr. Valeriano F. Martin, Captain  
Fire Prevention Bureau  
Department of Fire & Public Safety  
County of Maui  
200 Dairy Road  
Kahului, HI 96732

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Captain Martin:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated January 31, 2006 and are responding to your comments.

The applicant acknowledges that the Fire Prevention Bureau will conduct a detailed review of the project during the building permit process.

Your comments regarding the installation of a new fire alarm system and fire prevention systems for cooking facilities are appreciated, as the applicant's investment in these improvements will enhance fire prevention and safety for hotel guests and employees.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepín, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning





DEPARTMENT OF  
**HOUSING AND HUMAN CONCERNS**  
COUNTY OF MAUI

ALAN M. ARAKAWA  
Mayor

ALICE L. LEE  
Director

HERMAN T. ANDAYA  
Deputy Director

200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX (808) 270-7165

January 12, 2006

**RECEIVED**  
JAN 19 2006

CLERK OF COURTS  
Longsight Architecture & Planning

Host Marriott & Subsidiaries  
c/o Christopher L. Hart  
Chris Hart & Partners, Inc.  
1955 Main Street, Suite 200  
Wailuku, Hawaii 96793

Dear Mr. Hart:

SUBJECT: HYATT REGENCY MAUI ADDITION,  
LAHAINA, ISLAND OF MAUI,  
TMK: (2) 4-4-013:3,4,5 & 8

We have reviewed the Environmental Impact Statement Preparation Notice for the subject project and would like to offer the following comments:

1. The "lockoff" units are considered a separate transient vacation rental unit. Therefore, the total number of new units is 145.
2. Please include in the Draft Environmental Impact Statement, an explanation of how the affordable housing requirement for Chapter 2.94, Maui County Code, will be satisfied for this project.

Thank you for the opportunity to comment.

Very truly yours,

ALICE L. LEE  
Director

ETO:hs

c: Mr. Michael Foley  
Ms. Genevieve Salmonson  
Mr. Edwin Okubo



July 10, 2006

Ms. Alice L. Lee, Director  
Department of Housing  
and Human Concerns  
County of Maui  
200 South High Street  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Lee:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated January 12, 2006 and are responding to your comments.

1. **Lock-off Units.** The applicant acknowledges that the 24 lock-off units will be counted as separate transient vacation rental units and would result in a combined total of 145 new units.
2. **Affordable Housing.** The Draft Environmental Impact Statement (DEIS) will describe how the applicant intends to address Chapter 2.94 of the Maui County Code relating to affordable housing requirements for hotel-related development or the provisions of a *Bill for an Ordinance Establishing a Residential Workforce Housing Policy*, which is currently being deliberated by the Maui County Council, and would replace Chapter 2.94 if and when it is adopted by Maui County.

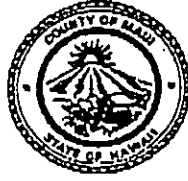
Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

ALAN M. ARAKAWA  
Mayor



GLENN T. CORREA  
Director

JOHN L. BUCK III  
Deputy Director

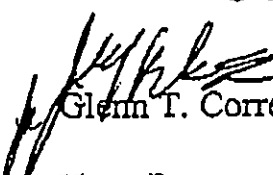
DEPARTMENT OF PARKS & RECREATION  
700 Hali'a Nako'a Street, Unit 2, Wailuku, Hawaii 96793

(808) 270-7230  
Fax (808) 270-7934

# MEMORANDUM

February 16, 2006

**TO:** Kivette Caigoy, Staff Planner, Planning Department

**FROM:**  Glenn T. Correa, Director

**SUBJECT:** Hyatt Regency Maui Addition  
EIS 2006/0002  
SMA 2006/0001  
TMK: (2) 4-4-013:3, 4, 5, & 8

06 FEB 23 P2:25  
DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

Thank you for the opportunity to review and comment on the Environmental Impact Statement Preparation Notice for the Hyatt Regency Maui Addition.

Upon review of the submitted document, we have the following comment to offer. The development of residential or condominium units will be subject to park dedication requirements.

Should you have any questions or need of additional information, please call me or Patrick Matsui, Chief of Parks Planning & Development at 270-7387.

c: Patrick Matsui, Chief of Parks Planning & Development



July 10, 2006

Mr. Glenn T. Correa, Director  
Department of Parks & Recreation  
County of Maui  
700 Hali`a Nakoa Street, Unit 2  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Correa:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 16, 2006 and are responding to your comments.

The proposed project does not include any residential or condominium components. The project site and proposed improvements are located within, and zoned for, Hotel district use and are not subject to park dedication requirements as a result of this zoning.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

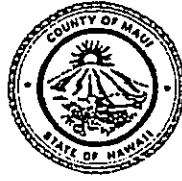
Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

ALAN M. ARAKAWA  
Mayor

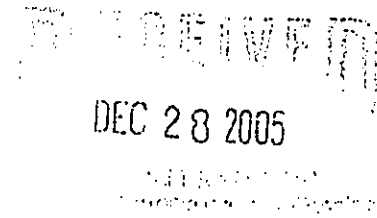
MICHAEL W. FOLEY  
Director

WAYNE A. BOTEILHO  
Deputy Director



COUNTY OF MAUI  
**DEPARTMENT OF PLANNING**

December 22, 2005



Mr. Robb Cole  
Chris Hart & Partners  
1955 Main Street Suite 201  
Wailuku, Hawaii 96793

Dear Mr. Cole:

RE: Environmental Impact Study Preparation Notice - Hyatt Regency Maui  
Timeshare Addition, located at TMK: 4-4-013: 008, 004, and 005,  
200 Nohea Kai Drive, Kaanapali, Lahaina, Island of Maui, Hawaii  
(LTR 2005/3124)

The Maui Planning Department (Department) has reviewed the Environmental Impact Statement Preparation Notice (EISPN) for the Hyatt Regency Maui Timeshare addition and provides the following comments:

1. Provide a detailed parking analysis for the property, including existing and proposed uses, for all three (3) parcels.
  - a. Identify employee parking areas.
  - b. Discuss pedestrian circulation between the three (3) parcels for both employees and hotel/timeshare guests.
  - c. Clarify whether the proposed vehicular bridge between the two (2) off-site parcels will require any state or federal permits.
2. Recent discussions before several County boards indicate that public access to the shoreline is an important issue. As such, discuss public access as a separate section rather than under Hawaiian-Cultural Resources.

Mr. Robb Cole  
December 22, 2005  
Page 2

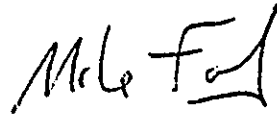
- a. Identify the number and location of proposed and existing public beach parking stalls on all three (3) parcels.
  - b. Include a separate site plan depicting public parking spaces and public pedestrian paths.
3. Water quality monitoring should be conducted during construction activities in conjunction with any ongoing governmental or private monitoring efforts.
4. A Beach Management Plan is currently being drafted for the Ka'anapali area. The concerns that form the basis of the plan should be addressed under Coastal & Marine Resources, including potential mitigation measures for this project. The Department suggest contacting Jeff Halprin of Ka'anapali Ali'i regarding the issues and plan.
  - a. Indicate how the sand resource excavated from the proposed site will be managed. Discuss whether opportunities may be available to use this sand to address concerns of the Beach Management Plan. Provide further discussion as to the quality of the sand resources.
  - b. Information derived from any core samples should be shared with the individuals drafting the Beach Management Plan.
5. The view plane analysis should be expanded to include impacts to mountain vistas.
6. Discuss how the existing and proposed walkways comply with Shoreline Setback rules of the Maui Planning Commission. The EIS should provide alternatives of construction. The Department recommends reviewing the Draft EA prepared for the Duke Kahanamoku Lagoon Restoration prepared by Hilton Hotels Corp., July 2005.
7. The drainage analysis should provide alternative discussions, including increasing the capacity to manage more than the net increase of runoff.
8. Explain how the 118' shoreline setback was determined. Discuss, in detail, all existing and proposed improvements located within the

- shoreline setback area. For existing improvements, provide a discussion and related documentation of legality.
9. All studies prepared for the EIS should include an analysis of lockoff units as additional units.
  10. When referring to tax lots in the introduction of the project description, please include all tax lots that the project will impact, rather than the tax lot where the project is "primarily located" or is the "focus of the subject application" in order to prevent any oversights.
  11. The Community Plan designation for Parcel 008 also includes OS - Open Space, and the Draft EIS should be revised accordingly.
  12. Address the Tsunami Evacuation Zone under *Natural Hazards*.
  13. Preference should be given to indigenous vegetation when replacing "introduced flora."
  14. On page 17, the names of two (2) parks are misspelled and should be spelled as "Launiupoko" and "Ukumehame."
  15. Under Schools, include the recently initiated West Maui Prep. Academy. In addition, while it is acknowledged that visitors have little if any impact on schools, the employees generated by the project could impact schools and should be addressed in the discussion.
  16. Include a detailed Recycling Plan under the Solid Waste Section discussing the extent of recycling that will occur during construction and operational phases.
  17. On pages 20 and 21, discuss the West Maui Community Plan prior to the discussion of Maui County Zoning.
  18. Figure 1 seems to indicate that the Napili Tower will be impacted by the proposed action. If this is not the case, then Figure 1 should be revised accordingly.
  19. Figure 5 should list the Community Plan designation of OS - Open Space for Parcel 008.

Mr. Robb Cole  
December 22, 2005  
Page 4

Thank you for the opportunity to comment. Should you require further clarification, please contact Ms. Kivette Caigoy, Environmental Planner, at 270-7811.

Sincerely,



MICHAEL W. FOLEY  
Planning Director

MWF:KAC:lar

c: Wayne A. Boteilho, Deputy Planning Director  
Kivette A. Caigoy, Environmental Planner  
Jeff Hunt, Staff Planner  
Host Marriott & Subsidiaries  
Hyatt Vacation Ownership, Inc.  
Hyatt Regency Maui Resort and Spa  
Group 70 International Inc.  
Warren S. Unemori Engineering, inc.  
OEQC  
Project File  
General File  
K:\WP\_DOCS\PLANNING\EIS\2005\0002\_HyattAdd\3124\_HyattAddition.wpd





July 10, 2006

Mr. Michael W. Foley, Director  
Department of Planning  
County of Maui  
250 South High Street  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Foley:

On behalf of the applicant, HMC Maui LLC, we acknowledge the receipt of your letter dated December 22, 2005 and are responding to your comments.

- 1. Parking.** A detailed analysis of existing and proposed parking uses on Parcels 004, 005, and 008 will be included in the Draft Environmental Impact Statement (DEIS). Provisions for guest and employee (pedestrian) circulation between these parcels will be discussed. At this point in the project planning process, there are no plans to include the pedestrian bridge over the golf course.
- 2. Public Shoreline Access.** The DEIS will include discussion of public shoreline access. The number and location of existing parking stalls for public beach use will be identified and a separate site plan showing the location of the public beach parking and access will be included. We note that there are no additional public beach access stalls proposed as part of the project.
- 3. Water Quality Monitoring.** In conjunction with any ongoing government or private sector monitoring, the applicant is willing to participate in offshore water quality monitoring during the construction of the project.
- 4. Beach Management Plan.** We will attempt to coordinate with Jeff Halprin of the Kaanapali Alii to discuss plan-related issues. As yet, any plans for the management of any sand excavated from the site are conceptual; however, the applicant is interested in coordinating with the County for the adaptive re-use of the sand to address concerns raised by the Beach Management Plan. To facilitate data collection and research, core sampling data (from geotech drilling) will be made available to the authors of the Beach Management Plan upon request.
- 5. View Planes.** In addition to assessing potential impacts to *mauka* to *makai* views, the view plane analysis will be expanded to include effects to *makai* to *mauka* views.


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

Mr. Michael W. Foley  
July 10, 2006  
Page 2

6. **Proposed Walkways.** There are no walkways proposed within the shoreline setback as part of the project. However, we appreciate your reference to the Draft EA for the Duke Kahanamoku Lagoon Restoration (Hilton Hotels, July 2005) for resource purposes.
7. **Drainage Analysis.** The drainage analysis will examine alternative storm water management techniques including increasing storage capacity to accommodate more than the requisite post-development increase in runoff volume.
8. **Shoreline Setback.** The method for determining the shoreline setback will be described in the DEIS. All existing and proposed structures within the setback area will be identified and documented permits and approvals for the existing structures will be discussed.
9. **Lock-off Units.** In consultant studies, lock-off units will be counted as separate units for project assessment purposes.
10. **Affected TMK Parcels.** The improvements proposed upon each of the four TMK parcels will be specifically identified in the DEIS. We note that there are no developmental improvements planned for Parcel 3.
11. **West Maui Community.** The DEIS will identify the other community plan designation (Open Space) for Parcel 008.
12. **Natural Hazards.** Tsunami inundation and evacuation will be discussed in a section of the DEIS entitled Natural Hazards.
13. **Plant Life.** For new landscape planting, appropriate native plant species will be given primary consideration when replacing existing introduced species.
14. **Parks.** The spelling of Launiupoko and Ukumehame will be corrected for the DEIS.
15. **Schools.** In addition to including the newly completed Maui Preparatory Academy, the effect that project-related employment may have upon local schools will be discussed in the DEIS.
16. **Recycling Plan.** Opportunities and conceptual measures for recycling waste materials during and after project construction will be discussed in the DEIS.
17. **Community Plan.** The DEIS will be structured so the discussion of the West Maui Community Plan falls between the Maui County General Plan and Maui County Zoning.
18. **Figure 1.** This figure will be revised to identify the geographic limits of the proposed action in terms of its spatial relationship to the surrounding area.
19. **Figure 5.** For the DEIS, this figure will be revised to include the other West Maui Community Plan designation (Open Space) for Parcel 008.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully Submitted,



Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.

ALAN M. ARAKAWA  
Mayor

MILTON M. ARAKAWA, A.I.C.P.  
Director

MICHAEL M. MIYAMOTO  
Deputy Director

Telephone: (808) 270-7845  
Fax: (808) 270-7955



COUNTY OF MAUI  
**DEPARTMENT OF PUBLIC WORKS  
AND ENVIRONMENTAL MANAGEMENT**  
200 SOUTH HIGH STREET, ROOM 322  
WAILUKU, MAUI, HAWAII 96793

RALPH NAGAMINE, L.S., P.E.  
Development Services Administration

DAVID TAYLOR, P.E.  
Wastewater Reclamation Division

CARY YAMASHITA, P.E.  
Engineering Division

BRIAN HASHIRO, P.E.  
Highways Division

TRACY TAKAMINE, P.E.  
Solid Waste Division

March 2, 2006

DEPT OF PLANNING/  
COUNTY OF MAUI  
RECEIVED  
06 MAR -7 AM 11:59

MEMO TO: MICHAEL W. FOLEY, PLANNING DIRECTOR  
FROM: *M* MILTON M. ARAKAWA, A.I.C.P., DIRECTOR OF PUBLIC WORKS  
AND ENVIRONMENTAL MANAGEMENT  
SUBJECT: ENVIRONMENTAL IMPACT STATEMENT PREPARATION NOTICE  
HYATT REGENCY MAUI ADDITION  
TMK: (2) 4-4-013:003, 004, 005 AND 008  
EIS 2006/0002, SM1 2006/0001  
*5*

We reviewed the subject application and have the following comments:

1. The architect and owner are advised that the project is subject to possible tsunami and flood inundation. As such, said project must conform to Ordinance No. 1145, pertaining to flood hazard districts.
2. A verification shall be provided by a Registered Civil Engineer that the grading and runoff water generated by the project will not have an adverse effect on the adjacent and downstream properties.
3. A detailed and final drainage report and a Best Management Practices (BMP) Plan shall be submitted with the grading plans for review and approval prior to issuance of grading permits. The drainage report shall include hydrologic and hydraulic calculations and the schemes for disposal of runoff waters. It must comply with the provisions of the "Rules and Design of Storm Drainage Facilities in the County of Maui" and must provide verification that the grading and runoff water generated by the project will not have

Memo to Michael W. Foley, Planning Director  
March 2, 2006  
Page 2

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 and sedimentation to the maximum extent practicable.

4. The applicant shall contribute his pro-rata share to traffic improvements to be determined by the County and traffic master plans. A detailed Traffic Master Plan for the entire subdivision shall be submitted for our review and approval. An agreement to the above prepared for filing with the State Bureau of Conveyances shall be submitted by the developer.
5. All existing features such as structures, driveways, drainage ways, edge of the pavement, etc. shall be shown on the project plat plan.
6. A site plan and sight distance report to determine required sight distance and available sight distance at existing and proposed street intersections shall be provided for our review and approval.
7. The 100-year flood inundation limits shall be shown on the project site plans. Lot geometrics cannot be approved until such data is submitted and reviewed.
8. A detailed final Traffic Impact Assessment Report for the entire subdivision/development shall be submitted for our review and approval. The report shall also address regional traffic impacts and include assessments from the local community police officer.
9. Although wastewater system capacity is currently available as of February 14, 2006, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
10. Wastewater contribution calculations are required before building permit is issued.
11. Developer is not required to pay assessment fees for this area at the current time.
12. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.

Memo to Michael W. Foley, Planning Director  
March 2, 2006  
Page 3

13. Commercial kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.).
14. Non-contact cooling water, condensate, etc. should not drain to the wastewater system.
15. Hold-Harmless Agreement should be executed. Signed agreement required before the Wastewater Reclamation Division (WWRD) will give recommendations for final subdivision approval.
16. Hyatt force main replacement is required prior to connection to the County sewer system.
17. A letter granting allocation for this project from Amfac Properties is required prior to approval.
18. The plans submitted for this project do not adequately show sufficient detail to determine whether the project is compliant with the building and housing codes. We will review the project for building and housing code requirements during the building permit application process.

If you have any questions regarding this memorandum, please call Michael Miyamoto at 270-7845.

MMA:MMM:jm  
S:\LUCA\CZM\hyatt\_reg\_mau\_eis\_sm1\_44013003\_jm.wpd



July 10, 2006

Mr. Milton M. Arakawa, AICP, Director  
Department of Public Works  
and Environmental Management  
County of Maui  
200 South High Street, Room 322  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Arakawa:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated March 2, 2006 and are responding to your comments.

1. The applicant affirms that new construction or substantial improvements within areas that are subject to flood and tsunami inundation must comply with Chapter 19.62 of the Maui County Code (MCC) pertaining to Flood Hazard Areas.
2. The project's civil engineer will provide verification that grading and surface runoff will not have an adverse effect upon adjacent and downstream properties.
3. A final, detailed drainage report including drainage schemes and calculations will be submitted to the department for review and approval along with a Best Management Practices (BMPs) Plan. All site work will comply with Chapter 20.08, MCC (*Soil Erosion and Sedimentation*). BMPs will be implemented during construction to prevent pollutants from leaving the site. To ensure that grading and runoff will not have an adverse effect upon adjacent and downstream properties, all proposed drainage improvements will be designed by a registered civil engineer in accordance with the *Rules for the Design of Storm Drainage Facilities in the County of Maui*.
4. Based on recent follow-up and clarification with the Deputy Director, the intent of Comment Nos. 4 and 8 of your letter was to indicate that the traffic impact analysis report must also examine regional traffic impacts, that the applicant work with the department to discuss opportunities for regional traffic improvements, and that the local community police officer be consulted to discuss traffic issues. The traffic report and engineer will comply with these requests.
5. The construction drawings for the project will contain site plans with the locations of all existing features.
6. Site plans and driveway site distance worksheets will be submitted to the department for review and approval during the building permit process.

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

7. The limits of 100-year flood inundation will be shown on the project's construction plans.
8. Refer to the preceding response to Comment No. 4.
9. The applicant acknowledges that wastewater system capacity cannot be assured until the issuance of a building permit.
10. Wastewater contribution calculations will be provided to the department during the building permit review and approval process.
11. The applicant understands that no wastewater assessment fees are required at this time.
12. The applicant will fund any necessary project-related offsite improvements to the County wastewater collection system and pump stations.
13. The project will comply with all pre-treatment requirements for commercial kitchens.
14. Non-contact cooling water, condensate, etc. will be properly drained and will not utilize the public wastewater system.
15. The applicant will prepare and authorize the required Harm-Harmless Agreement should subdivision be required for project implementation.
16. Based on follow-up with the Wastewater Reclamation Division, the applicant acknowledges that the existing Hyatt force main will require replacement as a result of its present condition.
17. The applicant will coordinate with Ka'anapali Development Corp (fka, Amfac) regarding wastewater capacity allocation.
18. To verify compliance with Chapter 16.08 MCC (*Housing Code*) and Chapter 16.26 (*Building Code*), the construction plans for the project will be submitted to the department during the building permit process.

Mr. Milton M. Arakawa  
July 10, 2006  
Page 3

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Siepin, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Dean Alcon, Alcon Engineering  
Philip Rowell, Rowell & Associates  
Kivette Caigoy, Maui Department of Planning



ALAN M. ARAKAWA  
Mayor



GEORGE Y. TENGAN  
Director

ERIC H. YAMASHIGE, P.E., L.S.  
Deputy Director

DEPARTMENT OF WATER SUPPLY

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793-2155  
www.maulwater.org

06 FEB 13 P3:04

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

February 7, 2006

Ms. Kivette A. Caigoy, Staff Planner  
Planning Department  
250 South Street  
Wailuku, HI 96793

SUBJECT: ID: EIS 2006/0002 & SM1 2006/0001  
TMK: (2) 4-4-013:003, 004, 005 & 008  
Project Name: Hyatt Regency Maui Addition

Dear Ms. Caigoy:

Thank you for the opportunity to provide comments on the Environmental Impact Statement Preparation Notice for the above-stated project.

**Source Availability and Consumption**

The project site is within DWS service area, however, it is served by a private water company. The DEIS should include expected increase in demand for the proposed 145 additional units, water features and irrigation. Absent detailed information, this project would increase consumption by approximately 68,000 gallons per day. The applicant proposes to serve the project with the Hawaii Water Service Company wells located in the Honokowai aquifer.

**System Infrastructure and Consumption**

DWS does not review or set requirements on projects served by private water systems for domestic and fire protection purposes. However, we recommend that the Planning Department require that water systems be built in accordance with the Statewide Water System Standards as certified by a licensed engineer.

**Conservation**

We recommend that native plants be utilized to the maximum extent for landscaping. Native plants adapted to the area, conserve water and protect the watershed from degradation due to invasive alien species. The project is located in the Maui County Planting Plan - Plant Zones 3 & 5. Attached is a list of appropriate plants for the zones as well as potentially invasive plants to avoid for reference.

Additional water conservation measures are listed below and should be considered in the project design and construction:

Use brackish and/or reclaimed water sources for dust control and for all non-potable water uses during various phases of construction. Reclaimed water is readily available at the Lahaina Wastewater

*"By Water All Things Find Life"*

Printed on recycled paper



A11

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Page 2  
Ms. Kivette Caigoy  
Hyatt Regency Maui Addition  
February 7, 2006

**Reclamation Facility.**

Eliminate Single-Pass Cooling: Single-pass, water-cooled systems should be eliminated per Maui County Code Subsection 14.21.20. Although prohibited by code, single-pass water cooling is still manufactured into some models of air conditioners, freezers, and commercial refrigerators.

Utilize Low-Flow Fixtures and Devices: Maui County Code Subsection 16.20A.680 requires the use of low-flow water fixtures and devices in faucets, showerheads, urinals, water closets, and hose bibs. Water conserving washing machines, ice-makers and other units are also available.

Maintain Fixtures to Prevent Leaks: A simple, regular program of repair and maintenance can prevent the loss of hundreds or even thousands of gallons a day. Refer to the attached handout, "The Costly Drip". The applicant should establish a regular maintenance program.

Limit Irrigated Turf: Limit irrigated turf to 25% or less of total landscaped area. Low-water use shrubs and ground covers can be equally attractive and require substantially less water than turf.

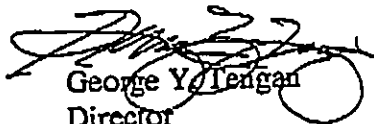
Look for Opportunities to Conserve Water: A few examples of these are as follows: When clearing driveways, etc. of debris, use a broom instead of a hose; check for leaks in faucets and toilet tanks.

**Pollution Prevention**

The project overlies the Honokowai Aquifer which has an estimated sustainable yield of 8 MGD of potable water. In order to protect ground and surface water resources, we recommend that the applicant adopt Best Management Practices (BMPs) designed to minimize infiltration and runoff from construction and vehicle operations. We ask the applicant to take precautionary measures during construction to prevent construction materials and debris and eroded soils from entering coastal waters.

Should you have any questions, please call our Water Resources and Planning Division at 244-8550.

Sincerely,



George Y. Tengan  
Director  
eam

cc: engineering division

applicant, with attachments:

- The Costly Drip
- Maui County Planting Plan - Plant Zones 3 & 5 - Saving Water in the Yard - What and How to Plant in your Area
- Ordinance No. 2108 - A Bill for an Ordinance Amending Chapter 16.20 of the Maui County Code, Pertaining to the Plumbing Code
- Selected BMP's from "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters"-EPA
- A Checklist of Water Conservation Ideas for Hotels and Motels

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July 10, 2006

George Y. Tengan, Director  
Department of Water Supply  
County of Maui  
200 South High Street  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Tengan:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 7, 2006 and are responding to your comments.

**Source Availability and Consumption.** Water for the project will be provided by the private water system serving the Ka'anapali Resort. Based on a total of 145 new units, which includes the 24 lock-off units, the estimated water demand for potable, irrigation, and other non-potable uses (swimming pools, water features) for the project will be included in the Draft Environmental Impact Statement (DEIS).

**System Infrastructure and Consumption.** While design standards and the review of private water systems do not fall within the purview of the Department of Water Supply (DWS), the water system for the project will be designed and constructed in accordance with DWS and Statewide water system standards.

**Conservation.** To the extent practicable, native plants will be given primary consideration for new landscape planting and when replacing existing introduced species. The use of water conservation measures, such as those mentioned in your letter, will be carefully considered for implementation during the project's detailed design phase.

**Pollution Prevention.** Best Management Practices (such as those provided with your letter) will be prepared in accordance with Chapter 20.08, Maui County Code (*Soil Erosion and Sedimentation Control*) to prevent erosion and control runoff during the construction of the project.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS be provided to you for review and comment.

Mr. George Y. Tengan  
July 10, 2006  
Page 2

Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning



ALAN M. ARAKAWA  
MAYOR

OUR REFERENCE  
↑  
YOUR REFERENCE

# POLICE DEPARTMENT COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411



THOMAS M. PHILLIPS  
CHIEF OF POLICE

KEKUHAPPIO R. AKANA  
DEPUTY CHIEF OF POLICE

January 18, 2006

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED  
06 JAN 19 10:02

## MEMORANDUM

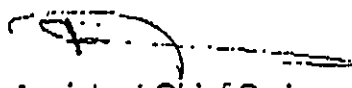
TO : MICHAEL W. FOLEY, PLANNING DIRECTOR

FROM : THOMAS M. PHILLIPS, CHIEF OF POLICE

SUBJECT : I.D. : EIS 2006/0002 and SM1 2006/0001  
 TMK : (2) 4-4-013: 3, 4, 5, & 8  
 Project  
 Name : Hyatt Regency Maui Addition  
 Applicant : Host Marriott & Subsidiaries

- No recommendation or comment to offer.
- Refer to enclosed comments and/or recommendations.

As always, thank you for giving us the opportunity to comment on this project.  
We are returning the EIS Preparation Notice which was submitted for our review.

  
Assistant Chief Sydney Kikuchi  
For: THOMAS M. PHILLIPS  
Chief of Police

Enclosure

COPY

DOCUMENT CAPTURED AS RECEIVED

TO : THOMAS M. PHILLIPS, CHIEF OF POLICE, MAUI POLICE DEPARTMENT

VIA : CHANNELS *→ 01/18/06*

FROM : SCOTT Y. MIGITA, POLICE OFFICER III, LAHAINA BICYCLE PATROL

SUBJECT: ENVIRONMENTAL IMPACT STATEMENT PREPARATION NOTICE: HYATT REGENCY MAUI ADDITION, KAA NAPALI, MAUI, HAWAII

Sir, this To/From is being submitted regarding a proposed further development of the existing Hyatt Regency Resort in Kaanapali which will include construction of a new timeshare guestroom building and pool amenity. There are also proposed supportive elements such as a temporary sales center and the expansion of guest parking facilities. The purpose of this project is to provide additional variety of accommodations at the Hyatt Regency Resort in response to the demand of the existing vacation market. This Environmental Impact Statement Preparation Notice (EISP) is being submitted by the County of Maui, Department of Planning for comments on behalf of project applicant Host Marriott & Subsidiaries care of Chris Hart & Partners, Inc.

The existing Hyatt Regency Resort is located at 200 Nohea Kai Drive at the south end off this private roadway within the Kaanapali Resort. This proposed project is located at the south end of Hanakao'o Beach, between Hanakao'o Park (Canoe Beach) and the Marriott's Maui Ocean Club Resort. Roadway access is provided from Honoapiilani Highway (#30) via Kaanapali Parkway and its connection to Nohea Kai Drive.

Although both Kaanapali Parkway and Nohea Kai Drive are both private roadways, Honoapiilani Highway is a public highway, where as with any type of development or expansion, an increase in vehicular traffic is expected and would need to be addressed. A traffic impact analysis report (TIAR) for this area is being requested in order to provide a better overview for comments regarding this proposed project. The issue of traffic and safety are of primary concern from a police perspective.

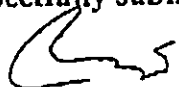
*CONCUR. WE WILL COMMENT AFTER RECEIVING A (TIAR).*

*NEED TO WAITING ON I.A.R. A/ET. Request 1/12/06 1325 1/12/06*

*concur - will await*

*TIAR. [Signature] 1/16/06*

Respectfully submitted,



Scott Y. MIGITA, E-1122  
P.O. III, Bike Patrol Officer  
01/12/2006 at 1115 hours



July 10, 2006

Mr. Thomas M. Phillips, Chief  
Maui Police Department  
County of Maui  
55 Mahalani Street  
Wailuku, HI 96793

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Chief Phillips:

On behalf of the applicant, HMC Maui LLC, we acknowledge the receipt of your letter dated January 18, 2006 and are responding to your comments.

A Traffic Impact Analysis Report will be prepared for the proposed project. The report will evaluate existing traffic conditions and assess future traffic conditions with and without the project. Vehicle trips generated by the project, as well as trip direction and peak hour traffic volumes will also be identified. In addition, a level of service analysis for signalized and unsignalized intersections will be included, as well as a discussion of traffic impacts and traffic mitigation measures if required.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the Draft Environmental Impact Statement will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

David and Kay Brott  
35 Halelo Street  
Lahaina, HI 96761

RECEIVED  
FEB 08 2006  
CHRIS HART & PARTNERS  
LANDSCAPE ARCHITECTURE & PLANNING  
cc: Robb & Chris

February 6, 2006

Chris Hart & Partners Inc.  
1955 Main St., Suite 200  
Wailuku, HI 96793

Re: Hyatt Regency Addition EISPN

Dear Sirs:

We are aware of the 12-story, 121-unit Hyatt Regency timeshare tower and pool that is proposed to be built at the Hyatt Regency Maui Resort in Ka'anapali. Both my husband and I have lived in the islands for many years, most recently having purchased a home at Kaanapali Vistas.

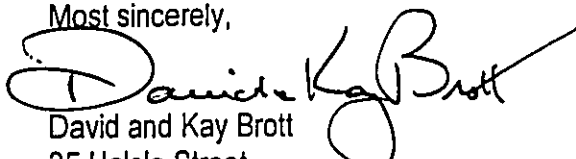
We have no objection to timeshare. As a matter of fact we both have worked in this industry for the past 15 years, however, we do object to our area being overbuilt when there is not ample infrastructure to support large development such as is proposed. Additionally, we object to the visual impact the multiple buildings are having on the view corridor we so now enjoy. Once built, this timeshare structure will block the beautiful view of lanai that we now have. Concrete buildings will be about all we'll see.

Of more importance are the traffic and sewer issues that will befall us with the new addition. The intersection at Ka'anapali Parkway is becoming more and more dangerous. As you may be aware, two fatalities have occurred there in the past year (one being our neighbor), drag races take place in the wee hours of the morning at this intersection, and red lights are run constantly.

We've been promised a bypass road for years ... still nothing comes of the promises yet more and more traffic travels Honoapiilani Highway. Until the bypass is put in place we feel nothing but a negative impact could come from this proposed structure and the additional traffic that will come as a result thereof.

We ask that alternatives be explored and we be allowed to be a consulting party in the preparation of the draft EIS. Please provide us with whatever information is available as project plans develop.

Most sincerely,

  
David and Kay Brott  
35 Halelo Street  
Lahaina, HI 96761

cc: Maui Planning Department  
Office of Environmental Quality Control

C9





July 10, 2006

Mr. & Mrs. David & Kay Brott  
35 Halelo Street  
Lahaina, HI 96761

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. and Mrs. Brott:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 6, 2006 and are responding to your comments.

In addition to being designated for Hotel use by the West Maui Community Plan, the Hyatt hotel site (Parcel 008) is located in and zoned for H-2, Hotel District uses which permits building heights of up to 12 stories. As defined by Chapter 19.14 of the Maui County Code pertaining to Hotel Districts, "*the hotel district is a high density multiple-family area bordering business districts and ocean fronts.*" Notwithstanding this, the potential effect that the project may have on view planes will be evaluated in the Draft Environmental Impact Statement (DEIS). A view analysis with photographs and/or simulations of the project site taken from various *mauka* and *makai* public and private vantage points will also be included.

The DEIS will also include a Preliminary Engineering Report which will examine existing infrastructure (roadway, water, sewer and drainage systems) in the project area, as well as infrastructure improvements that are required for the development of the project. In addition, the DEIS will include a Traffic Impact Analysis Report which will evaluate existing and future traffic conditions with and without the project. For example, project-generated vehicle trips, trip direction, as well as existing and future peak hour traffic volumes and levels of service for signalized and un-signalized intersections will be discussed and any traffic impacts and mitigation measures will be discussed. All project-related traffic improvements will be designed and built in accordance with State and County design and construction standards for public safety and travel. To enhance pedestrian and driver safety, the applicant is willing to work with the Maui Police Department and the Ka'anapali Operations Association to help promote driver education and awareness as a means of accident prevention.

The DEIS will include an alternatives analysis which will discuss other possible actions in lieu of this specific development proposal.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepín, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning ARCHITECTURE AND PLANNING  
1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

February 1, 2006

**RECEIVED**  
FEB 02 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning

Host Marriott & Subsidiaries  
Care of: Chris Hart & Partners, Inc.  
1955 Main Street, Suite 200  
Wailuku, HI 96793  
Attention: Chris Hart

Subject: Hyatt Regency Maui Addition  
Environmental Impact Statement Preparation Notice

Gentlemen:

Thank you for your presentation last week to representatives of Marriott Vacation Club International regarding the subject project. Your conceptual plans and renderings depicted an exciting time share project that will abut the Marriott's Maui Ocean Club's new Sequel project.

While we support your project in concept, we do have some concerns regarding both the location of the proposed new building and its exterior lighting.

As we discussed at your presentation, the close proximity of the Napili leg of the proposed tower to our new Lahaina Tower (currently under construction) will significantly encroach on views from our Lahaina Tower units, adversely impacting our Owners' vacation experience.

We note that the distance from your new tower to the closest adjacent building on the Hyatt property is, at its closest point, 115 feet, while the separation between our Lahaina tower and your new tower will be approximately 60 feet. In that you are still early in the design phase of your new tower, we ask that you consider one or more of the following alternatives as the design of your project moves forward:

- Relocating a portion of your new tower from the Napili side leg to the Lahaina side leg. This will increase the separation between our buildings and more evenly balance the view corridors on both sides of your new structure.
- Moving the proposed tower in the Lahaina direction, thereby increasing the distance from the property line.
- Rotating the proposed tower in a clockwise direction, thereby moving the end units on the Napili leg of the tower out of the views of our Lahaina tower units.

The latter option would seem to be mutually beneficial, providing your new tower with better full ocean views, as well as opening up the ocean views from our Lahaina Tower



C7

Host Marriott & Subsidiaries  
February 1, 2006  
Page 2 of 2

units. In addition, the more balanced view corridors on either side of the new tower will enhance the mauka views from the beach area fronting the Hyatt and Marriott properties.

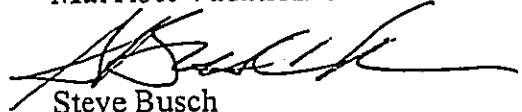
One other concern involves the exterior lighting on the new building. Since your tower is a single loaded condition, we request that you consider shielding any exterior light fixtures, whether in the exterior corridor or on exit stairs, to allow only downward illumination. This will prevent the numerous exterior fixtures required to provide necessary illumination during the nighttime hours from shining directly into our Lahaina and Lanai tower units.

We appreciate your consideration of these requests, and look forward to further development of your project design.

We thank you for this opportunity to comment on your project.

Sincerely,

**Marriott Vacation Club International**



Steve Busch  
Regional Vice President – Project Management

cc: State of Hawaii Office of Environmental Quality Control  
Mr. Mike Foley, County of Maui Planning Department  
Brian Minaai  
Brian Kuhle  
Paul Pagel  
Edgar Gum  
Craig Backhus



July 10, 2006

Mr. Steve Busch  
Regional Vice President – Project Management  
Host Marriott & Subsidiaries  
1001 Kamokila Boulevard, Suite 202  
Kapolei, HI 96707

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Busch:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 1, 2006 and are responding to your comments.

Your suggestions regarding building spacing and orientation will be closely examined as we evolve through the preliminary site planning and design development process. The Draft Environmental Impact Statement (DEIS) will also include a discussion of design and site plan alternatives such as those which you have suggested.

The applicant acknowledges that exterior lighting that is not shielded or downward directed can have an adverse effect on surrounding areas. As such, appropriately designed or shielded fixtures will be utilized for exterior hallways and stairwells to attenuate light spillage or overflow.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

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

JANUARY 31, 2006

HOST MARRIOTT & SUBSIDIARIES  
C/O  
CHRIS HART AND PARTNERS, INC  
1955 MAIN STREET, SUITE 200  
WAILUKU HI 96793

DEAR SIRs:

I AM WRITING TO COMMENT ON YOUR PROPOSED NEW GUESTROOM TOWER FOR THE HYATT REGENCY.

YOUR LETTER OF INFORMATION DATED JANUARY 13, 2006 (RECEIVED JANUARY 18) DID NOT ALLOW ME SUFFICIENT TIME TO ARRANGE FOR YOUR MEETING OF JANUARY 26, 2006. WHEN I CALLED YOUR OFFICE REQUESTING AN APPOINTMENT AFTER MY WORK HOURS I WAS TOLD THAT YOUR PLANNING GROUP WOULD BE BACK IN THE OFFICE BY LUNCH-TIME. I DID REQUEST A COPY OF YOUR EISPN WHICH I RECEIVED JANUARY 30, 2006.

ON MY INITIAL REVIEW, THIS APPEARS TO BE A MASSIVE 12 STORY BLOCK OF CEMENT THAT WILL CREATE A "WAIKIKI WALL" ACROSS THE KAAPALI COASTLINE. THIS CONCRETE CURTAIN IS NOT PARTICULARLY ATTRACTIVE TO VISITORS OR RESIDENTS AND BLOCKS VIEW OF THE OCEAN, HORIZON, AND LANAI. THE HEIGHT OF THE STRUCTURE ALSO ALSO CONVERTS OCEAN VIEW PROPERTY IN OUR NEIGHBORHOOD TO "CONCRETE TIME SHARE VIEW".

THE EISPN SENT TO ME WAS ALSO MISSING HALF OF ITS PAGES AND I WOULD APPRECIATE A COMPLETE COPY BEFORE MAKING FURTHER COMMENTS ON INFRASTRUCTURE DEMANDS, ARCHAEOLOGICAL ISSUES, TRAFFIC, DRAINAGE, ETC. I AM REQUESTING THAT YOU EXTEND THE COMMENT PERIOD BEYOND FEBRUARY 7, 2006 UNTIL A COMPLETE EISPN CAN BE REVIEWED.

SINCERELY,



DARCEL GILBERT

CC: MAUI PLANNING DEPT/MAUI PLANNING COMMISSION  
JOANN JOHNSON  
OEQC

RECEIVED  
FEB 02 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning

C1

RECEIVED  
FEB 07 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning

February 4, 2006

Chris Hart & Partners Inc.  
1955 Main St. Suite 200  
Wailuku, HI 96793

Dear Sirs:

Thank you for forwarding the replacement pages of the Hyatt Regency Addition EISPN.

The proposed Hyatt Regency time-share tower will significantly affect our neighborhood and our community in many ways. I am concerned about the visual impact of the **multiple buildings that will soon wall off the Kaanapali coast-line**. In addition, chronic community problems are growing exponentially: traffic congestion has already doubled the travel time in and out of Lahaina (there have been 2 deaths at the intersection of Kaanapali Parkway and the Hiway within the last year -- one resident and one visitor); our sewage system is at maximum capacity; community services are overburdened; etc.

I would like to be consulted in the preparation of the draft EIS.

I understand the importance of the visitor industry but I feel that the cumulative effects of the these many residential and commercial projects is overwhelming our paradise. I hope we can explore some alternatives to the project.

Sincerely,



Darcel Gilbert

cc: Maui Planning Development  
Office of Environmental Quality Control

C2



July 10, 2006

Ms. Darcel Gilbert  
117 Halelo Street  
Lahaina, HI 96761

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Gilbert:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated January 31, 2006 and February 4, 2006 and are responding to your comments.

The Hyatt hotel site (Parcel 008) is located in and zoned for H-2, Hotel District uses which permits building heights of up to 12 stories. The site is also designated for Hotel use by the West Maui Community Plan. As defined by Chapter 19.14 of the Maui County Code pertaining to Hotel Districts, "*the hotel district is a high density multiple-family area bordering business districts and ocean fronts.*"

The potential effect that the project may have on view planes will be evaluated in the Draft Environmental Impact Statement (DEIS), which will include a view analysis containing photographs and/or simulations of the project site taken from various *mauka* and *makai* public and private vantage points.

A Traffic Impact Analysis Report which evaluates existing and future traffic conditions with and without the project will also be included in the DEIS. As an example, project-generated vehicle trips, trip direction and existing/future peak hour traffic volumes and levels of service for signalized/unsignalized intersections will be discussed and any traffic impacts and mitigation measures will be identified. Project-related traffic improvements will be designed and built to comport with statutory design and construction standards for public safety and travel. The applicant is willing to work with the Ka'anapali Operations Association and Maui Police Department to improve and advance driver education and attentiveness as a way to preventing accidents.

The DEIS will also examine existing infrastructure in the project area, as well as identify infrastructure improvements that are required for the development of the project. In addition, the DEIS will include a cumulative impacts analysis which will examine the cumulative effect of the project and other past, present, and reasonably foreseeable future projects, as well as an alternatives analysis, which will discuss other possible actions in lieu of this specific development proposal.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

JOE HARRISON, M.D.  
87 Halelo Street, Lahaina HI 96761 Ph: 808-661-8032

'06 FEB -6 P2:08

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

February 3, 2006

HOST MARRIOTT & SUBSIDIARIES  
CHRISTOPHER L. HART, A.S.L.A.  
PRESIDENT, CHRIS HART & PARTNERS, INC.  
1955 MAIN STREET, SUITE 200  
WAILULU, MAUI, HAWAII 96793-1706

RE: Hyatt Regency Maui Addition Project

Dear Mr. Hart,

Thank you for the information we received by mail regarding the Hyatt Regency Addition.

My wife, Cherry, and I have been owners of the property at 87 Halelo Street in Ka'anapali Vista since 1975. Of course, the major attraction of this property is the ocean view, which is significant to its value. And there have been a number of intrusions in that view: the Ali'i Condominium towers, the Marriott Hotel towers and parking garage, and the towers of the Hyatt Regency Hotel.

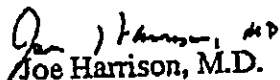
We now are highly concerned about the proposed wall of construction of the Hyatt Regency addition, which will remove most corridors of ocean view from Halelo Street. There may be a keyhole view somewhere. We are reluctant to live in Ka'anapali No More Vista.

I have heard that we may request a simulation of the view from 87 Halelo Street, as it would be seen after the addition is complete. Please send me a simulation.

Not only will our personal pleasure in the beauty of the sea be curtailed, but the pleasure of all residents and guests will be diminished with a concrete wall of buildings.

Other concerns to address are the traffic crawl, water shortage, and public service demands.

Yours truly,

  
Joe Harrison, M.D.

cc:  
Maui Planning Department/Maui Planning Commission  
County of Maui  
Mr. Mike Foley, Director  
250 South High Street  
Wailuku HI 96793

cc: Jo Anne Johnson (jo\_anne.johnson@co.maui.hi.us)  
cc: Maui Department of Housing and Human Concerns (director.hhc@co.maui.hi.us)  
cc: countyclerk@mauicounty.gov

DOCUMENT CAPTURED AS RECEIVED





July 10, 2006

Mr. Joe Harrison, M.D.  
87 Halelo Street  
Lahaina, HI 96761

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Doctor Harrison:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 3, 2006 and are responding to your comments.

In addition to being designated for Hotel use by the West Maui Community Plan, the Hyatt hotel site (Parcel 008) is located in and zoned for H-2, Hotel District uses which permits building heights of up to 12 stories. As defined by Chapter 19.14 of the Maui County Code pertaining to Hotel Districts, "*the hotel district is a high density multiple-family area bordering business districts and ocean fronts.*"

Your concern regarding the loss of most private ocean view corridors from Halelo Street will be evaluated in the Draft Environmental Impact Statement (DEIS), which will include a view analysis containing photographs and/or simulations of the project site taken from various *mauka* and *makai* public and private vantage points. The DEIS will also discuss the other areas of potential concern cited in your letter (views, traffic, water, public services).

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepín, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

NORMAN & MARGIE KAY  
95 Halelo St.  
Lahaina, HI 96761

808-661-8344

kayn002@hawaii.rr.com

FX 808-667-9338

February 5, 2006

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FEB 07 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning

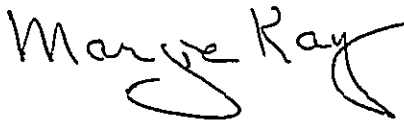
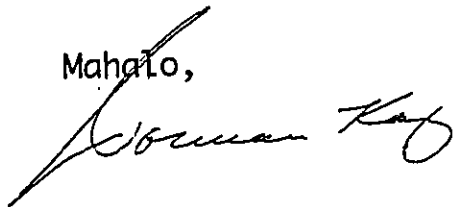
CHRIS HART & PARTNERS, INC.  
1955 Main St., #200  
Wailuku, HI 96793

Gentlemen:

As a 28-year owner of a residence on Halelo St., we have watched the destruction of our shoreline views over the years with the construction of the Hyatt, the Ka'anapali Alii, the Maui Marriott. It was our understanding that the above installations were permitted because their height would leave large scenic views between the buildings. Now we learn of the proposed Hyatt Regency timeshare tower. We are not only concerned about further obstruction of our view plane, but of the effect it will have on the already crowded highway, the restricted capacity of the sewage system on west Maui, the future drain on our precious water supply. Do we really need another twelve story concrete barrier further blocking views in Ka'anapali?

We would like to be a consulting party in the EIS process.

Mahalo,



Norman & Margie Kay

cc: Maui Planning Department  
DEQC

C6



July 10, 2006

Mr. & Mrs. Norman & Margie Kay  
95 Halelo Street  
Lahaina, HI 96761

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. & Mrs. Kay:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 5, 2006 and are responding to your comments.

In addition to being designated for Hotel use by the West Maui Community Plan, the Hyatt hotel site (Parcel 008), is located in and zoned for H-2, Hotel District uses which permits building heights of up to 12 stories. As defined by Chapter 19.14 of the Maui County Code pertaining to Hotel Districts, "*the hotel district is a high density multiple-family area bordering business districts and ocean fronts.*"

The potential effect that the project may have on *mauka-makai* view planes will be evaluated in the Draft Environmental Impact Statement (DEIS). A view analysis with photographs and/or simulations of the project site taken from various *mauka* and *makai* public and private vantage points will also be included. In addition, the DEIS will discuss the potential concerns listed in your letter (traffic, wastewater, water).

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

FEBRUARY 4, 2006

CHRIS HART & PARTNERS INC.  
1955 MAIN ST.  
SUITE 200  
WAILUKU HI 96793

RECEIVED  
FEB 07 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning

DEAR SIR:

I AM CONCERNED ABOUT THE EFFECTS OF THE PROPOSED HYATT REGENCY  
TIMESHARE TOWER ON OUR COMMUNITY. I AM WORRIED ABOUT ITS EFFECT ON  
TRAFFIC CONGESTION, SEWAGE, WATER AND COMMUNITY SERVICES. ARE THERE  
ARCHAEOLOGICAL SITES IN THE AREA? ALSO THE ADDITION OF THE HYATT TOWER  
WILL COMPLETE A 12 STORY WALL OF BUILDINGS ON KAAPALI BLOCKING OFF  
VIEWS OF LANAI AND THE OCEAN.

I WOULD LIKE TO BE A CONSULTING PARTY IN THE EIS PROCESS.

THANK YOU,

*Stephanie M. Ouchi*  
STEPHANIE OUCHI

CC: MAUI PLANNING DEPARTMENT  
OECC.

C4



July 10, 2006

Ms. Stephanie Ouchi  
66 Halelo Street  
Lahaina, HI 96761

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Ouchi:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 4, 2006 and are responding to your comments.

The Hyatt hotel site (Parcel 008) is located in and zoned for H-2, Hotel District uses which permits building heights of up to 12 stories. The site is also designated for Hotel use by the West Maui Community Plan. As defined by Chapter 19.14 of the Maui County Code pertaining to Hotel Districts, "*the hotel district is a high density multiple-family area bordering business districts and ocean fronts.*"

The Draft Environmental Impact Statement (DEIS) will address the areas of concern that are mentioned in your letter (views, traffic, water, wastewater, public services). In addition, the DEIS will include an archaeological assessment and a view analysis which will examine potential impacts to public and private *mauka* and *makai* view corridors.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

RECEIVED

FEB 09 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning

041056  
Robb Chric

Cindy Schenk  
372 Hoopalua Drive  
Pukalani, HI 96768  
808-572-4596

February 6, 2006

HOST MARRIOTT & SUBSIDIARIES  
CHRISTOPHER L. HART, A.S.L.A.  
PRESIDENT, CHRIS HART & PARTNERS, INC.  
1955 MAIN STREET, SUITE 200  
WAILULU, MAUI, HAWAII 96793-1706

RE: Hyatt Regency Maui Addition Project

Dear Mr. Hart,

I am concerned about the proposed Hyatt time share project in Kaanapali regarding view planes, TRAFFIC, urban blight, sewage, water, etc etc etc. There are many reasons why this project is unsuitable for this area.

Please add me to the list of concerned citizens who would like to be a "consulting party" to this project and receive the final copy of the EIS as well as any further information that becomes available.

Thank you.



Cindy Schenk

cc: Maui Planning Department/Maui Planning Commission  
County of Maui  
Mr. Mike Foley, Director  
250 South High Street  
Wailuku HI 96793

cc: Office of Environmental Quality Control  
235 S Beretania St Ste 702  
Honolulu, HI 96813

cc: Jo Anne Johnson (jo\_anne.johnson@co.maui.hi.us)  
cc: Maui Department of Housing and Human Concerns (director.hhc@co.maui.hi.us)  
cc: countyclerk@mauicounty.gov

C10



July 10, 2006

Ms. Cindy Schenck  
372 Ho`opalua Drive  
Pukalani, HI 96768

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Schenk:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 6, 2006 and are responding to your comments.

The Hyatt hotel site (Parcel 008) is located in and zoned for H-2, Hotel District uses which permits building heights of up to 12 stories. The site is also designated for Hotel use by the West Maui Community Plan. As defined by Chapter 19.14 of the Maui County Code pertaining to Hotel Districts, "*the hotel district is a high density multiple-family area bordering business districts and ocean fronts.*"

Potential project-related impacts to view planes, land use, infrastructure, and public services will be examined in the Draft Environmental Impact Statement (DEIS) and any necessary mitigation measures will be identified.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

Pauline Schlosser  
10 Halelo Street  
Lahaina, HI 96761

RECEIVED  
FEB 07 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning

February 4, 2006

Chris Hart & Partners, Inc.  
1955 Main Street, Suite 200  
Wailuku, Maui, HI 96793-1703

RE: Hyatt Regency (Time Share) Addition Project

Dr Mr. Heart,

A couple months ago, I read that the Hyatt Regency was proposing a "Time Share" facility on Kaanapali beach. The article invited the public to voice its concerns. The article went on to say that there would be an Environmental Impact Study. I already know the "scope" of our input in regards to the Hyatt putting up their 12-story tower. It's over. If the Hyatt wants this project, the Hyatt is going to get it. As far as the "Environmental Impact Study goes, I know that it will be skewed in the favor of building the tower.

Lahaina, Kaanapali DOES NOT have an adequate infrastructure for new buildings. Sewer, and drainage projects are antiquated, never started, never finished or non-existent. The ripe smell of sewage is ever present during the "high" season. Sometimes it is so strong that it nearly makes you gag. The most pungent smell is by the sign that welcomes you Kaanapali.

The Highway cannot keep up with all the traffic as it is. It too is antiquated, there is no by-pass, and there has been no planning in a case of emergencies. Roads are poorly maintained. Kaanapali Parkway and Highway 30 the intersection that leads to the new Hyatt Tower is life threatening. Cross light signals do not work. Visitors are confused by the traffic signals and lack of approaching signs that take them to the area. Accidents are a common occurrence as it is mid-point between Napili and Lahaina where many play beat the clock to be at work on time.

I take issue with more building in this area as my husband was needlessly killed less than a year ago by some one who ran a red light at Highway 30 and Kaanapali Parkway. Since then, I have seen and heard countless accidents. At Christmas time a car took out a light standard at the intersection. Less than a month ago a 44-year-old Canadian woman was killed at the same spot. Add more traffic to this area is inviting death.

So since the Hyatt is going to be able to build its tower, my questions are:

What does the Hyatt plan on doing to improve and up date the infrastructure?  
What does it plan on doing to improve and make safe the roadways to its new tower?

Thank you for allowing me to voice my opinion.

C5



Sincerely,

*Pauline Schlosser*  
Pauline Schlosser

CC: Maui Planning Department/ County of Maui Mr. Mike Foley, Director  
Office of Environmental Quality Control



July 10, 2006

Ms. Pauline Schlosser  
40 Halelo Street  
Lahaina, HI 96761

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Schlosser:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 4, 2006 and are responding to your comments.

The Draft Environmental Impact Statement (DEIS) will also include a Preliminary Engineering Report, which will examine existing infrastructure (roadway, water, sewer and drainage systems) in the project area, as well as infrastructure improvements that are required for the development of the project. The applicant will provide their pro-rata contribution for public infrastructure improvements in accordance with any project-related development fees and/or assessments that are required by the County of Maui.

The DEIS will also include a Traffic Impact Analysis Report which will evaluate existing and future traffic conditions with and without the project. For example, project-generated vehicle trips, trip direction, as well as existing and future peak hour traffic volumes and levels of service for signalized and un-signalized intersections will be discussed and any traffic impacts and mitigation measures will be discussed.

All project-related traffic improvements will be designed and constructed in accordance with State and County design and construction standards for public safety and travel. To enhance pedestrian and driver safety, the applicant is willing to work with the Maui Police Department and the Ka'anapali Operations Association to help promote driver education and awareness as a means of accident prevention.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment.

Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

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

February 6, 2006

Chris Hart & Partners, Inc.  
1955 Main St.  
Suite 200  
Wailuku, HI 96793

RECEIVED

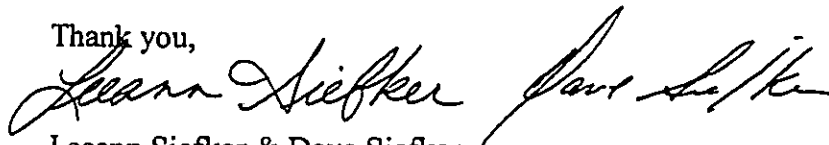
FEB 08 2006

CHRISTIAN & PARTNERS  
Landscape Architecture & Planning  
cc: Robbe Chris

Greetings from Kaanapali,

We are requesting a copy of the Environmental Impact Statement notice for the proposed Hyatt Regency Timeshare tower in our community. Since this development is directly between our house and the ocean we are very concerned about the strain on our already strained infrastructure in the area. This will affect our view, our property values, and quality of life. We would like to be a consulting party in this EIS process, so please keep us informed regarding these plans.

Thank you,



Leeann Siefker & Dave Siefker  
88 Halelo St.  
Lahaina, HI 96761

Cc: Maui Planning Department  
250 S. High St.  
Wailuku, HI 96793

Office of Environmental Quality Control  
235 S. Beretania St.  
Suite 702  
Honolulu, HI 96813

C8



July 10, 2006

Mr. & Mrs. Dave & Leann Siefker  
88 Halelo Street  
Lahaina, HI 96761

SUBJECT: Hyatt Regency Addition - EISPN Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. and Mrs. Siefker:

On behalf of the applicant, HMC Maui LLC, we confirm the receipt of your letter dated February 6, 2006 and are responding to your comments.

The Draft Environmental Impact Statement (DEIS) will contain a Preliminary Engineering Report, which will examine existing infrastructure (roadway, water, sewer and drainage systems) in the project area, as well as infrastructure improvements that are required for the development of the project. The DEIS will also examine public services, such as schools, parks, health care, police and fire protection, and solid waste collection in context of the proposed project.

Thank you for providing us with your comments. As part of the environmental review process, a copy of the DEIS will be provided to you for review and comment. Please feel free to call our office at 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Jerry Haberman, Host Marriott & Subsidiaries  
Chip Doyle, Group Pacific, Inc.  
Kivette Caigoy, Maui Department of Planning

**Appendix O**  
*Draft EIS Comment & Response Letters*

The Draft Environmental Impact Statement (DEIS) was filed and published in the Office of Environmental Quality Control's The Environmental Notice on July 23, 2006. During the public comment period, agencies, organizations, and individuals were provided the opportunity to comment on the proposed action. This section incorporates the comments received during the comment period between July 23 and September 22, 2006.

A list of those receiving the DEIS is followed by the comments received and responses to the substantive comments.

<b>Hyatt Regency Maui Timeshare Addition Project DEIS Transmittal &amp; Comment Letter Tracking</b>	<b># Copies</b>	<b>Comment Letter Date</b>	<b>Letter Index Code</b>
<b>ACCEPTING AUTHORITY</b>	<b>7.27.06</b>		
Maui County Planning Commission	16	8.21.06	C1
<b>FEDERAL</b>			
US Army Corps of Engineers, Civil Works Technical Branch		8.14.06	F1
US Army Corps of Engineers	1	9.7.06	F2
US Fish & Wildlife Service	1		F3
<b>STATE</b>			
Office of Environmental Quality Control	5	9.1.06	S1
Department of Accounting & General Services (DAGS)	1	8.21.06	S2
Department of Agriculture	1		S3
Department of Business Economic Development & Tourism (DBEDT)	1		S4
DBEDT, Office of State Planning	1		S5
DBEDT, Energy Division	1		S6
Department of Defense	1		S7
Department of Hawaiian Homelands (DHHL)	1		S8
Department of Health (DOH), Clean Water Branch	1	8.2.06	S9
DOH, Environmental Planning Office	3	9.5.06	S10
DOH, Maui District Health Office	1		S11
Department of Education (DOE), Office of Business Services	1	9.11.06	S12
Department of Land & Natural Resources (DLNR)	9		S13
DLNR, Office of Coastal Conservation Lands	1		S14
DLNR, Historic Preservation Division	1	8.14.06	S15
		10.26.06	S15-A
Department of Transportation (DOT)	4	9.22.06	S16
DOT, Statewide Planning Office	4		S17
DOT, Maui District Engineer	1		S18
Office of Hawaiian Affairs (OHA)	1	9.13.06	S19
University of Hawaii (UH), Environmental Center	4	9.21.06	S20
UH Sea Grant Extension Office	1	9.7.06	S21
UH Water Resources Research Center	1		S22
<b>COUNTY</b>			
Department of Fire Control & Public Safety	1		C2
Department of Housing & Human Concerns	1	8.15.06	C3
Department of Parks & Recreation	1	8.23.06	C4
Department of Public Works & Environmental Services Management	5	8.25.06	C5
Department of Transportation	1	8.14.06	C6
Department of Water Supply	1	8.3.06	C7
Maui Police Department	1	8.14.06	C8
<b>LIBRARIES</b>			
Nearest State Library (Lahaina)	1		

State Main Library	2		
Pearl City	1		
Kaneohe	1		
Kaimuki	1		
Lihue	1		
Kahului	1		
Hilo	1		
DBEDT Library	1		
UH Hamilton Library	1		
Legislative Reference Bureau	1		
Maui Community College	1		
<b>MEDIA</b>			
Honolulu Advertiser	1		
Honolulu Star Bulletin	1		
Maui News	1		
<b>ELECTED OFFICIALS</b>			
County Councilmember JoAnne Johnson	1		J1
<b>LOCAL UTILITIES</b>			
MECO	1	7.31.06	U1
<b>COMMUNITY BUSINESSES, GROUPS &amp; INDIVIDUALS</b>			
Ka'anapali Operations Association	1		O1
Dr. Darcel Gilbert (for Ka'anapali Vista residents)	1	9.21.06	O2
Norman & Margie Kay		9.18.06	O3
Mr. And Mrs. Joe Harrison		9.18.06	O4
David & Kay Brott		9.20.06	O5
Mr. Foster Ampong		9.30.06	O6
<b>TOTAL</b>	<b>29</b>		



FROM :

FAX NO. :

Aug. 21 2006 10:25AM P2



**DEPARTMENT OF THE ARMY**  
U.S. ARMY ENGINEER DISTRICT, HONOLULU  
BUILDING 223  
FORT SHAFTER, HAWAII 98858-5440

REPLY TO  
ATTENTION OF: CEPOHEC-T

August 14, 2006

'06 AUG 16 P1 59

Civil Works Technical Branch

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

Mr. Kivette Caigoy, Staff Planner  
County of Maui  
Department of Planning  
250 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Mr. Caigoy:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the Hyatt Regency Maui Addition, Maui (TMKs 4-4-13: 3, 4, 5, and 8). The flood hazard zone designation provided on page 9 (Section III) of the DEIS is correct. Should you require additional information, please call Ms. Jessie Dobinchick of my staff at 438-8876.

Sincerely,

A handwritten signature in cursive script that reads "James Pennaz".

James Pennaz, P.E.  
Chief, Civil Works Technical Branch



November 14, 2006

James Pennaz, Chief  
Civil Works Technical Branch  
Department of the Army  
U.S. Army Engineer District, Honolulu  
Building 230  
Fort Shafter, Hawaii 96858-5440

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Young,

Thank you for your letter of August 14, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. We acknowledge your confirmation of the Flood Zone designation for the project site.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File



DEPARTMENT OF THE ARMY  
U. S. ARMY ENGINEER DISTRICT, HONOLULU  
FT. SHAFTER, HAWAII 96858-5440

September 7, 2006

REPLY TO  
ATTENTION OF

Regulatory Branch

File No. POH-2006-17

Matthew Slepín  
Chris Hart & Partners  
1955 Main Street, Suite 200  
Wailuku, HI 96893

RECEIVED  
SEP 12 2006

CHRIS HART & PARTNERS  
1955 MAIN STREET, SUITE 200  
WAILUKU, HI 96893  
cc: matt  
04/05b

Dear Mr. Slepín:

This letter is in response to your request for review and comments on a Draft Environmental Impact Statement (DEIS) for proposed development at the Hyatt Regency Maui Resort, Kaanapali, Maui, TMK 4-4-013: 003, 004, 005, and 008. We have reviewed the information you provided under the Corps' authority to issue Department of the Army (DA) permits pursuant to Section 404 of the Clean Water Act (CWA) (33 USC 1344) and Section 10 of the Rivers and Harbors Act (RHA) of 1899 (33 USC 403).

Based on the information you provided within the DEIS on behalf of HMC Maui LCC and available references, it appears the subject properties consists primarily of uplands with a few exceptions: a portion of parcel 008 is bounded by a jurisdictional water of the U.S., the Pacific Ocean, and several non-navigable, man-made waterbodies (i.e. swimming pools and golf course water hazards). The proposed developments, a 121 unit timeshare on parcel 008, a new parking lot and tennis court facilities on parcel 005, and upgrading and landscaping of employee parking on parcel 004 (no development is proposed for parcel 003) are anticipated to not involve the discharge of dredge or fill material into waters of the U.S., including adjacent wetlands or the Pacific Ocean; therefore, a DA permit will not be required.

Should you have any questions regarding this jurisdictional determination, please contact Ms. Joy Anamizu by phone at 808-438-7023, by facsimile at 808-438-4060, or by e-mail at [joy.n.anamizu@usace.army.mil](mailto:joy.n.anamizu@usace.army.mil) and refer to the file number above.

Sincerely,

George P. Young, P.E.  
Chief, Regulatory Branch

Copy Furnished:

Mike Foley, Maui County Planning Commission, 250 South High Street, Wailuku, HI 96793  
Office of Environmental Quality Control, 235 South Beretania Street, #702 Honolulu, HI 96813



November 14, 2006

George Young, Chief  
Department of the Army  
Regulatory Branch  
U.S. Army Engineer District, Honolulu  
Ft. Shafter, Hawaii 96858

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Young,

Thank you for your letter of September 7, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. We acknowledge your confirmation the project will not require a permit from the Department of the Army.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

LINDA LINGLE  
GOVERNOR OF HAWAII



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) 586-4188  
E-mail: oeqc@hawaii.state.hi.us

September 1, 2006

Michael Foley  
Maui Planning Department  
250 South High St.  
Wailuku, HI 96793

Attn: Kivette Caigoy

Dear Mr. Foley:

Subject: Draft environmental impact statement (DEIS), **Hyatt Regency Maui Addition**

We have the following comments:

EISPN Comment letters: Page 2 of the comment letters from this office and from Maui District Health Office were both missing. In the final EIS please correct this.

Construction impacts: In the section on noise, include a description of vibration impacts from construction machinery and indicate associated mitigation measures.

Impacts from the natural environment: These include unstable soil, hurricanes, tsunami, earthquakes, volcanic action and flooding. Discuss any of these impacts on the project not covered in the draft EIS and how they will be mitigated.

Title page signature: The applicant is required to sign the document and indicate that it and all ancillary documents were prepared under the signatory's direction. This is required by § 11-200-20(d) of Hawaii Administrative Rules. Submit the FEIS copy with the original signature to the accepting authority.

Unresolved issues:

These are larger issues about which decisions will not be made until after the final EIS is completed. The varying outcomes often produce impacts that differ from one another and require different mitigation measures for reduction or elimination of negative effects. For example, if the Department of Transportation will not make a decision whether or not to install a regional bypass road until a year following completion of a coastal resort complex which is the subject of an EIS, then this would be an unresolved issue, since the impacts and mitigation measures of each scenario (installation vs. no installation) would result in different impacts.

Michael Foley  
September 1, 2006  
Page 2

In the final EIS list all issues which will not be resolved before the completion of the final EIS and list the methods by which their resolution will take place.

Cumulative traffic impacts: In your traffic report, include Maalaea Mauka Residential Subdivision in the analysis of cumulative impacts.

Early consultation: Section V lists meetings that took place with the Maui Planning Department on August 25, 2006 and November 8, 2006; the Urban Design Review Board on November 15, 2006; and private parties on March 20, 2006. If these meeting dates are incorrect, please change them in the final EIS.

Concurrence with State Historic Preservation Division: This office has recommended an on-site archeological monitor for all ground-altering activities. Has SHPD been apprised of the intent to dig a tunnel between the new building and the existing hotel? What was SHPD's response?

Table of contents; pagination:

The appendix section of the table of contents reversed the titles of appendices M and N. Please correct this in the final EIS.

Page numbers should include the section number. As one leafs through the document, it is confusing to see several pages with the same number. For example, page 3's should be renumbered I-3, II-3, III-3, etc. Also, while numbering starts anew in the first three sections, the pagination is continuous from the end of section III through the end of section VI.

List of consulted parties: In the final EIS include a list of all parties that received a copy of the EIS preparation notice and a list of all those receiving the draft EIS. On each list indicate those that submitted comment letters.

If you have any questions, call Nancy Heinrich at 586-4185.

Sincerely,

  
GENEVIEVE SALMONSON  
Director

c: Matt Slepín, Chris Hart & Partners



November 14, 2006

Genevieve Salmonson, Director  
State of Hawaii  
Office of Environmental Quality Control  
235 South Beretania Street  
Suite 702  
Honolulu, Hawaii 96813

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Salmonson,

Thank you for your letter of September 1, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

**EISPN Comment Letters**—The Final EIS will include the pages of the comment letters which were accidentally omitted from the Draft.

**Construction Impacts**—The Final EIS will contain a discussion of anticipated vibration impacts from construction activities and measures to mitigate such.

**Impacts from the Natural Environment**—The Final EIS will address the conditions of unstable soil, hurricanes, tsunami, earthquakes, volcanic action, and flooding.

**Title Page Signature**—The Final EIS will contain a title page signed by the Accepting Authority.

**Unresolved Issues**—The Final EIS will contain discussion of those issues which remain unresolved at that time, as well as methods by which they may be resolved. These will include both project design decisions, as well as actions beyond the control of the applicant, such as State transportation improvements.

**Cumulative Traffic Impacts**—The traffic report prepared for the EIS used a projected growth rate that includes pending developments. It is noted, however, that the estimated impacts resulting from the proposed timeshare addition do not extend into the area of the Ma`alaea Mauka project.

**Early Consultation**—The dates given in Section VI of the Draft EIS relating to meetings with the Maui Department of Planning and the Urban Design Review Board are in error. They occurred in the year 2005, rather than 2006. The date of the meeting with the area residents is corrected. Those dates in error will be corrected in the Final EIS.

**Concurrence with State Historic Preservation Division**—The project no longer includes a tunnel between the existing hotel and the timeshare addition. Nevertheless, archaeological monitoring will be

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

Ms. Genevieve Salmonson  
November 14, 2006  
Page 2 of 2

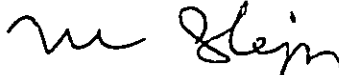
undertaken during ground-altering activities in accordance with the monitoring plan approved by the Historic Preservation Division.

**Table of Contents: Pagination**—The Final EIS will be paginated according to section.

**List of Consulted Parties**—The Final EIS will provide a list of those receiving the EIS Preparation Notice and the Draft EIS. This list will also indicate which parties provided comments.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File



LINDA LINGLE  
GOVERNOR



RUSS K. SAITO  
COMPTROLLER  
KATHERINE H. THOMASON  
DEPUTY COMPTROLLER

**STATE OF HAWAII**  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
P.O. BOX 119, HONOLULU, HAWAII 96810

(P)1173.6

AUG 21 2006

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED  
06 AUG 24 09:06

Mr. Michael W. Foley  
Planning Director  
County of Maui  
250 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Mr. Foley:

Subject: Hyatt Regency Maui Addition  
Draft Environmental Assessment and Special Management Area Permit  
TMK: (2) 4-4-013, 004, 005 and 008  
Wailuku, Maui, Hawaii

Thank you for the opportunity to review the subject project. This project does not impact any of the Department of Accounting and General Services' projects or existing facilities and we have no comments to offer.

If you have any questions, please have your staff call Mr. Allen Yamanoha of Planning Branch at 586-0488.

Sincerely,

ERNEST Y. W. LAU  
Public Works Administrator

AY:mo

c: Ms. Genevieve Salmonson, OEQC

FROM :

FAX NO. :

Aug. 10 2006 01:17PM P2

LINDA LINGLE  
GOVERNOR OF HAWAII



CHRYOME L. PUKING, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. BOX 3378  
HONOLULU, HAWAII 96801-3378

'06 AUG -4 P12:21

In reply, please refer to:  
CMB / CWR

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

08010PKP.06

August 2, 2006

Ms. Kivette Caigoy  
Environmental Planner  
Department of Planning  
County of Maui  
250 South High Street  
Wailuku, Hawaii 96793

Dear Mr. Caigoy:

**Subject: Draft Environmental Impact Statement  
Hyatt Regency Maui Addition  
Kaanapali, Maui, Hawaii**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated July 12, 2006, and associated documents. The CWB has reviewed the limited information contained in the subject document and offers the following comments:

1. The Army Corps of Engineers should be contacted at (808) 438-9258 for this project. Pursuant to Federal Water Pollution Control Act (commonly known as the "Clean Water Act" (CWA) Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40, Code of Federal Regulations (CFR), Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.
2. In accordance with HAR, Sections 11-55-04 and 11-55-34.05, the Director of Health may require the submittal of an individual permit application or a Notice of Intent (NOI) for general permit coverage authorized under the National Pollutant Discharge Elimination System (NPDES).
  - a. An application for an NPDES individual permit is to be submitted at least 180 days before the commencement of the respective activities. The NPDES application forms may also be picked up at our office or downloaded from our website at <http://www.hawaii.gov/health/environmental/water/cleanwater/forms/indiv-index.html>.

DOCUMENT CAPTURED AS RECEIVED

Ms. Kivette Caigoy  
August 2, 2006  
Page 2

- b. An NOI to be covered by an NPDES general permit is to be submitted at least 30 days before the commencement of the respective activity. A separate NOI is needed for coverage under each NPDES general permit. The NOI forms may be picked up at our office or downloaded from our website at:  
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/genl-index.html>.
- i. Storm water associated with industrial activities, as defined in Title 40, CFR, Sections 122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi). [HAR, Chapter 11-55, Appendix B]
  - ii. Construction activities, including clearing, grading, and excavation, that result in the disturbance of equal to or greater than one (1) acre of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NPDES permit is required before the commencement of the construction activities. [HAR, Chapter 11-55, Appendix C]
  - iii. Discharges of treated effluent from leaking underground storage tank remedial activities. [HAR, Chapter 11-55, Appendix D]
  - iv. Discharges of once through cooling water less than one (1) million gallons per day. [HAR, Chapter 11-55, Appendix E]
  - v. Discharges of hydrotesting water. [HAR, Chapter 11-55, Appendix F]
  - vi. Discharges of construction dewatering effluent. [HAR, Chapter 11-55, Appendix G]
  - vii. Discharges of treated effluent from petroleum bulk stations and terminals. [HAR, Chapter 11-55, Appendix H]
  - viii. Discharges of treated effluent from well drilling activities. [HAR, Chapter 11-55, Appendix I]
  - ix. Discharges of treated effluent from recycled water distribution systems. [HAR, Chapter 11-55, Appendix J]
  - x. Discharges of storm water from a small municipal separate storm sewer system. [HAR, Chapter 11-55, Appendix K]
  - xi. Discharges of circulation water from decorative ponds or tanks. [HAR, Chapter 11-55, Appendix L]

FROM :

FAX NO. :

Aug. 10 2006 01:17PM P4


Ms. Kivette Calgoy  
August 2, 2006  
Page 3

3. In accordance with HAR, Section 11-55-38, the applicant for an NPDES permit is required to either submit a copy of the new NOI or NPDES permit application to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD), or demonstrate to the satisfaction of the DOH that the project, activity, or site covered by the NOI or application has been or is being reviewed by SIIPD. If applicable, please submit a copy of the request for review by SHPD or SHPD's determination letter for the project.
4. Any discharges related to project construction or operation activities, with or without a Section 401 WQC or NPDES permit coverage, shall comply with the applicable State Water Quality Standards as specified in HAR, Chapter 11-54.

The Hawaii Revised Statutes, Subsection 342D-50(a), requires that "[n]o person, including any public body, shall discharge any water pollutants into state waters, or cause or allow any water pollutant to enter state waters except in compliance with this chapter, rules adopted pursuant to this Chapter, or a permit or variance issued by the director."

If you have any questions, please contact Mr. Alec Wong, Supervisor of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,

  
DENIS R. LAU, P.E., CHIEF  
Clean Water Branch

KP:np

DOCUMENT CAPTURED AS RECEIVED



November 14, 2006

Dennis Lau, Chief  
State of Hawaii  
Department of Health  
Clean Water Branch  
PO Box 3378  
Honolulu, Hawaii 96801

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Lau,

Thank you for your letter of August 2, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

1. The Army Corps of Engineers has been contacted and has received a copy of the Draft EIS. They have indicated that a Department of the Army permit will not be required for the project.
2. We acknowledge your information regarding National Pollutant Discharge Elimination permits and will comply with all appropriate procedures.
3. See No. 2 above.
4. The project will comply with applicable State Water Quality Standards, as specified in HAR 11-54.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Dean Alcon, Alcon Engineering  
Jeff Hunt, Maui Department of Planning  
Project File

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

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LINDA LINGLE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

CHYOMIE L. FUKINO, M.D.  
DIRECTOR OF HEALTH

In reply, please refer to:  
EPO-06-136

September 5, 2006

Mr. Michael W. Foley, Director  
Department of Planning  
County of Maui  
250 South High Street  
Wailuku, Hawaii 96793

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED  
06 SEP -8 PM 2:49

Dear Mr. Foley:

**SUBJECT:** Draft Environmental Impact Statement (DEIS) and Special Management Area Use Permit Application (SM1 2006/0001) for Hyatt Regency Maui Addition 200 Nohea Kai Drive, Kaanapali Resort, Lahaina, Maui, Hawaii  
TMK: (2) 4-4-013: 003, 004, 005 and 008; 70.96 acres

Thank you for allowing us to review and comment on the subject application. The document was routed to the various branches of the Environmental Health Administration. We have the following Wastewater Branch and Safe Drinking Water Branch comments.

Wastewater Branch

We have reviewed the subject documents which proposes the construction of a new 12 story timeshare building with related improvements on Parcel 8 adjacent to the existing Hyatt Regency Resort Hotel.

The subject project is located in the Critical Wastewater Disposal Area (CWDA) as determined by the Maui County Wastewater Advisory Committee where no new cesspools will be allowed.

As domestic wastewater treatment and disposal have been addressed (connection to the Lahaina Wastewater Reclamation Facility), we have no objections to the proposed development.

We encourage the developer to work with the County and utilize recycled water for irrigation and other non-potable water purposes in major common areas such as parks, golf courses and other open spaces or landscaping areas.

All wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, Chapter 11-62, "Wastewater System." We reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please contact the Planning & Design Section of the Wastewater Branch at (808) 586-4294.

PH 11:51:21 0607 11 des

: TN XH

S10  
: WPH

Mr. Foley  
September 5, 2006  
Page 2

Safe Drinking Water Branch (SDWB)

We have reviewed the Draft EIS for the subject project. We understand that the existing Hyatt Regency Hotel facilities are served by the Ka'anapali water system which is owned by the Hawaii Water Service Company. We are also aware that the applicant is currently exploring various possibilities relating to water sources to serve the subject project. The preferred option would involve securing a new agreement with the Hawaii Water Service Company. Preliminary discussions between the two parties indicate that the Hawaii Water Service Company cannot meet the demands of the subject project at this time. However, it is anticipated that a new source will be developed and we request further details in the Final EIS.

The development of new sources of potable water to serve a public water system must comply with the terms of Section 11-20-29 of the Hawaii Administrative Rules, Title 11, Chapter 20, titled "Rules Relating to Potable Water Systems." Furthermore, all sources of public water systems must undergo a source water assessment which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the source of drinking water.

The document also mentions that the applicant plans to use brackish and/or reclaimed water for non-potable water uses such as irrigation. All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing potable water system to meet irrigation or other needs must be careful in the design and operation of these systems to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non- system to the potable system. The two systems must be clearly labeled and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the potable water supply. In addition backflow devices must be tested periodically to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent inadvertent consumption of non-potable water. Compliance with Hawaii Administrative Rules, Title 11, Chapter 11-21, titled "Cross Connection and Backflow Control" is required."

Should you have any questions regarding the potable water system, please contact Mr. Kumar Bhagavan of the SDWB Compliance Section at 586-4258 in Honolulu.

Injection wells used for the subsurface disposal of wastewater, sewage effluent, or surface runoff are subject to environmental regulation and permitting under Hawaii Administrative Rules, Title 11, Chapter 23, titled, "Underground Injection Control" (UIC). The Department of Health's approval must be first obtained before any injection well construction commences. A UIC permit must be issued before any injection well operation occurs.

Authorization to use an injection well is granted when a UIC permit is issued to the injection well facility. The UIC permit contains discharge and operating limitations, monitoring and reporting requirements, and other facility management and operational conditions. A completed UIC permit-application form is needed to apply for a UIC permit.

Mr. Foley  
September 5, 2006  
Page 3

A UIC permit can have a valid duration of up to 5 years. Permit renewal is needed to keep an expiring permit valid for another term.

Questions about UIC may be directed to Mr. Chauncey Hew at 586-4258.

We strongly recommend that you review all of the Standard Comments on our website: [www.state.hi.us/health/environmental/env-planning/landuse/landuse.html](http://www.state.hi.us/health/environmental/env-planning/landuse/landuse.html). Any comments specifically applicable to this application should be adhered to.

If there are any questions about these comments please contact Jiakai Liu with the Environmental Planning Office at 586-4346.

Sincerely,



KELVIN H. SUNADA, MANAGER  
Environmental Planning Office

c: EPO  
WWB  
SDWB





November 14, 2006

Kevin Sunada, Manager  
State of Hawaii  
Department of Health  
Environmental Planning Office  
PO BOX 3378  
Honolulu, Hawaii 96801-3378

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Sunada,

Thank you for your letter of September 5, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments; we note the following:

**Wastewater Branch Comments**

1. We acknowledge that the project is located in the Critical Wastewater Disposal Area. No cesspools are being proposed as part of the project.
2. The applicant will continue to coordinate with the County and private entities regarding the use of recycled water for non-potable uses.
3. Wastewater plans will comply with the provisions of HAR 11-62 and we acknowledge your agency may review the plans for conformance with such.

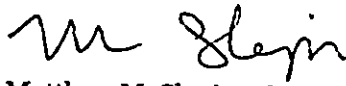
**Safe Drinking Water Branch**

4. The Final EIS will contain further information regarding the source of potable water for the proposed project. It is noted that the applicant is not proposing any source development himself.
5. Any dual potable/non-potable water system will be carefully designed and conform with the provisions of HAR 11-21.
6. No injection wells are proposed for the timeshare addition project.

Mr. Kevin Sunada  
November 14, 2006  
Page 2 of 2

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepik, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Dean Alcon, Alcon Engineering  
Jeff Hunt, Maui Department of Planning  
Project File

FROM :

FAX NO. :

Sep. 15 2006 03:42PM P3

LINDA LINGLE  
GOVERNOR



PATRICIA HAMAMOTO  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

'06 SEP 13 AM 11:25

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

OFFICE OF BUSINESS SERVICES

September 11, 2006

Mr. Michael W. Foley, Planning Director  
Department of Planning  
County of Maui  
250 South High Street  
Wailuku, Hawaii 96793

Attn: Mr. Jeff Hunt:

Dear Mr. Foley:

**SUBJECT: Draft Environmental Impact Statement for the Hyatt Regency Addition  
(EIS 2006/0002) and (SM1 2006/0001)**

The Department of Education (DOE) has no comment on the proposed plan to build 121 timeshare units. The DOE does not request a school fair-share contribution on units that will be paying the transient accommodation tax, or projects that are only seeking Special Management Area Permits.

Should you have any questions, please call Heidi Meeker of the Facilities Development Branch at (808) 733-4862.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Duane Kashiwai".

Duane Y. Kashiwai  
Public Works Manager  
Facilities Development Branch

DK:ly

c: Randolph Moore, Acting Assistant Superintendent, OBS  
Ron Okamura, CAS, Hana/Lahainaluna/Lanai/Molokai Complex Areas

FROM :

FAX NO. :

Aug. 15 2006 09:58AM P2

06-14-2006 21:20 FROM:DLNR SHPD

808 2435838

TO:808 242819

P-17/17

LINDA LINGLE  
ADMINISTRATOR



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, BOX 555  
KAPOLI, HAWAII 96707

PETER T. YOUNG  
CHAIRMAN  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCES MANAGEMENT

ROBERT M. MANUWA  
DEPUTY CHAIRMAN

RYAN MAKANO  
CHIEF OF BUREAU OF WATER

ALBERTA HIRAKAWA  
DIRECTOR AND CHIEF OF BUREAU  
BUREAU OF CONSERVATION  
COMMISSION ON WATER RESOURCES  
COMMISSION ON NATURAL LANDS  
CONSERVATION AND RECREATION  
DEPARTMENT

KATHY AND WALTER  
DIRECTOR AND CHIEF OF BUREAU  
BUREAU OF LAND AND NATURAL RESOURCES  
LAND

August 14, 2006

Michael Dega, Ph.D.  
Scientific Consultant Services  
711 Kapihani Boulevard, Suite 975  
Honolulu, Hawaii 96813

LOG NO: 2006.2681  
DOC NO: 0608MK16  
Archaeology

Dear Dr. Dega:

**SUBJECT: Chapter 6E-42 Historic Preservation Review -  
Archaeological Assessment Survey of three Parcels at the  
Hyatt Regency Maui Resort in Ka'anapali  
Hanaka'o'o Ahupua'a, Lahaina District, Island of Maui  
TMK (2) 4-4-013:004, 005, and 008**

Thank you for the opportunity to review this report which our staff received on May 15, 2006 (Parsons and Dega 2006, *An Archaeological Assessment of Three Parcels at the Hyatt Regency Maui Resort, Ka'anapali, Hanaka'o'o Ahupua'a, Lahaina District, Maui Island, Hawaii* [TMK 4-4-13:004, 005, 008])...Scientific Consultant Services, Inc., ms. Additional employee parking and landscaping are planned for parcel 004, and additional parking lot and tennis courts are planned for parcel 005, and the addition of a 12 story guestroom building of 121 units is planned for the northern portion of parcel 008

The assessment meets our minimum requirements, as set forth in HAR 276-5 (a) and (c). The parcels have been previously subjected to development.

The survey has adequately covered the project area documenting no historic properties. Subsurface testing was also negative for evidence of cultural deposits. Underground utility lines limited the areas within which subsurface testing could occur, as did current use of the parcels.

We concur with the mitigation recommendation for precautionary archaeological monitoring during all ground disturbing activities. Although the deposits on the parcel evidence previous disturbance, the possibility of remnant and/or disturbed historic properties is high.

We find this report to be acceptable. As always, if you disagree with our comments or have questions, please contact Dr. Melissa Kirkendall (808) 243-5169 as soon as possible to resolve these concerns.

Aloha,

Melanio Chinen, Administrator  
State Historic Preservation Division

MK:kl

c: Bert Ratte, DPWEM, County of Maui, FAX 270-7972  
Michael Foley, Director, Dept. of Planning, FAX 270-7634  
Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793

S15

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LINDA LINGLE  
GOVERNOR OF HAWAII



06 OCT 26 P2 20

DEPT OF PLANNING  
COUNTY OF MAUI STATE OF HAWAII  
RECEIVED DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

PETER T. YOUNG  
CHAIRMAN  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSIONER OF WATER RESOURCES MANAGEMENT

ROBERT K. MANUDA  
DEPUTY DIRECTOR - LAND

DEAN NAKANO  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC SUBJECTS  
BOATING AND TETHER BOATING  
HULL AND TOWER TANKS  
COMMISSIONER OF WATER RESOURCES MANAGEMENT  
CONSERVATION AND RECREATION  
CONSERVATION AND RECREATION (COURT CASES)  
ENVIRONMENTAL  
HISTORY AND HERITAGE  
HISTORIC PRESERVATION  
LAND AND WATER RESOURCES  
LAND  
STATE PARKS

October 24, 2006

Ms. Kivette Caigoy, Environmental Planner  
County of Maui, Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793

LOG NO: 2006.3480  
DOC NO: 0610JP16  
Archaeology

Dear Ms. Caigoy:

**SUBJECT: REVISED Chapter 6E-42 Historic Preservation Review [County/Planning] -  
Special Management Area Assessment Application (SM1 2006/0001) and  
Draft Environmental Impact Statement Review (EIS 2006/0002) for the  
Proposed Hyatt Regency Maui Addition  
Hanaka'o'o Ahupua'a, Lahaina (Ka'anapali) District, Island of Maui  
TMK: (2) 4-4-013:003, 004, 005, and 008 (formerly 4-4-006:028)**

The subject application consists of proposed plans to construct a 12-story timeshare structure with related improvements on Parcel 008, adjacent to the existing Hyatt Regency Resort Hotel. Related improvements include utility connections, a swimming pool, a temporary sales center, welcome center, parking area improvements, (Parcels 004 and 005), and the removal of 3 of the existing 5 tennis courts (Parcel 005). Accessory features include a lobby, registration area, luggage, storage, fitness facility, convenience store, and administration areas.

We have previously commented on the proposed undertaking and recommended that an archaeological monitoring plan be prepared (LOG NO: 2006.1501/ DOC NO: 0605MK24). Subsequently, a monitoring plan was submitted and accepted implementing full time archaeological monitoring for all ground altering activities associated with the project (LOG NO: 2006.3488/ DOC NO: 0610MK03).

We concur that no historic properties will be affected by this undertaking because:

- Intensive cultivation has altered the land
- Residential development/urbanization has altered the land
- Previous grubbing/grading has altered the land
- An accepted archaeological inventory survey (AIS) found no historic properties
- SHPD previously reviewed this project and mitigation has been completed
- Other: *The proposed project involves parcels adjacent to a previously documented human burial (SIHP 50-50-03-4985); and full-time archaeological monitoring has been recommended. We believe there will be no historic properties affected under the condition that the accepted monitoring plan is implemented.*

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Ms. Kivette Caigoy  
Page 2

In the event that historic resources, including human skeletal remains, are identified during construction activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance, and the State Historic Preservation Division, Maui Section, needs to be contacted immediately at (808) 243-5169 or (808) 243-4641.

Aloha,

*Melanie Chinen*

*for*  
Melanie Chinen, Administrator  
State Historic Preservation Division

JP:mk:kf

c: Michael Foley, Director, Dept. of Planning, FAX 270-7634  
Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793

Oct. 23. 2006 12:28PM

SCIENTIFIC CONSULTANT SVCS INC

No. 5323 P. 2

LINDA LINGLEE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKIIA BOULEVARD, ROOM 555  
KAPOLI, HAWAII 96707

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKIIA BOULEVARD, ROOM 555  
KAPOLI, HAWAII 96707  
DEAN NAKANES  
ACTING DEPUTY DIRECTOR - WATER  
AGRIAN BARNETT  
RELATIONS AND PUBLIC AFFAIRS  
RESEARCH AND MONITORING  
INVESTIGATIONS AND RESEARCH  
CONSERVATION AND RESTORATION  
LAND USE  
CULTURAL AND HISTORIC  
ARCHAEOLOGY AND PRESERVATION  
LAND  
STATE PARKS

October 20, 2006

Dr. Michael Dega  
Scientific Consultant Services, Inc.  
711 Kapiolani Boulevard, Suite 975  
Honolulu, Hawaii 96813

LOG NO: 2006.3488  
DOC NO: 0610MK03  
Archaeology

Dear Dr. Dega:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –  
Archaeological Monitoring Plan for the Proposed Hyatt Regency Maui Addition  
(EIS 2006/0002 and SM1 2006/0001)  
Haoakaoo Ahupuaa, Lahaina District, Island of Maui  
TMK (2) 4-4-013:003, 004, 005, and 008 (previously 4-4-006:028)**

Thank you for the opportunity to review this plan which was received by our staff on July 21, 2006 (Chaffee and Dega 2006, *An Archaeological Monitoring Plan Covering Three Parcels at the Hyatt Regency Maui Resort, Kaanapali, Hanakao Ahupuaa, Lahaina District, Maui Island, Hawaii [TMK 4-4-13:004, 005, 008]*)...Scientific Consultant Services, Inc., ms. We have previously provided comments on the Environmental Impact Statement (EIS 2006/0002) and SM 1 (SM1 2006/0001) and indicated that archaeological monitoring was the appropriate mitigation during development of the northern section of the parcel.

An archaeological assessment was recently conducted on the subject parcel within the area of potential effect (APE) (LOG NO: /DOC NO: 0608MK16). The deposit identified during the assessment work is comprised of fill (cinder and clay). However, given the sensitivity of the general area, we will concur with the recommendation for archaeological monitoring during all ground altering activities.

Based on the submitted plans, we understand the proposed undertaking consists of development of the north section of the parcel. The area is currently in use with on-grade parking and outdoor activities support facilities. The proposed development will include a guest room of 12 stories above grade housing two and three bedroom units for transient vacation rental or ownership (121 units approximately). Accessory features include a lobby, registration area, luggage storage, fitness facility, convenience store, and storage and administration areas.

The plan conforms to Hawaii Administrative Rules Chapter 13-279 which govern standards for monitoring: the subject plan includes the following provisions. An archaeologist will be on site on a full-time basis and will have the authority to halt excavation in the event that cultural materials are identified. Consultation with Maui SHPD will occur in this event, to determine acceptable course of action. If human burials are identified, work will cease, the SHPD Burial Sites Program, Maui SHPD, Oahu SHPD and the Maui/Lanai Islands Burial Council will be notified, and compliance with procedures outlined in HRS 6E-43 will be followed. Coordination meetings with the construction crew will be held prior to project initiation. The plan further indicates that an acceptable report will be submitted to this office within 180 days of project completion.

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Dr. Michael Dega  
Page 2

Please notify our Maui and Oahu offices, via facsimile, at onset and completion of the project and monitoring program.

The plan is acceptable. We believe there will be "no historic properties affected" with the implementation of this monitoring plan. If you have any questions, please contact Dr. Melissa Kirkendall at (808) 243-5169.

Aloha,

*Melissa Kirkendall*  
for  
Melanie Chinen, Administrator  
State Historic Preservation Division

MK:kf

c: Beri Ratta, DPWEM, County of Maui  
Michael Foley, Director, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793  
Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793

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November 14, 2006

Melanie Chinen, Administrator  
State of Hawaii  
Department of Land and Natural Resources  
Historic Preservation Division  
Kakuhihewa Building, Room 555  
601 Kamokila Boulevard  
Kapolei, Hawaii 96707

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Chinen,

Thank you for your letters of August 14, October 20, and October 24, 2006, providing comments on the Draft Environmental Impact Statement (EIS) and archaeological monitoring plan for the proposed Hyatt Regency Maui Addition. In response to your comments, we confirm that monitoring by a qualified archaeological monitor will be undertaken during ground-altering activities in accordance with the monitoring plan approved by your office.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

RODNEY K. HARAGA  
DIRECTOR

Deputy Directors  
FRANCIS PAUL KEENO  
BARRY FUKUNAGA  
BRENNON T. MORIOKA  
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

STP 8.2281

September 22, 2006

Mr. Michael W. Foley, Director  
Department of Planning  
County of Maui  
250 South High Street  
Wailuku, Hawaii 96793

Dear Mr. Foley:

Subject: Hyatt Regency Maui Addition  
Draft Environmental Impact Statement (EIS 2006/0002) and  
Special Management Area Permit Application (SM1 2006/0001)  
TMK: (2) 4-4-013: 003, 004, 005, and 008

06 SEP 26 AM 11:54  
DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

We have the following initial comments on the subject project and the accompanying supporting documents that were submitted for our review:

1. The changes to the subject resort will contribute additional traffic to the intersections with Honoapiilani Highway and on Honoapiilani Highway in the Kaanapali area.
2. The TIAR for the project indicated that the project should be "liable for its pro rata share on improving the [highway] intersection." The TIAR also indicated that improvements along Kaanapali Parkway should be considered, such as at the Nohea Kai Drive intersection. We appreciate the recognition by the applicant/developer that there is a need to provide traffic improvements.
3. The project for the subject resort is only one of the projects currently planned to occur in the Kaanapali Resort area that will be using Kaanapali Parkway and Kekaa Drive intersecting with Honoapiilani Highway. Our Highways Division staff is reviewing the collective impact from all of these projects at the intersections and along Honoapiilani Highway and the mitigation measures and/or highway improvements that may be needed. We will provide further comments to supplemental our above comments as soon as the Highway staff complete their review.

We appreciate the opportunity to provide our comments.

Very truly yours,

RODNEY K. HARAGA  
Director of Transportation



November 14, 2006

Rodney Haraga, Director  
State of Hawaii  
Department of Transportation  
869 Punchbowl Street  
Honolulu, Hawaii 96813

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Haraga,

Thank you for your letter of September 22, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

1. The applicant is aware of the traffic situation in West Maui and the need for private initiative to provide traffic mitigation measures. The applicant has committed to a variety of measures, not only to mitigate traffic impacts resulting from the proposed development, but to lessen the total traffic generated by the Hyatt properties. These measures include increased mass transportation services for both guests and employees, establishing programs to encourage the use of shuttle services for the guests from the airport to the resort properties, and contributions to a traffic impact fund to be administered by the County of Maui.
2. The Notice of Availability for the Draft EIS was published in the Environmental Notice on July 23, 2006 and the public comment period ended on September 22, 2006. We acknowledge that the Highways Division is analyzing collective impacts from development within the Ka'anapali Resort and will carefully review their recommendations, pursuant to HRS, Chapters 205A, Coastal Zone Management, and 343, Environmental Impact Statements, HRS.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

PHONE (808) 594-1888



STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

FAX (808) 594-1865

RECEIVED  
SEP 18 2006

CLERK HART & PARTNER  
Landed copy / not for filing (cc: MAF)

cc: MAF  
04/05b

HRD06/2577B

September 13, 2006

Michael Foley, Planning Director  
County of Maui, Department of Planning  
250 South High Street  
Wailuku, Hawai'i 96793

RE: Draft Environmental Impact Statement and Special Management Area Permit for the Proposed Hyatt Regency Maui Addition Project, Kā'anapali, Maui, TMK (2) 4-4-013: 3, 4, 5 & 8

Dear Mr. Foley,

The Office of Hawaiian Affairs (OHA) is in receipt of your July 12, 2006 request for comments regarding the Hyatt Regency Maui's (Hyatt) Draft Environmental Impact Statement (DEIS) application for a Special Management Area (SMA) permit for its proposed 12-story timeshare development. OHA has previously provided comments to your office regarding the applicant's Environmental Impact Statement Preparation Notice and directly to the Hyatt's consultant regarding the preparation of a Cultural Impact Assessment. We appreciate the continued involvement that OHA has been afforded in this permitting process, and offer the following concerns and suggestions regarding both the DEIS and the SMA permit that the Hyatt now seeks.

This project involves the Hyatt's proposal to construct a 12-story timeshare structure along the Kā'anapali Coast in the ahupua'a of Hanaka'ō'ō. The proposed structure will be the tallest of the Hyatt's three currently existing hotel towers on the Hanaka'ō'ō beachfront.

Prior to issuing an SMA permit, the Maui Planning Commission must make findings that the proposed development is consistent with the policies and objectives of the state Coastal Zone Management Act (CZMA). Hawai'i Revised Statutes (HRS) § 205A-26(2). Two of these policies and objectives include ensuring adequate public access to the shoreline and allowing for open space and scenic resources. HRS §§ 205A-2(c)(1) and (3). In addition, Hawai'i State Constitution article XII § 7 protects the exercise of Native Hawaiian rights, and the Hawai'i Supreme Court has interpreted this provision as an affirmative duty on the State and its political subdivisions to ensure that Native Hawaiian rights are guaranteed.

OHA believes that the Hyatt has not provided adequate mitigation measures to alleviate the negative effects on open space and scenic resources. In addition, there is not enough information regarding public beach access and the practice of Native Hawaiian rights. The loss of open space, shoreline access, and the right to practice Native Hawaiian rights will negatively affect Native Hawaiians. Thus, as discussed below, OHA recommends against issuing this SMA permit as the project is now designed, but offers some potential solutions to mitigate the negative environmental and cultural effects.

### Preservation of Open Space

Through the express policy of the CZMA, the State has made clear that coastal open spaces and scenic views are environmental resources that must be protected by State and County agencies. HRS § 205A-2(c)(3)(C) (Stating that one policy of the CZMA is to “[p]reserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources”). Furthermore, prior to issuing a SMA permit, the Maui Planning Commission must consider the “cumulative effects of individual developments” in determining whether the proposed project will have a “substantial adverse environmental or ecological effect.” HRS § 205A-26(2)(A). Thus, looking at the cumulative effects of development on the Kā’anapali Coast, if adverse effects on the state’s open space resources are found, the SMA permit may not be issued unless the “adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interests.” HRS § 205A-26(2)(A).

The currently proposed development is consistent with the county general plan and zoning, and many other hotels have been constructed on adjacent beachfront properties. This is consistent with the CZMA, which directs that coastal development be concentrated in particular areas (HRS § 205A-2(c)(5)(A)), as has occurred on the Kā’anapali Coast. From the projected plans provided by the applicant, however, it appears that the proposed structure will fill one of the last remaining open spaces in the area. Individually, the first high-rise hotel developments along the coast may not have impacted the State’s open space resources so substantially that the Planning Commission would be required to deny SMA permits. Now, however, the cumulative effects of development on the coast have risen to a level where further construction, without mitigation, will result in substantial adverse effects to open space and scenic resources.

The Hyatt stated in its DEIS that “[i]n the long-term, a change in the visual landscape (including the narrowing of view corridors) is unavoidable, since existing on-grade parking and tennis courts will be replaced by the new, twelve-story structure.” DEIS at 33. Although the negative effects may not be avoidable under the Hyatt’s preferred alternative, the Hyatt and the Maui Planning Commission must look at other alternatives or mitigation measures that will sufficiently reduce the impact. One reasonable mitigation measure, as recognized by the Hyatt, is to reduce the height of the proposed structure. DEIS at 13. Although zoning laws may allow a maximum building height of 12 stories, the Hyatt could consider designing a less obtrusive structure. At page 21 of the DEIS, the Hyatt noted that “double loaded designs were quite viable and attractive.” It is possible that with double loading or some other design, the building height could be reduced by half while retaining the same number of units. No alternative proposing a

lesser building height was offered by the Hyatt, however, this or other mitigation options should be seriously considered to alleviate any substantial adverse environmental effect and to ensure that the objectives of the CZMA are upheld.

#### **Public Shoreline Access**

The Hawai'i shoreline is held by the State for the benefit of the public, and State and County agencies cannot allow the shoreline to be alienated by private landowners. One of the policies and objectives of the CZMA is to ensure adequate beach access. Based on the CZMA, the Supreme Court has recognized that prevention of beach access is an injury in fact because "difficulty in getting to the beach hampers the use and enjoyment of it and may prevent or discourage use in some instances." Akau v. Olohana Corp., 65 Haw. 383, 390 (1982).

The Hyatt has not indicated how it will ensure shoreline access other than the bare statement that "[m]odern accesses to and along the shoreline will be maintained." DEIS at 15. The Hyatt currently provides 18 public parking stalls and a public walkway through its existing development. Although these accommodations are provided by the hotel, many long-time community members are unaware of them, and some of those that are say they are aware of the access have given up going to the beaches there for lack of parking.

The Hyatt should provide more information regarding the provision of shoreline access in light of its proposed development. In addition, OHA suggests that additional public parking be guaranteed and monitored to ensure that they are in fact reserved for the public and are not being used by hotel guests. Other measures should also be taken to make Hawai'i citizens more aware of the public access provided through the hotel.

#### **Traditional and Customary Native Hawaiian Rights**

Beyond the CZMA, the Hawai'i Constitution article XII, section 7 "places an affirmative duty on the State and its agencies to preserve and protect traditional and customary native Hawaiian rights, and confers upon the State and its agencies the power to protect these rights and to prevent any interference with the exercise of these rights." Ka Pa'akai O Ka 'Aina v. Land Use Comm'n, 94 Haw. 31, 42 (2000).

At page 15 of its DEIS, Hyatt states that based on its Cultural Impact Assessment (CIA), "it is reasonable to conclude that the exercise of native Hawaiian rights related to gathering, access, or other customary activities will not be affected and there will be no adverse effect upon any ethnic practices or beliefs." This conclusion was based on one interview with an employee of the Hyatt and archival research. Although the interviewee "was unaware of any on going practices or resources on the grounds or in the immediate vicinity of the hotel[,]" (CIA at 14) the archival research revealed a rich cultural history associated with the area. For example:

- "At least eight *heiau* were recorded in the vicinity of the ancient village of Lāhainā . . ." CIA at 8.

Michael Foley  
September 13, 2006  
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- "To the north close to the project area is Pu'u Keka'a, made famous by being the birthplace of the sons of chiefs . . ." CIA at 9.
- "It was also believed that Pu'u K[ek]a'a was a *leina a ka'uhane*, or soul's leaping point . . ." CIA at 9.

The Archeological Inventory Survey Report at page 15, which was included in the DEIS, also asserts that "[t]he area was likely used for religious practices."

Development throughout Hawai'i has severely restricted the rights of Native Hawaiians to practice their culture, including accessing the shoreline and beach for gathering and recreation. See, e.g., *Ka Pa'akai*, 94 Haw. at 52 (noting that the failure to protect Native Hawaiian rights has "result[ed] in both the loss of vital cultural resources and the interference with the exercise of native Hawaiian rights."). Although the Kā'anapali Coast has undergone intensive development in recent decades, this area is well-documented as culturally significant. It is possible that traditional and customary Native Hawaiian rights are exercised in the area, and if they are not being practiced now, that Native Hawaiians may wish to resume practices there.

Under *Ka Pa'akai*, to uphold the mandate of article XII, section 7, state agencies are required, *at a minimum*, to determine "(1) the identity and scope of 'valued cultural, historical, or natural resources' in the petition area, including the extent to which traditional and customary native Hawaiian rights are exercised in the petition area; (2) the extent to which those resources -- including traditional and customary native Hawaiian rights -- will be affected or impaired by the proposed action; and (3) the feasible action, if any, to be taken by the [agency] to reasonably protect native Hawaiian rights if they are found to exist." 94 Haw. at 47. The information provided by the Hyatt is insufficient to reach any conclusion as to the protection of Native Hawaiian rights practiced in the area, and the Maui Planning Commission is duty-bound to discover and protect any such activities that are occurring there. A mere assertion, after only one interview with a community member, that no Native Hawaiian rights will be affected is not sufficient to uphold the Maui Planning Commission's constitutional duty. We request that the Hyatt amend its CIA to include more interviews with local residents and a more in-depth analysis of traditional and customary Native Hawaiian rights. OHA has previously provided the Hyatt with two excellent contacts for more information. Again, they are Thelma Shimaoka of OHA's Maui office and Holouamoku Ralar of the Maui Hawaiian Civic Club, Lahaina Chapter.

### Conclusion

We commend the Hyatt for voluntarily entering into the HRS § 343 environmental review process, and appreciate that the Hyatt has responded to OHA's prior concerns regarding cultural materials and burials through the use of an archeological monitor. In issuing a SMA permit to the Hyatt, however, the Maui Planning Commission must "give full consideration to ecological, cultural, historic, esthetic, recreational, scenic, and open space values, and coastal hazards, as well as to needs for economic development." HRS § 205A-4(a). To assist the Planning Commission in its decision, OHA requests that the Hyatt provide additional information and mitigation measures regarding open space and scenic resources, public shoreline access, and the

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protection of traditional and customary Native Hawaiian rights. Unless and until additional information is provided and mitigation measures are incorporated, OHA respectfully recommends that the SMA permit be deferred.

Thank you for the opportunity to comment. If you have any further questions or concerns please contact Koa Kaulukukui at (808) 594-0244 or [koalanik@oha.org](mailto:koalanik@oha.org).

Sincerely,



Clyde W. Nāmu'o  
Administrator

CC:

✓ Chris Hart & Partners, Inc.  
1955 Main Street, Ste. 200  
Wailuku, Hawai'i 96793

Office of Environmental Quality Control  
235 S. Beretania St. #702  
Honolulu, Hawai'i 96813

Thelma Shimaoka, Community Resource Coordinator  
Office of Hawaiian Affairs, Maui Office  
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Holouamoku Ralar, President  
Maui Hawaiian Civic Club, Lahaina Chapter  
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Patty Nishiyama  
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Lahaina, Hawai'i 96761





November 14, 2006

Clyde Namu'o, Administrator  
State of Hawaii  
Office of Hawaiian Affairs  
711 Kapiolani Boulevard, Suite 500  
Honolulu, Hawaii 96813

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Namu'o,

Thank you for your letter of September 13, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

**Preservation of Open Space**—The Ka'anapali Resort destination area was established in 1962. One of the purposes behind the establishment of a destination area was to establish a specific area in which development of mid-rise (12-story), hotel structures would be appropriate. Development within the Resort, in turn, would discourage the placement of such structures in other areas, keeping the remainder of West Maui's shoreline free from this type of mid-rise development. Maui County zoning restrictions and the West Maui Community Plan support this strategy in full by, again, encouraging large-scale, mid-rise hotel development within the Ka'anapali resort in general and the Hyatt property in particular, while disallowing it elsewhere.

On the other hand, no county zoning or community plan designates the project area for "Open Space" uses. Certain viewplanes in the project vicinity, which are to be protected, have been identified. The Draft EIS discusses this in Section III.A.8, "Visual Resources", Section IV.C, "West Maui Community Plan", and in Section IV.E.3, "Scenic and Open Space Resources". As noted, the project will not significantly impact any identified, public viewplanes or visual resources.

We feel it is appropriate to propose a project which conforms to state land use laws, county zoning, and the West Maui community plan, in addition to the underlying planning philosophy of the Ka'anapali Resort.

**Public Shoreline Access**—The Hyatt Regency currently provides 43 public beach access parking stalls. 23 stalls are located at the Lahaina (southern) parking lot and 20 located at the Napili (northern) parking lot. As discussed in the Draft EIS, those stalls in the Napili lot will be retained in a new configuration, directly adjacent to the existing beach access walkway.

The applicant has committed to clearly marking and maintaining the stalls to ensure that convenient, public beach access is available.

**Traditional and Customary Hawaiian Native Rights**—As part of the preparation of the cultural impact assessment, Scientific Consultant Services, Inc., requested consultation pertaining the traditional

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Mr. Clyde Namu'o  
November 14, 2006  
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and customary rights on the property from your Oahu office, Ms. Shimokawa of your Maui Office, the Cultural Resources Planner of the Maui Planning Department, and the Central Maui Civic Club, among others. In addition, an interview was conducted with someone of long-standing association with the property and archival research was conducted and documented.

As you note, the Ka'anapali Resort has been extensively developed over the decades. Based upon its history and feedback from individuals, we believe that it is reasonable to assume that no traditional or customary rights are practiced on-site in any way that would be impacted by the proposed project. We further believe that the exercise of land rights should not be prevented by the speculation that someone may wish to utilize the land for customary rights at some point in the future. And, as previously noted, the Hyatt Regency Maui Hotel is providing convenient, automobile parking and pedestrian access to the shoreline for the public.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

**UNIVERSITY OF HAWAII AT MANOA**  
**Environmental Center**

September 21, 2006  
RE:0753

Mr. Gerard E. Haberman  
HMC Maui LLC  
6903 Rockledge Drive, Suite 1500  
Bethesda, MD 20817

Dear Mr. Haberman:

**Draft Environmental Impact Statement**  
**Hyatt Regency Maui Addition**  
**Kaanapali, Maui**

The Hyatt Regency Maui Hotel (HMC Maui LLC) has submitted a Draft EIS proposing development of the northern portion of its property with a 121-unit timeshare project. This area is currently a paved on-grade parking lot and landscaped grounds. The existing tennis court complex and valet parking lot will also be redeveloped for more parking and fewer tennis courts. The existing gravel employee parking lot will be upgraded with an asphalt surface and landscaped planting. The proposed development will consist principally of a 12-story guestroom building. The 2- and 3-bedroom units will include a kitchen and laundry facility. Twenty-four units will have a "lock off" feature or the option to separate one bedroom of the unit for use by another guest. The total possible number of units is thus 145.

Proposed accessory features within the proposed building complex include a lobby/registration area, luggage storage, a fitness facility, a convenience store for guests, storage and administration areas. An after-the-fact shoreline setback variance may be applicable.

This review was conducted with the assistance of Ann Coopersmith, Maui CC Biological Sciences; Harold Keyser, UHM CTAHR Maui; Zoe Norcross-Nuu, UHM Sea Grant Maui, and Ivo Martinac, UHM Travel Industry Management School.

**General Comment**

The subject Draft EIS was prepared voluntarily by HMC Maui LLC as part of the planning process for their planned additions to the existing Maui Regency in Kaanapali, Maui. We recognize that the EIS process is an important part of the planning process, allowing for community input and better agency coordination. We applaud the efforts of the applicant to include the community in planning their project. We find, for the most part that the Draft EIS

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covers impacts in a thorough manner. We do, however, have questions about several issues raised in the Draft EIS which we detail below.

#### **Coastal Processes and Marine Resources (p. 7-9)**

There would undoubtedly be a serious negative impact on the nearshore coral reef habitat due to siltation of dust and dirt from the proposed construction project. Dust fences are inadequate in preventing windborne particulate matter reaching the ocean and settling on the reef. We suggest frequent watering during construction and revegetation as quickly as possible to minimize windborne particulate matter.

#### **Parking (p. 12- 13)**

Table 3 indicates that there are 20 public beach access parking stalls in the Napili Lot and 23 public beach access parking stalls in the Lahaina Lot. It is mentioned on page 13 that the 20 stalls in the Napili Lot will be retained, but we could not determine whether the 23 stalls in the Lahaina Lot will be retained. We would also like to know if the developers would consider the use of semi permeable coverings for any new parking lots.

The last paragraph suggests that native plants will be used where possible for landscaping the parking lot. Yet later in the same paragraph the documents states that Monkeypod and Banyan trees will be used to shade the parking lot. Neither of the trees are native to Hawaii. Are there no native trees that could be used for shade?

#### **Energy Conservation Measures (p. 16-18)**

We commend the developers for including ideas on reducing energy consumption in the proposed project. Energy conservation not only helps to protect the environment, but adds to the profitability of the project. Hawaii has some of the highest energy costs in the country. Our reviewers suggest that the developers consider some of energy saving techniques found in the *Sustainable Hotel Siting, Design and Construction Guide* produced by the International Business Leaders Forum's Tourism Partnership based on industrial best practice, and using proven off-the-shelf technologies/methodologies. This publication has been endorsed by leading hotel chains, including Accor, Starwood, Four Seasons, Hilton, Marriott, Rezidor SAS, and constitutes what can be considered today as the best practice in hotel design.

While the draft plan for the Hyatt Regency Maui Addition includes a number of energy-efficient equipment/system options, some of the language is vague in as far as it is not clear whether these systems really will be integrated (for example, the section on Energy Conservation Measures in the Mechanical Systems on page 17), or are only mentioned as available options.

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Apart from the energy solutions proposed, a number of additional measures could be considered:

- Solar PV for (e.g. external) lighting, where applicable;
- Submetering by end-use may facilitate tracking the energy utilization and identifying energy saving opportunities;
- Guest rooms should have key-card activated master switches for HVAC, lighting, TV and other services;
- Building commissioning and re-commissioning should include all energy systems;
- Renewable energy potential, apart from solar: Can green power be purchased? Biofuels?
- Install energy-efficient appliances (TVs, refrigerators/mini bars, stoves/ranges, etc. in condos);
- Automatic door closers and draught excluders cut heat loss and improve user comfort;
- Maximize passive design strategies to diminish cooling loads

Building management systems used should:

- Monitor consumption by end-user;
- Set operating times in accordance with occupancy;
- Float set points within comfort range (e.g. 21-24 deg C);
- Allow for demand controlled ventilation (e.g. CO2-concentration steered);
- Optimize start/stop sequences (e.g. fans) using adaptive control sequences

HVAC:

- Use demand-controlled variable volume/flow systems, variable speed drives (adjust to variations of climate, season, solar load, time of day, occupancy etc.);
- Reduce loads to the extent possible (e.g. solar loads: reflective glass, internal blinds curtains, etc.);
- Use environmentally friendly refrigerants;
- Locate heat-generating equipment such as vending machines and dishwashers away from air-conditioned spaces

Power:

- On-site power generation by CHP or other distributed generation?

Lighting:

- Maximize daylighting without unduly increasing thermal loads
- Use reflective light-fixtures and translucent shades

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- Position lighting efficiently (close to place of use)
- Use bright and reflective colors on ceilings
- Use timers, motion-detectors to activate lighting
- Consider PV-lighting for external areas (garden, passways)

#### Water:

- Use low-flow fixtures and low flush (dual flush) toilets, as well as faucet aerators (showers: max 8,5 l/minute, kitchen sinks max 6 l/minute)
- Consider waterless urinals
- Collect rainwater
- Install high-efficiency irrigation systems in green areas (e.g. controlled by humidity or moisture sensors)
- Re-use non-potable water

#### Housing Supply (p. 18)

The Draft EIS points out that the development of the additions will add to the demand for workforce housing. Can the Maui Regency help to develop workforce housing either as part of the proposed project or offsite? It is doubtful that potential workers at the hotel will be able to afford market rate housing in the area absent public or private intervention. It would seem to make sense to have the workforce located near the hotel to ease the burden of traveling to and from the work site by employees.

#### Water Use (p. 25)

Based on conversations with County water supply officials, we estimate that the estimate of water use in the Draft EIS may be too low. Our reviewers estimate the additional water use may be as high as 60,000 gpd. It would be informative to know the draw of the four wells, operated by Aqua Source, on the tapped aquifer as a percent of the total annual demand on the aquifer (from public and private sources) and data on the aquifer's capacity, including historical trends if available.

#### Transportation (p. 28-30)

The additional traffic generated by the proposed expansion of the Maui Regency is small according to the traffic consultants Phillip Rowell and Associates. However, our reviewers point out that the area is already becoming congested as some of the LOS numbers indicate and even a small amount of additional traffic may have a disproportioned impact. Are there no measures that the hotel can undertake to discourage the use of vehicles for people coming to the Regency?

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We would also like to echo one of the concerns that were noted by Zoe Norcross-Nuu. The Draft EIS mentions that the disposition of sand resulting from excavation is currently being explored. It should be noted that any beach quality sand (sand compatible with existing beach sand in terms of grain size and color, and with a very low silt content) should be reserved for placement in the beach or dune system, and should not be used for fill or landscaping purposes outside of the shoreline area. Sand not meeting beach quality criteria may be used for fill or landscaping purposes outside the shoreline area.

Thank you for the opportunity to review this Draft EIS

Sincerely,



Peter Rappa  
Environmental Review Coordinator

cc: OEQC  
Matthew Slepín, Chris Hart & Partners  
Kivette Caigoy, Maui County Planning Commission  
James Moncur  
Ann Coopersmith  
Ivo Martinac  
Zoe Norcross-Nuu  
Harold Keyser

DOCUMENT CAPTURED AS RECEIVED



November 14, 2006

Peter Rappa, Environmental Review Coordinator  
University of Hawaii  
Environmental Center  
2500 Dole Street  
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**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Rappa,

Thank you for your letter of September 21, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

**Coastal Processes and Marine Resources**—We acknowledge your recommendations regarding appropriate techniques to mitigate siltation impacts to the nearshore coral reef.

**Parking**—No work is proposed in the area of the Lahaina Lot and the existing 23 public access beach parking stalls will be unaffected by the proposed action.

The surface of the Employee Parking Lot will be converted from existing AC to compacted gravel, a permeable surface. The Valet Parking Lot is an in-fill improvement of an existing AC-lot and will remain AC-surfaced. The new public beach access lot on the north end of the property will also be surfaced in AC, as it will see some back-of-house traffic and will require greater stability than gravel. Finally, the fire lane between the Timeshare Tower and the existing Napili Tower will be primarily grass-cell paving with the exception of one or two five-foot wide concrete walkways that cross the fire lane.

We acknowledge your correction regarding the use of native plants. There are substantial, existing monkeypod and banyan trees on-site which are intended to be preserved transplanted into the parking areas to serve as shade trees. Additional plantings will include native species.

**Energy Conservation Measures**—We acknowledge your recommendations for energy conservation measures and note that decisions as to specific measures will be decided upon during the construction design phase of the project.

**Housing Supply**—The project is currently subject to the provisions of Chapter 2.94 of the Maui Code Code, which requires new hotel-type developments to provide for affordable housing, either through the direct provision of units or through the payment of an in-lieu fee. The Maui County Council is also currently considering a “Residential Workforce Housing Policy” bill, which would make similar requirements. The project will be subject to some form of affordable housing contribution and will provide accordingly.

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Mr. Peter Rappa  
November 15, 2006  
Page 2 of 2

**Water Use**—Water use for the entire property is estimated at a net increase of approximately 30,000 gpd. This factors in approximately 40,000 gpd saved from water currently used to irrigate the project site.

Potable water-source in the project area is provided by Aqua Source Company. Aqua Source has confirmed that they will serve the new timeshare with potable water.

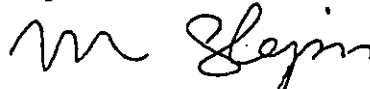
The applicant has made a good faith effort to obtain the additional information which you request, but has been unable to do so.

**Transportation**—The applicant is aware of the traffic situation in West Maui and the need for private initiative to provide traffic mitigation measures. The applicant has committed to a variety of measures, not only to mitigate traffic impacts resulting from the proposed development, but to lessen the total traffic generated by the Hyatt properties. These measures include increased mass transportation services for both guests and employees, establishing programs to encourage the use of shuttle services for the guests from the airport to the resort properties, and the contributions to a traffic impact fund to be administered by the County of Maui.

**Disposition of Beach Sand**—Beach quality sand will not be used for fill or landscaping. The applicant will coordinate with the relevant authorities to see that any beach quality sand excavated is used in an appropriate manner.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepín, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

# UNIVERSITY OF HAWAII

Sea Grant College Program  
School of Ocean and Earth Science and Technology

9/7/06

'06 SEP 13 12:43

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

Dear Mr. Foley,

**Re: Draft EIS in support of a Special Management Area Permit, Hyatt Regency Maui Addition, TMK: (2)4-4-013:003, 004, 005 and 008**

Thank you for the opportunity to review the above Draft EIS. With regards to coastal processes, it appears that the proposed additions will not be likely to have a negative impact as they are located outside of the flood zone, erosion hazard area, and lot depth-based shoreline setback area. Further, the Sea Engineering report states that the shoreline is relatively stable at this location with erosion from storm events being a greater hazard than long-term, or chronic erosion. I have the following comments and questions:

1. The Draft EIS mentions that the disposition of sand resulting from excavation is currently being explored. It should be noted that any beach quality sand (sand compatible with existing beach sand in terms of grain size and color, and with a very low silt content) should be reserved for placement in the beach or dune system, and should not be used for fill or landscaping purposes outside of the shoreline area. Sand not meeting beach quality criteria may be used for fill or landscaping purposes outside the shoreline area.
2. Table 3 indicates that there are 20 public beach access parking stalls in the Napili Lot and 23 public beach access parking stalls in the Lahaina Lot. It is mentioned on Page 13 that the 20 stalls in the Napili lot will be retained, but I could not determine whether or not the 23 stalls in the Lahaina Lot will be retained or not. Could the applicant please clarify?
3. It is noted on Page 11 that backwash from the pools will be taken to drywells with no discharge to the ocean. While it is not part of the new development, could the applicant please clarify whether or not there is an existing pool on the property, and if so, whether or not there is any discharge from the existing pool to the ocean?
4. Could you please clarify the surface material for the outdoor group venue?

Sincerely,



Zoe Norcross-Nu'u  
Sea Grant Coastal Processes Extension Agent

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Telephone: (808) 956-7031 • Facsimile: (808) 956-3014

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S21



November 14, 2006

Zoe Norcross-Nu'u, Sea Grant Coastal Processes Extension Agent  
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Honolulu, Hawaii 96822

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001


Dear Ms. Norcross-Nu'u,

Thank you for your letter of September 7, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

1. Beach quality sand will not be used for fill or landscaping. The applicant will coordinate with the relevant authorities to see that any beach quality sand excavated is used in an appropriate manner.
2. No work is proposed in the area of the Lahaina Lot and the existing 23 public access beach parking stalls will be unaffected by the proposed action.
3. The existing Hyatt Regency Maui Hotel does have a swimming pool, located makai of the Atrium Tower. This pool is not immediately adjacent to the shoreline and does not discharge into the ocean.
4. The existing outdoor group venue area is of concrete construction. It should be noted that this is a permitted structure, as discussed in Appendix M of the Draft EIS, and is not part of the proposed action.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

  
Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

LANDSCAPE ARCHITECTURE AND PLANNING

1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1956

ALAN M. ARAKAWA  
Mayor

MICHAEL W. FOLEY  
Director

DON COUCH  
Deputy Director



COUNTY OF MAUI  
DEPARTMENT OF PLANNING

August 21, 2006

AUG 23 2006

RECEIVED  
AUG 29 2006

CHRIS HART & PARTNERS  
Landscape Architecture & Planning  
cc: Matt 04/05

Mr. Matt Slepik  
Chris Hart & Partners  
1955 Main Street Suite 201  
Wailuku, Hawaii 96793

Dear Mr. Cole:

RE: Draft Environmental Impact Statement Review - Hyatt Regency Maui  
Timeshare Addition, Located At TMK: 4-4-013:008, 004, and 005,  
200 Nohea Kai Drive, Kaanapali, Lahaina, Island of Maui, Hawaii  
(LTR 2005/3124)

At a regular meeting held on August 8, 2005, the Maui Planning Commission (Commission) reviewed the Draft Environmental Impact Statement (DEIS) and provides the following comments:

1. Discuss whether the displaced tennis courts will be constructed elsewhere on the subject properties;
2. Traffic Impact Analysis Report (TIAR):
  - a. The Commission noted that the traffic in the West Maui area has significantly worsened within the past few years;
  - b. When was the last survey for traffic counts conducted in this area prior to the survey for the proposed action? Identify the project;
  - c. The TIAR should include alternative suggestions in the "Conclusions" section to mitigate traffic (e.g., enhancing local transit and providing on-site rental cars);
  - d. Include the mitigation measures suggested by Lahaina By-Pass Now for West Maui. Evaluate these measures for the proposed action, including mass transit of employees from Central and South Maui to the project site;

- e. Quantify how the proposed action will mitigate traffic impacts from LOS F to LOS D for all intersections from Kaanapali to Lahaina and discuss how the project would contribute; and
  - f. Currently, a significant portion of the morning traffic into Lahaina is construction related (i.e., large trucks). Discuss where construction traffic will originate for this project. Discuss how the proposed action will mitigate this potential impact.
3. Discuss how the proposed action would be impacted by the rising sea level;
4. Discuss the rationale and benefits to the community for constructing a "timeshare project";
5. Currently, the existing parking lot for public parking is used for other hotel services (i.e., luau). Provide alternative to accommodate and ensure public parking for beach access. For example, consider providing a parking level below the tennis courts to accommodate private guests and hotel employees;
6. Provide an alternatives discussion of reducing the height of the building;
7. The impacts (i.e., traffic, water, etc.) imposed by the proposed action appear to outweigh the benefits to the West Maui community. Provide a detailed discussion of positive contributions the proposed action will provide to the West Maui community;
8. In the area mauka of the hotel lobby, rental cars are allowed to park. Clarify whether this will be allowed to continue with the proposed action;
9. Page 30 – Quantify the 10.3% and 9.4% figures quoted in the first paragraph. These figures do not coincide with the data presented in the presentation at the meeting. Please clarify;
10. Page 31, Paragraph E – Retitle this section to state "Short Term Uses of the Environment";
11. The roadway lot leading to the parking lot was historically required from a previous project which is no longer active. The applicant should consider consolidation and re-subdivision;

Mr. Matt Slepín  
August 21, 2006  
Page 3

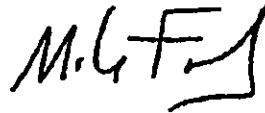
12. Page 17 – With reference to the proposed employee parking lot, clarify whether there would be landscape established to screen the vehicles from the golf course;
13. The Shoreline Evaluation, attached in Appendix C is titled for the Marriott Hotel. Clarify whether this was a typographical error, or if the study applies to the proposed action;
14. On page 5-3 of the Maui Coastal Scenic Resources Study attached in Appendix G, the Commission notes that the proposed action does not follow Comment #3; and
15. Typographical Errors:
  - a. Page ii – Is the construction period expected to extend for 60 months.

In addition, the Maui Planning Department (Department) provides the following comments:

1. List the zoning for parcel 3 as PK-4 and some BR.

Thank you for your cooperation. Should you require additional clarification, please contact Ms. Kivette Calgoy, Environmental Planner, at 270-7811.

Sincerely,



MICHAEL W. FOLEY  
Planning Director

MWF:KAC:bv

cc: Donald G. Couch, Deputy Planning Director  
Jeff Hunt, AICP, West Maui Planner  
Matt Slepín, Chris Hart & Partners  
OEQC  
EIS Project File  
General File  
K:\WP\_DOCS\PLANNING\EIS\2005\0002\_HyattAdd\MPD\_DEIS\_Comments.wpd

November 14, 2006

Michael Foley, Director  
County of Maui  
Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Foley,

Thank you for your letter of August 21, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. We have numbered our responses to correspond with the comments in your letter:

1. The three (3) tennis courts proposed for removal will not be replaced. The applicant feels that the operational needs of the hotel do not require five (5) tennis courts, which are underutilized by the guests. The remaining two (2) tennis courts are expected to adequately serve the needs of the guests.
2.
  - a. We acknowledge the Planning Commissions comments and concerns and add that the applicant is committed to mitigating the traffic impacts from the proposed project so as to produce "no effect".
  - b. [TO BE PROVIDED BY PRA]
  - c. The Final EIS will include discussion of various traffic mitigation options.
  - d. Hyatt is taking an active, participatory role in Lahaina Bypass Now (LBN), including the West Maui Employee Travel Survey and the upcoming traffic charette. We note, however, that LBN has issued no traffic mitigation recommendations at this time. Nevertheless, some of the ideas which have been discussed by LBN have been included in the revised traffic report.
  - e. The applicant strongly believes that this project should not and cannot be accountable for the entire traffic situation in West Maui. No one, private entity could improve the region's traffic performance. Nevertheless, as discussed above, the applicant will mitigate the project-generated impacts to the regional traffic. Further, the applicant is committing to being involved in broader, regional traffic mitigation measures. The Final EIS will discuss this effort.
  - f. Construction traffic for the project will largely originate from the Wailuku/Kahului region, as many supplies will need to be brought in from the Kahului Harbor. As part of the applicant's commitment to mitigating project-generated traffic impacts, contractors will be required to bus or otherwise ride-share workers to the project site. Work will also be limited to off-peak hours so that construction-related traffic will not contribute to peak traffic congestion.

3. The new timeshare addition will be constructed in accordance with all applicable restrictions and the requirements of applicable building codes. We further note that the proposed location for the timeshare addition is designated as Flood Zone C, an area of minimal flood threat.
4. The proposed timeshare would provide for the diversification of visitor-industry accommodation on Maui. The visitor industry has become aware that such a diversification is a benefit by creating more economic stability. Timeshare, for example, has a much more consistent occupancy rate than hotels. Periodic highs and lows in the visitor-industry are less prevalent at a timeshare facility. As the visitor industry is the major economic force at the Ka'anapali Resort, and West Maui as a whole, this benefit to the industry is seen as a benefit to the region. As the project is being proposed within the Resort, on lands designated for such uses, the applicants feels that this is a reasonable location for such a benefit.

In addition, we note the Socio-Economic Impact Assessment prepared for the project and included in the Draft EIS as Appendix J. This study projects significant employment, revenue, and tax increases accruing from the proposed project.

5. The public beach access parking stalls located in the north of the property will be relocated to an area specially designated for their use. This will allow the hotel to better monitor the parking area and maintain its use solely for public beach access. At the same time, the hotel has initiated greater monitoring and signage at the southern beach access area, to keep the stalls free for such uses. Hotel and luau guests will not be allowed to park in these stalls.
6. Discussions of the building's height will be included in the Final EIS.
7. As noted in No. 4 above, the project will provide significant economic stability and increase the community in an area designated for such uses by the County of Maui. Further, as discussed in No. 2 above, the applicant is contributing to regional traffic mitigation measures.
8. The applicant will be retaining rental parks stalls at the existing hotel and initiating programs to encourage rentals at the property, rather than in the Central Valley, where most rentals are made. This will have the effect of reducing the amount of visitor-generated traffic from the Central valley to West Maui.
9. The figures discussed in your letter refer to the extent to which project traffic contributes to all regional traffic growth in the region between 2005 and 2010. The traffic report estimates that the project will contribute slightly more to the growth of AM peak period traffic growth (10.3 percent) than to PM peak period traffic growth (9.4 percent) due to the nature of anticipated traffic patterns from the project.

We further note that these calculations of project contribution to regional traffic growth are distinct from estimates of the extent to which project traffic contributes to traffic volumes (2.0 percent of the AM peak period and 1.5 percent of the PM peak period).

10. Section III.E. of the Final EIS will be titled "Relationship Between Local Short-Term Uses Of The Environment And Maintenance Of Long-Term Productivity."
11. The applicant will consider this as a separate project from the proposed timeshare addition.



12. The Employee Lot will be screened around its perimeter by landscaping.
13. Appendix C of the Draft EIS is a shoreline evaluation prepared for the Maui Marriot Hotel. Due to the immediate proximity of that location to the proposed timeshare site, it was included to provide fuller information on the shoreline processes of all of the South Kaanapali beaches.
14. General Recommendation 5.3 of the Maui Coastal Scenic Resources advises the orientation of buildings "to run mauka-makai where buildings built parallel to the highway would block coastal views". The proposed building is not located within a significant view corridor identified in the study nor in any other identified public view corridor. As presented in Section III.A.8 of the EIS and Appendix F, Photographic Viewplane Studies, the proposed building will not have significant impact on coastal views.
15. The construction period is expected to last for 18 to 24 months. This error has been corrected in the Final EIS.
16. The Zoning for Parcel 3 will be designated as PK-4 and B-R Resort Commercial in the Final EIS. We also note that the West Maui Community Plan designation for Parcel 8 has been corrected to "Hotel" only.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepik, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

ALAN M. ARAKAWA  
Mayor  
MICHAEL W. FOLEY  
Director  
DON COUCH  
Deputy Director



COUNTY OF MAUI  
**DEPARTMENT OF PLANNING**

September 21, 2006

**RECEIVED**  
SEP 26 2006  
CHRIS HART & PARTNERS  
Landscape Architecture & Planning  
Matt Aloso

Mr. Matt Slepín  
Chris Hart & Partners, Inc.  
1955 Main Street, Suite 200  
Wailuku, Hawaii 96793

Dear Mr. Slepín:

**RE: Urban Design Review Board**  
**Project Name: Hyatt Regency Maui Addition**  
**TMK: (2) 4-4-013: 003, 004 and 005**  
**I.D. No.: SM1 2006/0001**

At its regular meeting on September 19, 2006, the Maui Urban Design Review Board (Board) reviewed the design, architectural plans, and related aspects of the proposed project referenced above. Based upon those considerations within the Board's purview, it voted to defer any action regarding the project, pending future review of additional information. Please reference the Board's Checklist of Standard Concerns in assuring that all pertinent information will be provided for the Board to review.

If additional clarification is required, please contact Mr. Jeff Hunt, AICP, West Maui Planner, of this office at [jeff.hunt@co.maui.hi.us](mailto:jeff.hunt@co.maui.hi.us) or 270-6271.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Callinicos".

FOR

DEMETREOS CALLINICOS, CHAIR  
Maui County Urban Design Review Board

MWF:JH:lar

c: Clayton I. Yoshida, AICP, Planning Program Administrator  
Jeff Hunt, AICP, West Maui Planner  
UDRB File  
Project File  
General File  
K:\WP\_DOCS\PLANNING\SM1\2006\0001\_Hyatt\_Regency\_Addition\UDRB\_deferral.wpd

FROM :

FAX NO. :

Aug. 21 2006 10:26AM P6



DEPARTMENT OF  
**HOUSING AND HUMAN CONCERNS**  
COUNTY OF MAUI

ALAN M. ARAKAWA  
Mayor

ALICE L. LEE  
Director

BERNARD T. ANDAYA  
Deputy Director

200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • PHONE: (808) 271-7805 • FAX (808) 270-7165

August 15, 2006

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

06  
AUG 17 09:47

TO: KIVETTE CAIGOY, Environmental Planner  
Department of Planning

FROM: ALICE L. LEE, Director  
Department of Housing and Human Concerns

SUBJECT: I.D.: EIS 2006/0002 AND SM1 2006/0001  
TMR: (2) 4-4-013:003, 004, 005 & 008  
PROJECT NAME: HYATT REGENCY MAUI ADDITION  
APPLICANT: HOST MARRIOTT & SUBSIDIARIES

We have reviewed the Draft Environmental Impact Statement (DEIS) and Special Management Area Use Permit application (SMA application) for the subject project and would like to offer the following comments:

1. The project will involve the development of 121 new timeshare units, 25 of which will include a "lock-off" feature. Therefore, the project could provide a total of 146 separate units.
2. The provisions of Chapter 2.94, Maui County Code (MCC) is applicable to the project. Under this chapter, the applicant is required to construct 37 affordable housing units (146 + 4 = 36.5).
3. As stated on page 18 of the DEIS and SMA application, the Maui County Council is in the process of establishing by ordinance, a residential workforce housing policy for the County of Maui. The draft bill for an ordinance to establish this policy proposes to repeal Chapter 2.94, MCC, and currently proposes the following residential workforce housing requirements in its place:

TO SUPPORT AND EMPOWER OUR COMMUNITY TO REACH ITS FULLEST POTENTIAL  
FOR PERSONAL WELL-BEING AND SELF-RELIANCE.

C3

Kivette Caigoy  
Page 2  
August 15, 2006

When more than fifty percent of the dwelling units and/or new undeveloped lots in the development are offered for sale for less than one million dollars, thirty percent of the total number of units and/or lots shall be sold or rented to residents within the affordable income groups as established by this ordinance; or

When fifty percent or more of the dwelling units and/or new undeveloped lots in the development are offered for sale for more than one million dollars, forty percent of the total number of units and/or lots shall be sold or rented to residents within the affordable income groups as established by this ordinance.

Therefore, depending on the selling price of the timeshare units, the project will have to satisfy the requirements for 44 affordable housing units (at 30% of 146 units) or 58 affordable housing units (at 40% of 146 units).

It is our understanding that a provision will be added to the bill to specify what the affordable housing requirement will be if the project involves the development of rental units or hotel/motel units.

4. It is our recommendation that approval of the SMA application be conditioned upon the applicant complying with the requirements of Chapter 2.94, MCC, provided, however, that if the County of Maui establishes a residential workforce housing policy prior to the issuance of the first building permit for the project, that the applicant be required to comply with the requirements of the adopted policy.

Thank you for the opportunity to comment.

ETO:hs

c: Housing Administrator



November 14, 2006

Alice Lee, Director  
County of Maui  
Department of Housing and Human Concerns  
200 South High Street  
Wailuku, Hawaii 96793

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Ms. Lee,

Thank you for your letter of August 15, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note that the project has been slightly modified from that presented in the Draft EIS. The applicant now proposes 131 units, with no lock-out units. Given that, we acknowledge that the project will be subject some appropriate affordable housing assessment.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

ALAN M. ARAKAWA  
Mayor



GLENN T. CORREA  
Director

JOHN L. BUCK III  
Deputy Director

(808) 270-7230  
Fax (808) 270-7934

**DEPARTMENT OF PARKS & RECREATION**  
700 Hali'a Nakaa Street, Unit 2, Wailuku, Hawaii 96793


**MEMORANDUM**

August 23, 2006

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

06 AUG 28 AM 1:18

**TO:** Michael W. Foley, Planning Director

**FROM:**   
Glenn T. Correa, Director

**SUBJECT:** Hyatt Regency Maui Addition  
EIS 2006/0002  
SMA 2006/0001  
TMK: (2) 4-4-013:003, 004, 005, & 008

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement in support of the Special Management Area Permit Application for the Hyatt Regency Maui Addition.

Upon review of the submitted document, we have no additional comment to offer at this time.

Should you have any questions or need of additional information, please call me or Patrick Matsui, Chief of Parks Planning & Development at 270-7387.

c: Patrick Matsui, Chief of Parks Planning & Development

ALAN M. ARAKAWA  
Mayor  
MILTON M. ARAKAWA, A.I.C.P.  
Director  
MICHAEL M. MIYAMOTO  
Deputy Director  
Telephone: (808) 270-7845  
Fax: (808) 270-7855



COUNTY OF MAUI  
**DEPARTMENT OF PUBLIC WORKS  
AND ENVIRONMENTAL MANAGEMENT**  
200 SOUTH HIGH STREET, ROOM 322  
WAILUKU, MAUI, HAWAII 96793

RALPH NAGAMINE, L.S., P.E.  
Development Services Administration  
DAVID TAYLOR, P.E.  
Wastewater Reclamation Division  
CARY YAMASHITA, P.E.  
Engineering Division  
BRIAN HASHIRO, P.E.  
Highways Division  
TRACY TAKAMINE, P.E.  
Solid Waste Division

06 AUG 29 P 3:01  
DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

August 25, 2006

MEMO TO: MICHAEL W. FOLEY, PLANNING DIRECTOR  
FROM: *Milton M. Arakawa* MILTON M. ARAKAWA, A.I.C.P., DIRECTOR OF PUBLIC WORKS  
AND ENVIRONMENTAL MANAGEMENT

SUBJECT: DRAFT ENVIRONMENTAL IMPACT STATEMENT IN SUPPORT OF A  
SPECIAL MANAGEMENT AREA PERMIT APPLICATION  
FOR HYATT REGENCY MAUI  
TMK: (2) 4-4-013:003, 004, 005 & 008  
EIS 2006/0002  
SM1 2006/0001

We reviewed the subject application and have the following comments:

1. The green waste from grading and grubbing cannot be disposed of at the County's Olowalu facility. The green waste shall be disposed of at the Central Maui Landfill.
2. Although wastewater system capacity is currently available as of August 1, 2006, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
3. Wastewater contribution calculations are required before building permit is issued.
4. Developer is not required to pay assessment fees for this area at the current time.
5. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.

Memo to Michael W. Foley, Planning Director  
August 25, 2006  
Page 2

6. Commercial kitchen facilities within proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens, etc.).
7. Non-contact cooling water, condensate, etc. should not drain to the wastewater system.
8. Hold-Harmless agreement should be executed. Signed agreement is required before the Wastewater Reclamation Division (WWRD) will give recommendations for final subdivision approval.
9. Hyatt force main replacement is required prior to connection to the County sewer system.
10. A letter granting allocation for this project from Amfac Properties is required prior to approval.
11. The plans submitted for this project do not adequately show sufficient detail to determine whether the project is compliant with the building and housing codes. We will review the project for building and housing code requirements during the building permit application process.
12. At the intersection of Honoapillani Highway and Kaanapali Parkway, the afternoon peak hour operates poorly. Please provide raw traffic counts to confirm no latent demand.
13. At the same intersection, Figure Nos. 5 and 11 show an increase in traffic volumes. Table Nos. 5 and 12 show the operating levels-of-service improving with the increased volumes. Please clarify what changed to improve the level-of-service.

If you have any questions regarding this memorandum, please call Michael Miyamoto at 270-7845.

MMA:MMM:da  
S:\LUCAICZM\hyatt\_regency\_maui\_draft\_eis\_sm1\_44013003\_da.wpd





November 14, 2006

Milton Arakawa, Director  
County of Maui  
Department of Public Works and Environmental Management  
200 South High Street  
Wailuku, Hawaii 96793

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Arakawa,

Thank you for your letter of August 25, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. We have numbered our responses to correspond with the comments in your letter:

1. Green waste generated by project-construction will be disposed of in the Central Maui Landfill.
2. The applicant acknowledges that wastewater system capacity cannot be guaranteed until the issuance of building permits.
3. Wastewater calculation will be provided as part of the building permit process.
4. The applicant acknowledges that assessment fees will not be collected for this project.
5. The applicant acknowledges that he may be required to fund necessary off-site wastewater infrastructure improvements.
6. Commercial kitchens will comply with applicable pre-treatment requirements.
7. Non-contact cooling water will not drain into the wastewater system.
8. A Hold Harmless Agreement will be executed as part of the subdivision process.
9. The project's engineer's will coordinate with your office regarding appropriate measures to be taken regarding the forcemain.
10. Potable water-source in the project area is provided by Aqua Source Company. Aqua Source has confirmed that they will serve the new timeshare with potable water. The applicant acknowledges that proper allocation of water will be required prior to final subdivision approval.
11. The applicant acknowledges that plans will be reviewed for building and housing code requirements during the building permit process.

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

Mr. Milton Arakawa  
November 14, 2006  
Page 2 of 2



12. Raw traffic counts at the intersection of Honoapiilani Highway and Kaanapali Parkway have been included with this letter. See enclosed pages following.
13. The traffic report uses existing signal timing for analyses of existing traffic conditions and an optimized timing when analyzing future traffic conditions. The difference you note includes that future optimization.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

# TRAFFIC COUNT SUMMARY WORKSHEET

PROJECT: Kaanapali Resort  
 INTERSECTION: Int 1 Kaanapali Pkwy at Honoapiilani Highway  
 DAY/DATE: Mon 19 Dec 05  
 START TIME: 6:30 AM  
 END TIME: 9:00 AM

## Cumulative Counter Readings at:

Start Time	North Approach			East Approach			South Approach			West Approach			Intersection Total
	1	2	3	4	5	6	7	8	9	10	11	12	
6:30	0	0	0	0	0	0	0	0	0	0	0	0	0
6:45	0	0	0	0	0	0	0	0	0	0	0	0	0
7:00	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00	0	0	0	0	0	0	0	0	0	0	0	0	0

## 15-Minute Volumes Beginning at:

Interval	Start Time	North Approach			East Approach			South Approach			West Approach			Intersection Total	
		1	2	3	4	5	6	7	8	9	10	11	12		
1	6:30	21	131					2	159	84			49	10	457
2	6:45	23	135				1	1	168	92			50	11	480
3	7:00	14	214	3	2	2	4	2	164	85			56	22	568
4	7:15	31	254	2	1			2	194	97			67	2	680
5	7:30	28	258	4	1	2	2	2	255	118			56	3	761
6	7:45	37	205	6	1	2	2	2	269	106			54	1	721
7	8:00	37	210	9		1	1		204	81			40	2	608
8	8:15	24	196	9	5	2	2	1	186	70			74	3	604
9	8:30	35	192	4				3	169	97			65	2	606
10	8:45	28	286	8	2	1	2	1	190	58			62	1	768
Max		37	286	9	5	2	4	3	269	118			74	3	768

## Maximum Hourly Volume of Each Movement

6:30	7:30	89	734	5	3	3	8	7	685	358	222	2	69	2185
6:45	7:45	96	861	9	4	4	10	7	781	392	229	5	91	2489
7:00	8:00	110	931	15	5	6	12	8	882	406	233	6	116	2730
7:15	8:15	133	927	21	3	5	9	6	922	402	217	8	117	2770
7:30	8:30	126	869	28	7	7	7	5	914	375	224	6	126	2694
7:45	8:45	133	803	28	6	5	6	6	828	354	233	5	132	2539
8:00	9:00	124	884	30	7	4	6	5	749	306	241	5	225	2586

## Maximum Hourly Volume of Each Movement

Volume	133	931	30	7	7	12	8	922	406	241	8	225	2770
Per Cent	12%	85%	3%	27%	27%	46%	1%	69%	30%	51%	2%	47%	
PHF	0.90	0.81	0.83	0.35	0.88	0.75	0.67	0.86	0.86	0.81	0.67	0.44	0.90
Total Arrivals	1094				26			1336			474		2930
Total Departures	1154				46			1184			546		2930
Total	2248				72			2520			1020		

Phillip Rowell and Associates

@

19Dec05KaanapaliPkwy at HonoapiilaniHwy am#1

**TRAFFIC COUNT SUMMARY WORKSHEET**

PROJECT: Kaanapali Resort  
 INTERSECTION: Int 1 Kaanapali Pkwy and Honoapilani Hwy  
 DAY/DATE: Mon 19 Dec 05  
 START TIME: 15:00 PM  
 END TIME: 18:00 PM

**Cumulative Counter Readings at:**

Start Time	North Approach			East Approach			South Approach			West Approach			Intersection Total
	1	2	3	4	5	6	7	8	9	10	11	12	
15:00	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45	0	0	0	0	0	0	0	0	0	0	0	0	0
16:00	0	0	0	0	0	0	0	0	0	0	0	0	0
16:15	0	0	0	0	0	0	0	0	0	0	0	0	0
16:30	0	0	0	0	0	0	0	0	0	0	0	0	0
16:45	0	0	0	0	0	0	0	0	0	0	0	0	0
17:00	0	0	0	0	0	0	0	0	0	0	0	0	0
17:15	0	0	0	0	0	0	0	0	0	0	0	0	0
17:30	0	0	0	0	0	0	0	0	0	0	0	0	0

**15-Minute Volumes Beginning at:**

Interval	Start Time	North Approach			East Approach			South Approach			West Approach			Intersection Total
		1	2	3	4	5	6	7	8	9	10	11	12	
1	15:00	29	322	6	2	1	2	3	265	138	174	1	95	1038
2	15:15	29	273	5		1	5	1	215	162	162	2	121	976
3	15:30	32	368	11			3	1	281	146	110	1	80	1033
4	15:45	27	277	10	1	1	1	2	270	188	115	1	58	951
5	16:00	28	303	13	1	1	3	27	226	131	227	1	125	1086
6	16:15	38	341	15	1		1	3	257	157	172	2	82	1069
7	16:30	31	307	10	1		2	3	257	181	145		83	1020
8	16:45	28	327	8	1	2	2	3	299	183	150		86	1089
9	17:00	32	263	9	1	1		4	249	129	123	2	76	889
10	17:15	35	271	3	1		2	3	205	90	113	1	77	801
11	17:30	37	278	10	1	2	4	2	229	96	136	1	44	840
12	17:45	21	198	5			3	4	162	173	104	1	70	741
Max		38	368	15	2	2	5	27	299	188	227	2	125	1089

**Maximum Hourly Volume of Each Movement**

15:00	16:00	117	1240	32	3	3	11	7	1031	634	561	5	354	3998
15:15	16:15	116	1221	39	2	3	12	31	992	627	614	5	384	4046
15:30	16:30	125	1289	49	3	2	8	33	1034	622	624	5	345	4139
15:45	16:45	124	1228	48	4	2	7	35	1010	657	659	4	348	4126
16:00	17:00	125	1278	46	4	3	8	36	1039	652	694	3	376	4264
16:15	17:15	129	1238	42	4	3	5	13	1062	650	590	4	327	4067
16:30	17:30	126	1168	30	4	3	6	13	1010	583	531	3	322	3799
16:45	17:45	132	1139	30	4	5	8	12	982	498	522	4	283	3619
17:00	18:00	125	1010	27	3	3	9	13	845	488	476	5	267	3271

**Maximum Hourly Volume of Each Movement**

Volume	132	1289	49	4	5	12	36	1062	657	694	5	384	4264
Per Cent	9%	88%	3%	19%	24%	57%	2%	61%	37%	64%	0%	35%	
PHF	0.87	0.88	0.82	0.50	0.63	0.60	0.33	0.89	0.87	0.76	0.63	0.77	0.98
Total Arrivals	1470				21			1755		1083			4329
Total Departures	1450				90			1995		794			4329
Total	2920				111			3750		1877			

FROM :

FAX NO. :

Aug. 21 2006 10:25AM P3

ALAN M. ARAKAWA  
MAYOR



KYLE K. GINOZA  
Director  
DONALD A. MEDEIROS  
Deputy Director  
Telephone (808) 270-7511

**DEPARTMENT OF TRANSPORTATION**

COUNTY OF MAUI  
200 South High Street  
Wailuku, Hawaii, USA 96793-2155

**INTERDEPARTMENTAL MEMORANDUM**

06 AUG 16 PM 2:20  
DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

**TO:** Kivette Caigoy, Environmental Planner  
**FROM:** Kyle K. Ginoza, Director of Transportation *[Signature]*  
**DATE:** August 14, 2006  
**SUBJECT:** Hyatt Regency Maui Addition

Per your request, we have reviewed the above applications for draft environmental assessment and special management area use and have no comments to offer at this time.

Please feel free to contact me at ext. 7511 if you have any questions. Thank you.

/dcy

ALAN M. ARAKAWA  
Mayor



DEPARTMENT OF WATER SUPPLY  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793-2155  
www.mauiwater.org

GEORGE Y. TENGAN  
Director  
ERIC H. YAMASHIGE, P.E., L.S.  
Deputy Director

RECEIVED  
AUG 10 2006

CH. DEPT & PARTNERS  
LAND AND ARCHITECTURE & PLANNING  
cc: matt 04/05b

August 3, 2006

Ms. Kivette A. Caigoy, Staff Planner  
Planning Department  
250 South Street  
Wailuku, HI 96793

SUBJECT: ID: EIS 2006/0002 & SM1 2006/0001  
TMK: (2) 4-4-013:003, 004, 005 & 008  
Project Name: Hyatt Regency Maui Addition


Dear Ms. Caigoy:

Thank you for the opportunity to review this project proposal. We note that our comment letter of February 7, 2006 is included in the draft EIS.

We are pleased to note that water conservation measures mentioned in our previous letter will be incorporated in the project design and construction. In order to further minimize use of potable water, we encourage the applicant to coordinate with the Department of Public Works and Environmental Management, Wastewater Division for the use of treated water for irrigation and other non-potable water uses.

Should you have any questions, please call our Water Resources and Planning Division at 244-8550.

Sincerely,

  
George Y. Tengan  
Director

cam  
c: engineering division  
applicant,

D:\My Documents\WP\Proj Rev\Lahaina\_comment\Hyatt Regency Maui Addition\_DEIS.wpd

"By Water All Things Find Life"

Printed on recycled paper



C7



November 14, 2006

George Tengan, Director  
County of Maui  
Department of Water Supply  
200 South High Street  
Wailuku, Hawaii 96793

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Tengan,

Thank you for your letter of August 3, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note that the applicant will coordinate with the Wastewater Division regarding the use of treated water for irrigation or other purposes.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

FROM :

FAX NO. :

Aug. 21 2006 10:25AM P4



ALAN M. ARAKAWA  
MAYOR

OUR REFERENCE  
#  
YOUR REFERENCE

**POLICE DEPARTMENT  
COUNTY OF MAUI**

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411



THOMAS M. PHILLIPS  
CHIEF OF POLICE

GARY A. YABUTA  
DEPUTY CHIEF OF POLICE

August 14, 2006

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

06 AUG 17 09:58

**MEMORANDUM**

TO : MICHAEL W. FOLEY, PLANNING DIRECTOR  
FROM : THOMAS M. PHILLIPS, CHIEF OF POLICE  
SUBJECT : I.D. : EIS 2006/0002 and SM1 2006/0001  
TMK : (2) 4-4-013:003, 004, 005, & 008  
Project Name : Hyatt Regency Maui Addition  
Applicant : Host Marriott & Subsidiaries

- No recommendation or comment to offer.  
 Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project.

Assistant Chief Sydney Kikuchi  
For: THOMAS M. PHILLIPS  
Chief of Police

Enclosure



FROM :

FAX NO. :

Aug. 21 2006 10:25AM P5

# COPY

TO : THOMAS M. PHILLIPS, CHIEF OF POLICE  
 VIA : CHANNELS *08/19/06*  
 FROM : RICKY UEDOJ, SERGEANT, LAHAINA PATROL DIVISION  
 SUBJECT : HYATT REGENCY MAUI ADDITION - EIS

Sir, this form of communication is being forwarded to your office regarding the Hyatt Regency Maui proposing to develop a new 12 story timeshare building with related improvements adjacent to the existing Hyatt regency Resort hotel.

The new addition would include 121 timeshare units, 25 of which will be "lock-off" capable to produce a total of 145 rooms.

Due to the increasing amount of development on the west side of Maui, we should oppose another project like this due to the lack of infrastructure and the already overcrowding of vehicles traveling in and out of Lahaina on Honoapiilani Highway.

This project would add to the already congested roads that commuters face on a daily basis. With all the construction already going on, traffic has reached an unbearable level for those traveling along Honoapiilani Highway. Traffic is backed up during peak hours in the morning and afternoons and at times have caused people to sit in traffic in excess of an hour.

Projects like these should strongly be considered for opposition until such time that other mitigating measures be implemented to address our traffic situation.

*CONCUR w/SGT. UEDOJ'S  
 ASSESSMENT.  
 FOR [signature] #1512  
 08.09.06 @ 1657 HRS*

Respectfully submitted,

*[Signature]*  
 Sgt. Ricky S. Uedoi #1512  
 Lahaina Patrol Division  
 August 9, 2006 @ 0900 hours

*ABSENT ANY REAL ROADWAY  
 IMPROVEMENTS, ESPECIALLY  
 CARRYING CAPACITY & LEVEL OF  
 SERVICE, WE DO NOT RECOMMEND  
 APPROVAL, ESPECIALLY SINCE  
 PROJECT WILL UTILIZE CENTRAL T.P.*

DOCUMENT CAPTURED AS RECEIVED



November 14, 2006

Thomas Philips, Chief  
County of Maui  
Police Department  
55 Mahalani Street  
Wailuku, Hawaii 96793

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Chief Philips,

Thank you for your letter of August 14, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note that the applicant shares your concerns for the regional traffic situation. The applicant has committed to a variety of measures, not only to mitigate traffic impacts resulting from the proposed development, but to lessen the total traffic generated by the Hyatt properties. These measures include increased mass transportation services for both guests and employees, establishing programs to encourage the use of shuttle services for the guests from the airport to the resort properties, and contributions to a traffic impact fund to be administered by the County of Maui.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

FROM :

FAX NO. :

Aug. 10 2006 01:18PM P5

Maui Electric Company, Ltd. • 210 West Kamohameha Avenue • PO Box 398 • Kahului, Maui, HI 96733-6898 • (808) 871-8481



July 31, 2006

'06 AUG -3 P12:52

DEPT OF PLANNING  
COUNTY OF MAUI  
RECEIVED

Ms. Kivette Caigoy, Staff Planner  
County of Maui – Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793

Dear Ms. Caigoy,

Subject: Draft Environmental Assessment and Special Management Area Application  
EIS 2006/0002 and SM1 2006/0001  
Hyatt Regency Maui Addition  
200 Hohea Kai Drive  
Ka'anapali Resort, Lahaina, Maui, Hawaii  
TMK: (2) 4-4-013:003, 004, 005, and 008

Thank you for allowing us to comment on the the subject project, which was received on July 28, 2006.

In reviewing our records and the information received, Maui Electric Company (MECO) has no objection to the project at this time. However, we highly encourage the developer's electrical consultant to submit the electrical demand requirements and project time schedule as soon as practical so that service can be provided on a timely basis.

This project's anticipated load demand will have a substantial impact to our system. Therefore, upgrades to our substation, transmission and/or distribution lines may be necessary to accommodate a project of this magnitude.

May we also suggest that the developer and/or their consultant make contact with Walter Enomoto of our Demand Side Management (DSM) group at 872-3283 to review potential energy conservation and efficiency opportunities for their project.

Should you have any other questions or concerns, please call Kim Kawahara at 871-2345.

Sincerely,

A handwritten signature in cursive script that reads "Neal Shinyama".

Neal Shinyama  
Manager, Engineering

NS/kk:lh

c: Walter Enomoto – MECO DS

U1

DOCUMENT CAPTURED AS RECEIVED



November 14, 2006

Neal Shinyama, Manager – Engineering  
Maui Electric Company, Ltd.  
P.O. Box 398  
Kahului, Hawaii 96733

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Shinyama,

Thank you for your letter of July 31, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note that the project's electrical consultant will coordinate with you as soon as practicable to determine impacts upon your system, as well as to discuss energy conservation measures.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,

Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

Sept. 21, 2006

TO: Maui Planning Commission  
C/o Maui Planning Department  
250 South High St.  
Wailuku, HI 96793

RECEIVED  
SEP 22 2006  
CHRIS HART & PARTNERS, INC.  
Land Use Planning & Consulting  
09/22/06 -Matt

RE: Host Marriott Hyatt Regency Addition  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/002: SMI 2006/001

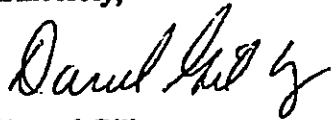
Dear Sirs:

Thank you for reviewing the proposed 12 story Hyatt time-share project. I have enclosed my comments regarding the draft EIS as well as accompanying photos.

The loss of open space and view planes, the traffic, sewage, water and drainage — the CUMULATIVE effect of multiple projects already approved and beginning construction have yet to be felt. Every developer cries out "this is not my fault" but no one steps forward to build the infrastructure that has been neglected and ignored.

I do not see why incorrect decisions and approvals in the past mean that we have to agree to the same mistake again.

Sincerely,



Darcel Gilbert  
117 Halelo St.  
Lahaina HI 96761

Cc: Matthew Slepín  
Chris Hart & Partners, Inc.  
1955 Main St., suite 200  
Wailuku, HI 96793

Office of Environmental Quality Control  
State of Hawaii  
235 South Beretania St., suite 702  
Honolulu, HI 96813  
ATTN: Ms. Genevieve Salmonsén, Director

HOST MARRIOTT HYATT REGENCY TIMESHARE ADDITION  
TMK (2) 4-4-013: 003,004,005 and 0008  
EIS 2006/002: SMI 2006/001

COMMENTS:

- 1) **Update maps and information:** (e.g., Figure 1 in the SMA Use Permit Application shows a 1983 map that does not show current developed areas and shows an airport that no longer exists).
- 2) **Visual impact studies are inaccurate:** e.g., Appendix F (Photographic Viewplane Studies) A-26 shows a photo from a Halelo St. residence pool deck which portrays a 12 story structure just barely rises above the horizon. The inaccuracy is apparent in the pool edge which has become curved and distorted but is actually a rectangular pool. The photographs were taken with a professional fish-eye lens by Mr. Hart's group. Other pictures do not accurately show the open space view of Lanai. I have enclosed pictures from the same site. The building at the far left is the current Hyatt Hotel. The proposed structure filling the open space will be several stories higher. The crane is working on the construction of the 12 story Marriott Ocean Club time share tower.
- 3) A Certified Shoreline Survey has not been done. Instead, a Shoreline Evaluation for the Maui Marriott dated 1999 is provided. The beaches in front of the Maui Marriott and Host Marriott Hyatt virtually have disappeared in past winters.
- 4) **CUMULATIVE EFFECT of massing 12 story buildings** will create a wall of concrete. The footprint of the structures shown in the Appendix A-2 does not leave much more than a sliver of space between buildings. The Community Plan designation includes **Open Space** for the area. Sadly, the Maui Coastal Scenic Resources Study is conveniently quoted : "the subject property is not identified as an important view corridor or open space." The same Study identified Airport Beach as a view area and I have enclosed a photo of the current construction taking place at this site despite this designation; the photo shows the 6 story Westin time-share buildings and do not show the cranes on the north end of the area that are beginning construction on the 12 story Intrawest project.
- 5) **CUMULATIVE EFFECT of increased water capacity** for multiple projects is of concern.. The builder comments (Preliminary Engineering Report pg. 3) that there is not sufficient water from the current private water system but hopes "internal water conservation will offset the new demand." When the Vintage project came on-line, the change in water pressure and distribution damaged pipes and valves in the Kaanapali Vista subdivision.

- 6) **CUMULATIVE EFFECT of sewage capacity** which is currently at 67% without the Westin timeshare and Intrawest projects. If the maximum usage is at 80%, will there be sufficient capacity for the HMC Hyatt project.?
- 7) **CUMULATIVE EFFECT of drainage.** The topography of the land will be change with the addition of a 12 story building and new parking lot area. Hardening (related to the absorptive capacity of the ground) will be altered and special containment storage areas may be necessary.
- 8) **CUMULATIVE EFFECT of traffic.** Appendix L (Traffic Impact Assessment Report page 19) does not include the Westin and Intrawest projects under construction (over 1700 rooms including lock-outs). Although Mr. Rowell states the project will only add 4 seconds to making a left turn, no thought has been given to the extra 30 minutes it may take to get to the intersection due to increased traffic from multiple projects.
- 9) What is the benefit of timeshares to the community? Do we need an **ADDITIONAL 145 new units in Kaanapali?** Time-share units occupied at full capacity are more demanding on our infrastructure than hotel rooms that are not at 100% capacity.
- 10) Reserve the right to make additional comments

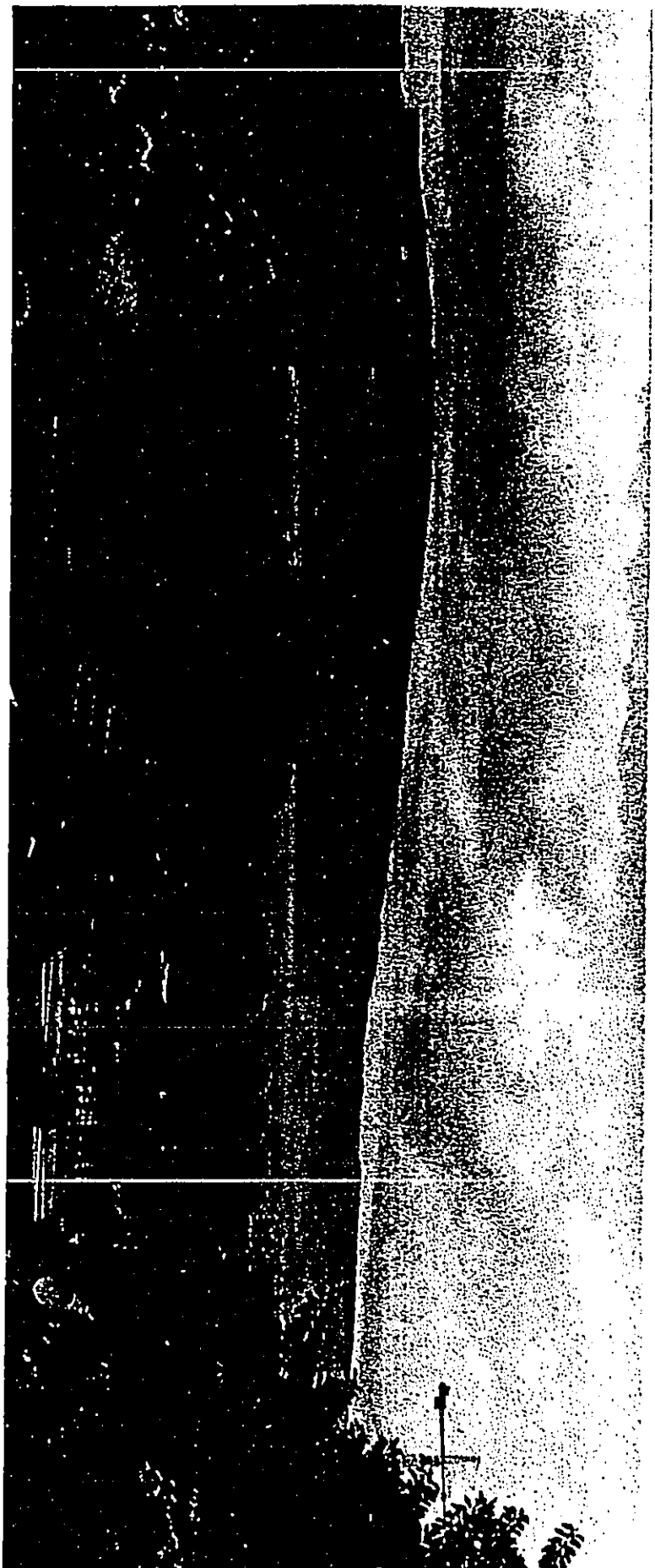
#### **APPENDIX**

A-1 View from same Halelo St. residence depicted in draft EIS Apdx. F (compare depiction of building size)

A-2 View from neighbor of same Halelo St. residence. Note view of Lanai and height of hotel. Proposed 12 story structure will be at least as tall. Crane on left is at site of 12 story Marriott time share.

A-3 View from Honoapiilani Highway and Kaanapali Parkway intersection.

A-4 View of 6 story Westin time-shares under construction at Airport Beach at north end of Kaanapali Beach. 12 story Intrawest condominiums will be on adjacent property. These 2 projects will add 1700 new units to the area.



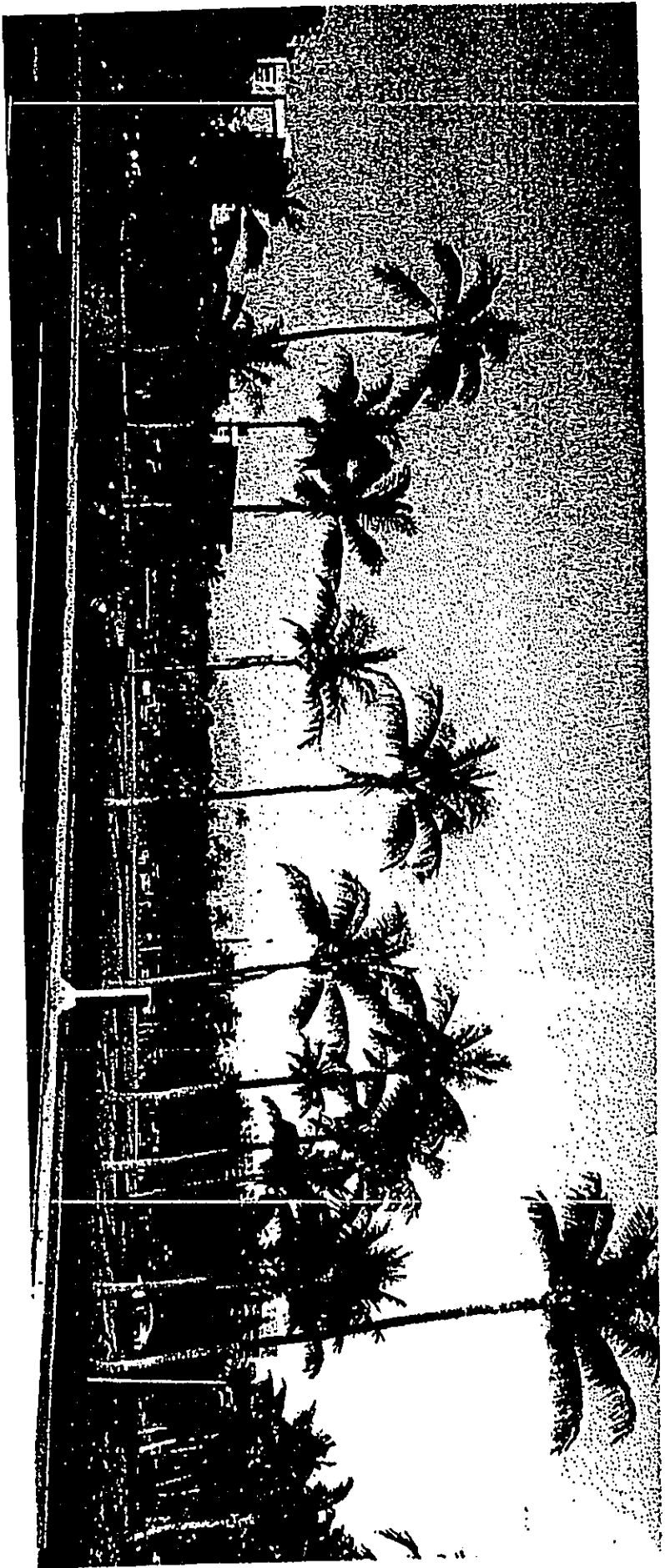
A-1

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A-2

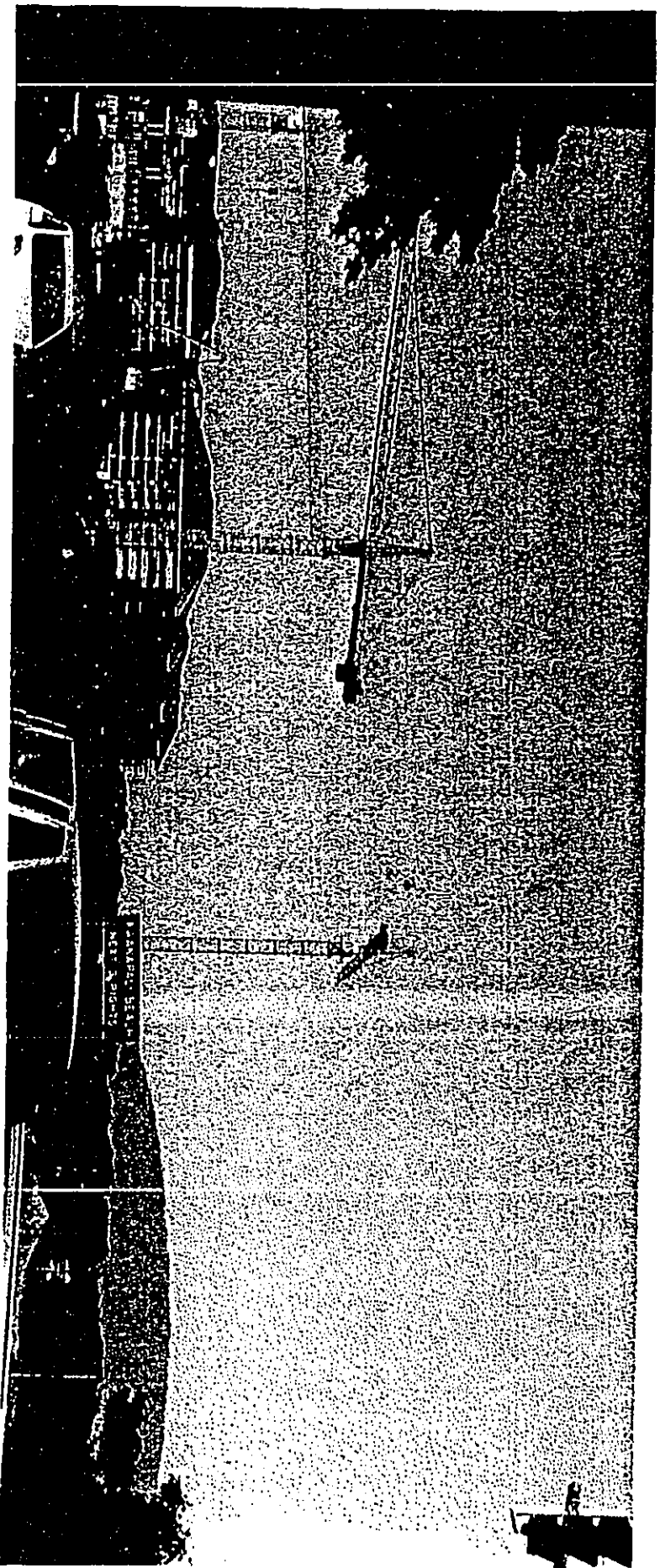


A-3

DOCUMENT CAPTURED AS RECEIVED

DOCUMENT CAPTURED AS RECEIVED

A-4





November 14, 2006

Darcel Gilbert  
117 Halelo Street  
Lahaina, Hawaii 96761

SUBJECT: Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Dr. Gilbert,

Thank you for your letter of September 21, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

1. Figure 1 of the Draft EIS is a United States Geological Survey map intended to show the regional location of the project site, rather than the character of the surrounding land uses, which is discussed in Section III.A.1.
2. Figure A-26 of Appendix F was included to analyze the impact to the entirety of the panoramic landscape from the Halelo Street residence. This was done by taking multiple photographs, which were then stitched together to create a panoramic view. The stitching process used can only maintain the proper dimensions of the individual elements in the picture by shifting the overall relation of those elements. This is not unlike the process of "orthorectification" in global mapping. This is not an inaccuracy, but a by-product of capturing the real relation of objects in a panoramic view.
3. No project may receive a Special Management Area (SMA) Use permit without a current, state-certified shoreline survey. The Shoreline Evaluation Report included in the EIS as Appendix C does not take the place of a certified, shoreline survey. It was included in the EIS to provide additional data regarding the beach processes in the project area.

The Planning Department requires that a state-certified shoreline be obtained prior to the scheduling of the SMA Use permit before the Maui Planning Commission. This will follow upon the completion of the EIS process. The certified shoreline survey will be obtained prior to that time.

4. The beach areas of West Maui have been designated as "Open Space" in the West Maui Community plan. The project area does not include those areas, but only areas designated for "Hotel" uses. This will be clarified in the Final EIS.

The new timeshare tower will be spaced approximately 75 feet from the nearest adjacent building. As it is located some 1,240 feet from the nearest public roadway, we do not believe that this will create a "wall of concrete". Please refer to the Figures A-18 and A-19 of Appendix F for viewplane studies from the highway.

LANDSCAPE ARCHITECTURE AND PLANNING  
1955 MAIN STREET, SUITE 200 • WAILUKU, MAUI, HAWAII 96793-1706 • PHONE: 808-242-1955 • FAX: 808-242-1936

5. Water source for the project will come from Aqua Source Company, who provide potable water for Ka'anapali. Aqua Source has confirmed that they will serve the new timeshare with potable water.
  6. The County Department of Public Works and Environmental Management, which operates the County wastewater facilities, will review the project during the construction permitting phase and determine the adequacy of capacity. Developers are routinely required to fund wastewater system improvements in order to provide adequate capacity.
  7. As discussed in Section III.C.3 of the Draft EIS, the proposed drainage improvements will capture an additional 10 percent of runoff beyond that resulting from the new timeshare structure, resulting in less stormwater runoff flowing into the ocean than currently.
  8. The traffic report prepared for the Final EIS utilizes a background traffic increase, which accounts for the traffic impacts of the Intrawest and Westin projects.
  9. The proposed timeshare would provide for the diversification of visitor-industry accommodation on Maui. The visitor industry has become aware that such a diversification is a benefit by creating more economic stability. Timeshare, for example, has a much more consistent occupancy rate than hotels. Periodic highs and lows in the visitor-industry are less prevalent at a timeshare facility. As the visitor industry is the major economic force at the Ka'anapali Resort, and West Maui as a whole, this benefit to the industry is seen as a benefit to the region. By contrast, the development of semi-occupied hotels is not seen as benefit to anyone. As the project is being proposed within the Resort, on lands designated for such uses, the applicants feels that this is a reasonable location for such a benefit.
- In addition, we note the Socio-Economic Impact Assessment prepared for the project and included in the Draft EIS as Appendix J. This study projects significant employment, revenue, and tax increases accruing from the proposed project.
10. The Notice of Availability for the Draft EIS was published in the Environmental Notice on July 23, 2006 and the public comment period ended on September 22, 2006. The project will also be seeking a Special Management Area (SMA) Use permit, following the conclusion of the EIS process. The SMA process offers additional opportunity for public comment.

Dr. Darcel Gilbert  
November 14, 2006  
Page 3 of 3

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

RECEIVED  
SEP 19 2006  
COUNTY OF MAUI  
DEPARTMENT OF PLANNING  
CC: Matt 04/057

NORMAN & MARGIE KAY  
95 Halelo St.  
Lahaina, HI 96761

808-661-8344      kayn002@hawaii.rr.com      FAX 808-667-9338

September 18, 2006

TO: Maui Planning Commission  
c/o Maui Planning Department  
250 South High St.  
Wailuku, HI 96793

RE: Hyatt Regency Addition - Host Marriott  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/002: SMI 2006/001

We responded to the Hyatt-Host Marriott EIS Preparation notice in February, and we attended the Hyatt-Host Marriott meeting in March, each time voicing our concerns about the project.

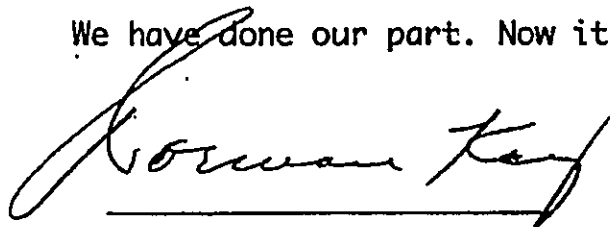
In good faith, we allowed Hyatt-Host Marriott personnel to take pictures of the view from our residence. The photographs included in the EIS are greatly distorted. The first clue is the shape of our rectangular swimming pool, pictured as having a curved side and end. Other pictures do not begin to represent the true view from our street. Photographs are not even needed to know that a 12-story building, on what is now open shoreline, will greatly impact the shoreline view. Why is Hyatt-Host Marriott allowed to use a map of the area which is 23 years old? A current map would show already excessive development. Is this another distortion?

Please, will someone listen to our concerns regarding the negative impact of this project on all of West Maui? It is not

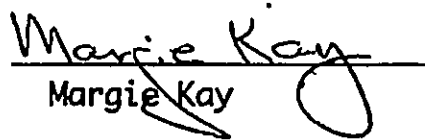
too late to stop the additional problems of traffic, inadequate sewer system, and water shortages until the infrastructure to handle these potential problems has been provided.

Unfortunately, the quality of life on West Maui is already suffering because these issues have not been addressed. Other projects, already under construction, will impact it even more. Now is the time to say "NO MORE!" Please listen to the people who live here every day. No new timeshares are needed. Must the local residents continually suffer at the hands of Mainland interests?

We have done our part. Now it is up to you to support us.



Norman Kay



Margie Kay

cc: Matthew Slepik  
Chris Hart & Partners, Inc.  
1955 Main St., Suite 200  
Wailuku, HI 96793

Office of Environmental Quality Control  
State of Hawai`i  
235 South Beretania St., Suite 702  
Honolulu, HI 96813  
Attn: Ms. Genevieve Salmonsens, Director





November 14, 2006

Norman and Margie Kay  
95 Halelo Street  
Lahaina, Hawaii 96761

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Dr. Gilbert,

Thank you for your letter of September 18, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

1. Figure A-26 of Appendix F was included to analyze the impact to the entirety of the panoramic landscape from the Halelo Street residence. This was done by taking multiple photographs, which were then stitched together to create a panoramic view. The stitching process used can only maintain the proper dimensions of the individual elements in the picture by shifting the overall relation of those elements. This is not unlike the process of "orthorectification" in global mapping. This is not an inaccuracy, but a by-product of capturing the real relation of objects in a panoramic view.
2. Figure 1 of the Draft EIS is a United States Geological Survey map intended to show the regional location of the project site, rather than the character of the surrounding land uses, which is discussed in Section III.A.1.
3. The beach areas of West Maui have been designated as "Open Space" in the West Maui Community plan. The project area does not include those areas, but only areas designated for "Hotel" uses. This will be clarified in the Final EIS.  
  
Please refer to the Figures A-18 and A-19 of Appendix F for viewplane studies from the highway.
4. Water source for the project will come from Aqua Source Company, who provide potable water for Ka'anapali. Aqua Source has confirmed that they will serve the new timeshare with potable water.
5. The County Department of Public Works and Environmental Management, which operates the County wastewater facilities, will review the project during the construction permitting phase and determine the adequacy of capacity. Developers are routinely required to fund wastewater system improvements in order to provide adequate capacity.
6. The applicant is aware of the traffic situation in West Maui and the need for private initiative to provide traffic mitigation measures. The applicant has committed to a variety of measures, not only to mitigate traffic impacts resulting from the proposed development, but to lessen the total

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traffic generated by the Hyatt properties. These measures include increased mass transportation services for both guests and employees, establishing programs to encourage the use of shuttle services for the guests from the airport to the resort properties, and contribution to a traffic impact fund to be administered by the County of Maui.

7. The proposed timeshare would provide for the diversification of visitor-industry accommodation on Maui. The visitor industry has become aware that such a diversification is a benefit by creating more economic stability. Timeshare, for example, has a much more consistent occupancy rate than hotels. Periodic highs and lows in the visitor-industry are less prevalent at a timeshare facility. As the visitor industry is the major economic force at the Ka'anapali Resort, and West Maui as a whole, this benefit to the industry is seen as a benefit to the region. By contrast, the development of semi-occupied hotels is not seen as benefit to anyone. As the project is being proposed within the Resort, on lands designated for such uses, the applicants feels that this is a reasonable location for such a benefit.

In addition, we note the Socio-Economic Impact Assessment prepared for the project and included in the Draft EIS as Appendix J. This study projects significant employment, revenue, and tax increases accruing from the proposed project.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

DR. & MRS. JOE HARRISON, 87 HALELO STREET, LAHAINA HI 906761, 808.661.8032

SEPTEMBER 18, 2006

Matthew Slep  
Chris Hart & Partners, Inc.  
1955 Main St., suite 200  
Wailuku HI 96793 Ph. 808-242-1955 fax: 808-242-1956

RE: EIS DRAFT FOR HOST MARRIOTT HYATT Timeshare: EIS 2006/002: SMI 2006/001  
TMK (2) 4-4-013: 003,004,005, and 008

**COMMENTS:**

**DESTRUCTION OF VIEW SPACES;**

Having more Time Share Towers on the beach at Ka'anapali at the Marriott and Hyatt locations virtually eliminates whatever view corridor to the ocean that is left to us, the residents of Ka'anapali Vista on Halelo street.

The height of the towers will ensure that there will be only a limited line view of Lana'i, and we will see no water, no ocean sunset colors, no reflections of clouds on the water.

**UNFAIR USE OF FISH-EYE LENS CAMERA**

The EIS documents make a false impression of how bad will be the loss of view due to the height of the Marriott and Hyatt towers. Pictures taken with fisheye lens obviously distort the loss of view from Halelo street to the Island of Lana'i.

**HONOAPI'ILANI HIGHWAY WILL BE BORDERED BY A CONCRETE WALL OF HOTEL/TIME SHARE TOWERS**

**"MORE JOBS" IS A EUPHEMISM FOR MORE CONSTRUCTION**

Increased construction business in West Maui will mean a big increase in construction employees brought from outside Maui. Where will they live, go to school, get water, sewer, electric service from already overstrained sources.

**WE WILL HAVE NEED FOR MORE PUBLIC SERVICES WHEN RESIDENCE ROOMS INCREASE**

Police, fire, hospital, social work personnel are now over stressed.

**TIME SHARES** actually mean fewer jobs for local people who formerly had service opportunities at hotels and lu'aus.

**TRAFFIC!!! DUH!!!**

Already the frustration level of both residents and visitors is near rage level due to the **BIG** increase in slow moving traffic.

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SEP 20 2006  
CHRIS HART & PARTNERS, INC.  
1955 MAIN STREET, SUITE 200  
WAILUKU, HI 96793  
cc: Matt  
04/07/06



November 14, 2006

Dr. and Mrs. Joe Harrison  
87 Halelo Street  
Lahaina, Hawaii 96761

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Dr. and Mrs. Harrison,

Thank you for your letter of September 18, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

1. As noted in the Section III.A.8 of the Draft EIS, the State of Hawaii has defined the nature of significant view impacts to those viewplanes and scenic vistas identified in county or state plans or studies. See Section 11-200-12 (b)(12), Hawaii Administrative Rules. In this regard, the project will not substantially impact any protected, public viewplanes.
2. Figure A-26 of Appendix F was included to analyze the impact to the entirety of the panoramic landscape from the Halelo Street residence. This was done by taking multiple photographs, which were then stitched together to create a panoramic view. The stitching process used can only maintain the proper dimensions of the individual elements in the picture by shifting the overall relation of those elements. This is not unlike the process of "orthorectification" in global mapping. This is not an inaccuracy, but a by-product of capturing the real relation of objects in a panoramic view.
3. The new timeshare tower will be spaced approximately 75 feet from the nearest adjacent building. As it is located some 1,240 feet from the nearest public roadway, we do not believe that this will create a "wall of concrete". Please refer to the Figures A-18 and A-19 of Appendix F for viewplane studies from the highway.
4. The proposed timeshare would provide for the diversification of visitor-industry accommodation on Maui. The visitor industry has become aware that such a diversification is a benefit by creating more economic stability. Timeshare, for example, has a much more consistent occupancy rate than hotels. Periodic highs and lows in the visitor-industry are less prevalent at a timeshare facility. As the visitor industry is the major economic force at the Ka'anapali Resort, and West Maui as a whole, this benefit to the industry is seen as a benefit to the region. By contrast, the development of semi-occupied hotels is not seen as benefit to anyone. As the project is being proposed within the Resort, on lands designated for such uses, the applicants feels that this is a reasonable location for such a benefit.

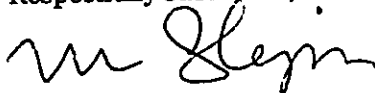
In addition, we note the Socio-Economic Impact Assessment prepared for the project and included in the Draft EIS as Appendix J. This study projects significant employment, revenue, and tax increases accruing from the proposed project.

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5. The proposed project will not contain residential units, is not considered a population generator, and is not anticipated to have impacts on public services.
6. We can find no data to support the assertion that the timeshare project would deprive local residents of employment. Rather, the new facility is expected to generate approximately 232 direct jobs, with an additional 182 indirect and induced jobs, once operations have been established.
7. The applicant is aware of the traffic situation in West Maui and the need for private initiative to provide traffic mitigation measures. The applicant has committed to a variety of measures, not only to mitigate traffic impacts resulting from the proposed development, but to lessen the total traffic generated by the Hyatt properties. These measures include increased mass transportation services for both guests and employees, establishing programs to encourage the use of shuttle services for the guests from the airport to the resort properties, and contribution to a traffic impact fund to be administered by the County of Maui.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File

David and Kay Brott  
35 Halelo Street  
Lahaina, HI 96761

September 20, 2006

Maui Planning Commission  
c/o Maui Planning Dept.  
250 South High St.  
Wailuku, Maui, HI 96793

Re: Proposed Hyatt Timeshare Tower

Dear Sirs ~

My husband and I are in receipt of a letter from Matthew M. Slepín, Planner with Chris Hart & Partners dated July 10, 2006 in response to our letter of February 6, 2006 relative to the above-referenced project. We appreciate having heard from him.

While it was pointed out that the Hyatt Hotel site is currently zoned for an H-2, Hotel District permitting building heights of up to 12 stories, we have concern as to how this project would ultimately affect the West Side of Maui, in particular Kaanapali. The view corridor for the homes in the Kaanapali Vistas development will be plagued with yet another concrete structure to look at, and regardless of a DEIS study being done, we feel that we're now stretched to capacity and beyond traffic wise. The last six months have proven to be horrific with many days it taking up to two hours for residents and visitors to get from the West Side to Wailuku and Kihei, and this is without the Starwood development being completed. We can only imagine how much worse it will be if the Hyatt tower is allowed to be built. Since our letter to you in February, we've seen yet another fatality at the Kaanapali Parkway intersection. The road was closed for 4 hours with no alternate route available.

Again, we have nothing against timeshare. However, we do not wish to see West Maui turned into a mini-Waikiki. The more visitors we come across the more we hear, "Maui just isn't what it used to be." Other concerns, and by no means should they be minimized, are the possibilities of water shortage and an already inadequate sewage system. Will the Hyatt provide remedies for these already existing problems or will they be allowed to further contribute to them?

Sincerely,

  
David and Kay Brott

cc: Matthew Slepín / Chris Hart & Partners, Inc.  
Office of Environmental Quality Control

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SEP 22 2006

CHRIS HART & PARTNERS  
Landscape Architects & Planners

cc: Matt O'Brien

05



November 14, 2006

David and Kay Brott  
35 Halelo Street  
Lahaina, Hawaii 96761

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. And Mrs. Brott,

Thank you for your letter of September 20, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

1. As noted in the Section III.A.8 of the Draft EIS, the State of Hawaii has defined the nature of significant view impacts to those viewplanes and scenic vistas identified in county or state plans or studies. See Section 11-200-12 (b)(12), Hawaii Administrative Rules. In this regard, the project will not substantially impact any protected, public viewplanes.  
  
The new timeshare tower will be spaced approximately 75 feet from the nearest adjacent building. As it is located some 1,240 feet from the nearest public roadway, we do not believe that this will create a "wall of concrete". Please refer to the Figures A-18 and A-19 of Appendix F for viewplane studies from the highway.
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3. Water source for the project will come from Aqua Source Company, who provide potable water for Ka'anapali. Aqua Source has confirmed that they will serve the new timeshare with potable water.
4. The County Department of Public Works and Environmental Management, which operates the County wastewater facilities, will review the project during the construction permitting phase and determine the adequacy of capacity. Developers are routinely required to fund wastewater system improvements in order to provide adequate capacity.

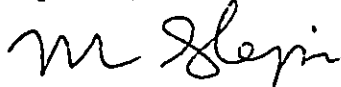
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David and Kay Brott  
November 14, 2006  
Page 2 of 2

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepina, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File



September 30, 2006

Patty Nishiyama  
Na Kupuna O Maui  
320 Kaco Place  
Lahaina, Hawaii 96761

Re: Hyatt Regency Maui Addition Project, Ka'anapali, Maui, TMK (2) 4-4-013: 3, 4, 5  
& 8.

Aloha Patty,

As a follow up to our conversation concerning Hyatt Regency Maui's application for a Special Management Area permit for its proposed 12-story timeshare development and the Draft Environmental Impact Statement (DEIS) prepared by Christ Hart & Partners, Inc., I submit to Na Kupuna O Maui the following testimony.

---

## TESTIMONY

BY

Foster R. Ampong  
(661-3603/283-6345)

My name is Foster Ampong, born on the island of Maui and raised in Lahaina. Aside from serving four years abroad in the military (1976-1980), and numerous travels throughout the world I have resided most of my living years on Maui. I presently reside at ahupua'a o Olowalu, moku o Lahaina.

I am the son of Benjamin Ampong Sr. and Emma Kaiu Kimokeo (deceased), both of Lahaina. From the koko of my mother, I am a lineal descendant of the Kimokeo Ohana, lineal descendants of Keaweiwi-Kekahuna (1795-1882) of Lahaina (1819-1882).

Upon reviewing the DEIS submitted by the Hyatt, a letter to Maui County Planning Director, Michael Foley, dated September 13, 2006 from Clyde W. Namu'o, Administrator with the Office of Hawaiian Affairs of the State of Hawaii and further reflection of our conversation, I feel not only compelled to speak up as a concerned individual facing the same adversities all residence of Maui face daily throughout our community, but more importantly it is my responsibility to my past, present and future Ohana of moku o Lahaina.

Though I have long been fearful of being a victim of social/political persecution, ridicule and discrimination for publicly expressing my sincere cultural and spiritual beliefs as a

Kanaka Maoli, I feel now I must take responsibility and find the courage to speak out so my children, and my children's children, and their children's children will never have to live a life of fear and oppression as I have.

This testimony is for my Ancestors and family living today who had lived, fought and died for our culture, our family, our Nation (Hawaiian Kingdom 1842-1893), our land and especially for our spirituality....let this be an anchor for all my children.

**Review and Analysis of Cultural Impact Assessment (CIA) Conducted:**

Upon reviewing the Cultural Impact Assessment conducted by Scientific Consultants Services (Appendix I of the DEIS) where on page 14, SCS states to have interviewed a "Rena Sampson, an employee of the Maui-Hyatt since 1980" and no other from the impacted areas is misleading and disturbing to say the least.

Note: "Maui-Hyatt" in the above quote is no other than the **Hyatt Regency Maui**, the one and same Corporation seeking the Special Management Area Permit relevant to this very DEIS.

Such play on words misleads the reader with the intent, as it appears to hide the fact Miss Sampson is an employee of Hyatt Regency Maui, the Special Manage Area Permit intended recipient, making this "only" interview suspect and biased.

I would like to further note for the record, upon reading the "INTERVIEW METHODOLOGY" on page 6 (again Appendix I of the DEIS) it strongly appears no good-effort attempt was made to interview individuals or groups of the impacted area.

As we well know and discussed, there are numerous individuals and organizations well known throughout the community and living throughout moku o Lahaina and moku O Pi'ilani (known today as Maui) who could have been easily reached for consultation and interviews for this very DEIS. Such as the following:

- Keeaumoku & Ui Kapu, Kuleana Kuikahi, LLC.
- Akoni Akana, Friends of Moku`ula
- Clifford Naeole, Ritz Carlton Kapalua
- Kaipo Kimokeo Sr., Kimokeo Ohana of Lahaina
- Hinano Rodrigues, Cultural Specialist, DLNR, State of Hawaii-Maui Office.
- Kiope Raymond, Hawaiian Studies, Maui Community College
- Kaleikoa Kaeo, Hawaiian Studies, Maui Community College
- Wilmont Kahaiali'i, Kahaiali'i Ohana of Lahaina
- Hawaiian Civic Club of Lahaina
- Patty Nishiyama, Na Kupuna O Maui, Lahaina
- Numerous Hula Halaus` of Maui

These are just a few well and long established (20 years) individuals and organizations that could have and quit frankly should have been contacted by Scientific Consultants

Services. On page 6 there are Federal and State Laws that mandates this. Yet as you take note below, it seems there was a deliberate avoidance of this.

Note: On October 2, 2006 Akoni Akana, Friends of Moku'ula informed me Scientific Consultants Services has consulted him on numerous occasions in the past regarding the cultural history of the impacted area. Mr. Akana appeared surprised that on this particular occasion he was not.

Quoting from page 15 of the DEIS, whereupon Hyatt Regency Maui states that based on the Cultural Impact Assessment (CIA), "it is reasonable to conclude that the exercise of native Hawaiian rights related to gathering, access, or other customary activities will not be affected and there will be no adverse effect upon any ethnic practices of beliefs."

Though numerous customary activities noted in this testimony under CULTURAL & ARCHAEOLOGICAL ASSESSMENT have taken place beginning well before the coming of the missionaries in 1820 and their subsequent establishing of the Sugar/Pineapple Plantations, to the submittal of this DEIS dated July 10, 2006, many families and individual Kanaka Maoli of the impacted area continue to exercise and practice their cultural, customary and spiritual activities.

The facts presented here when taken into proper context projects the illusion Scientific Consultants Services performed their Cultural Impact Assessment in a professional and responsible manner, thus allowing Hyatt to make its conclusion that the proposed project will have no adverse impact to traditional and customary and native Hawaiian rights and no adverse effect on our practices and beliefs.

It is because of such deceptive practice resulting in Hyatt's erroneous conclusion that I have taken the time to voice and write my objection to this DEIS, and to ask Na Kupuna O Maui to join me in protecting our people and land from this hewa by strongly opposing the Hyatt Regency Maui Addition.

Please allow me to pause for a moment....Uwe....Uwe....Uwe....

#### **CULTURAL ASSESSMENT**

Duly noted in Appendix I, pages 7-14, a rich cultural history of Ka'anapali is revealed from archival research. Though no "oral" history was obtained from any of the lineal descendants now living from the impacted area, we both know as we have discussed recently, there is much more to our history and people of Lahaina than the CIA has presented.

Corporations such as Hyatt Regency Maui know nothing of who we truly are. Or perhaps they do, yet care less or not at all in their pursuit for profits.

As a matter of survival, it is crucial for Na Kanaka Maoli to make a stand and speak up, and to remain standing for all time to always be heard. If not, we disappear...we cease to exist.

We are more than what *corporate marketing advertisement* has sold us out to be.

We are living beings with a soul, with a conscience. We are the *first people* of these islands. For thousands of years, *by ourselves* in the middle of the Pacific Ocean, isolated from the rest of the world survived without any foreign influence; until Captain Cook (1778) aimlessly lost in the Pacific Ocean in search of a fabled passage to the West Indies, stumbled upon the shores of Kauai. Now look at us. REALLY LOOK AT US!

Prior to Cook's fortune *and our misfortune*, through all the environmental and social challenges every evolving society upon this planet has experienced in their respective geography and era, our tupunas flourished and thrived without any foreign assistance whatsoever. In fact! Economically, culturally and spiritually we fared abundantly better than we do now.

If anyone should doubt my conclusions, which are based on the many facts I have researched and cited in this testimony, please look at the facts below (*Adverse Impact Community Presently Experiencing (without approval of proposed development)*). These are what our community face today, and everyday thereafter with no sign of relief, near or far.

#### **ADVERSE IMPACT TO COMMUNITY**

*Adverse Impact Community Presently Experiences (without approval yet of this proposed development):*

- High Cost of Living.
- No Affordable Homes Hawaiians can buy.
- Hawaii pays HIGHEST RENT in the Nation (October 3, 2006).
- Water Shortage.
- Increasing Traffic Jams on Highways with no foreseeable remedy.
- Hawaiians having the poorest health (Diabetes, Heart Disease, Cancer, High Blood Pressure, etc. etc.) of any other ethnicity in our islands.
- Poverty and Homelessness (More Hawaiians than any other ethnicity in our islands).
- The most incarcerated ethnicity in Hawaii (this includes those shipped to mainland prisons).
- The continued theft our water and lands by Corporations.

The hard truth is most of us are adversely impacted by these conditions. Everyday people see, read and personally experience at least three of these travesties. And quit frankly, those that are not are the ones responsible for creating these horrible conditions.

Hyatt has concluded that building another 12-story building (adding to the three already in operations), *increasing* their present guest room inventory (806) by 121 rooms/580 visitors will have no *adverse impact to the community*. That is 580 more people flying in to Maui, DAILY!

***This means that:***

1. 580 more people will further crowd our already crowded highways, exasperating the already daily traffic jams.
2. This means 580 more people needing water and other resources of necessities, which at present if not at crisis level is causing great concern, will again exasperate already strained conditions.

Is there enough water? Or will we continue to give water to commercial development and not to the resident community. As it is, this seems to be the case. County Government on one hand continue to approve commercial/resort development at what surly appears to be an accelerated rate; and on the other is telling residents that we have water shortage and in recent weeks, contaminates wells presently servicing the community. Lets not forget how many Maui residents have been on a waiting list for water meters!

To Kanaka Maoli adding another building to the already overcrowded lands and beaches will restrict (my) cultural and spiritual practices, but more immediately recognizable to the western-thinking community;

3. Adding another building, 580 more daily visitors will further raise the already high cost of living.
4. Raise further the already rising property taxes that most local residents struggle now to pay, forcing families to sell their land that many have had for generations.

Sadly but true, for many like my parents the only way they were able to escape this oppressive and detrimental life was in death. If we don't make a stand now, we and our children will have no other way to escape this man-made oppression other than to return to Po when it becomes each our time as well.

This is such a painful and tragic way to live. And because of the adverse impact such as Hyatt's addition will further cause, living in pain and tragedy we are.

**IF HYATT IS ALLOWED (SMA PERMIT APPROVED) TO BUILD, THE WHOLE COMMUNITY WILL BE IMPACTED IN AN ADVERSE AND DETRIMENTAL WAY! TO THINK OR SAY OTHERWISE IS IRRATIONAL AND IRRESPONSIBLE!!**

**ARCHAEOLOGICAL ASSESSMENT**

*Discovery and Removal of Human Remains from Hyatt Regency Maui:*

Though Hyatt acknowledges previous archaeological work and findings on page 14 of the DEIS, and I quote;

“A discovery of burials was documented during the construction of the Ka’anapali Ali’i residential condominium just north of the Marriott. The site contained a maximum of 6 individuals and was found approximately 100 meters inland from the shoreline. The record concluded the burials were that of commoners date from between 1700-1800 (Dobyns & Allen-Wheeler, 1982). Recent work in the Marriott Resorts courtyard in July 2000 revealed another burial site. Otherwise, there are no known historical resources on the subject property.”

...there is no mention of human burials uncovered during the original construction of the Hyatt Regency Maui in the late 1970’s. Yet there were burials discovered and the remains were removed from Ahupua’a O Hanakao’o to another Ahupua’a on the north side of Mauna Kahalawai (West Maui Mountains).

The remains which were unearthed during the construction of the Hyatt Regency Maui subsequently were removed from the hotel grounds and buried at Saint Ann’s Catholic Cemetery located in Ahupua’a O Waihe’e, Wailuku, Maui marked with a plaque if I recall correctly reads “Unknown Remains Hyatt”

In a recent conversation with Akoni Akana, Executive Director of Friends of Moku’ula he is aware of these specific remains and has additional information. Officials of the State Historical Preservations Department should investigate this matter further and properly document their findings.

Note: when paying respects to a deceased relative buried at this Catholic cemetery in the early 1980’s, I learned of these remains from the Hyatt Maui.

#### **Mo’olelo O Kimokeo Ohana:**

On account no “oral history” from any of the lineal descendants appear throughout the CIA and with permission from my family elder, Kaipō Kimokeo I will share with sincere humility my family mo’olelo and history.

Though my tupunas arrived in Lahaina from Moloka’i in 1819, both in their early twenties, they quickly learned to read and write in the English language from the newly arriving missionaries.

Descending from Hale O Keawe and becoming well schooled, Keaweiwi served Kauhikeouli (Kamehameha III) and the people of Lahaina in a variety of capacities until his death (Feb 10, 1862).

- Drafting of the First Constitution and compiled laws of the Hawaiian Kingdom (*from the collection of the Hawaiian Historical Society-Page 85, Treasures of Hawaiian History, David W. Forbes*).
- Legislature, Hawaiian Kingdom (*Windley Files, Lahaina Restoration Foundation, Fragments of Hawaiian History, John Papa Ii-BMP, HSA*)
- Land Agent, Hawaiian Kingdom (Hoapili Hale, HAS).
- One of the Leaders and spokesperson for the Anti-Foreign Movement (Timoteo Keawe'iwi in Lahaina, to Pahi & John Ii - Int. Dept. Misc. July 1845 - Ah (Trans from Hawaiian)

*Legend:* HSA - Hawaii State Archives  
BMP - Bishop Museum Press

Kekahuna, the younger of the two lived a relatively quiet but active life throughout the islands. From court and archival records, my family's oral history my great, great grandfather Kekahuna sired many children in Lahaina (Hoapili Hale, HAS).

*The Colonized Mind*

To fully understand how we, the community will be adversely impacted by Hyatt's Addition, one must understand the depth of my passion and sincere spirituality and **all that my family has endured (*spiritual genocide-theft of identity*) the past 200 years.**

Though we now live 123 years beyond my tupunas time, we are no less affected by the continuing changes western-societies have brought, and continue to bring to Hawaii Nei.

When brought to Lahaina by Chief Nalehu (Naehu), of Moloka'i, they not only learned to read and write in Lahaina, they became well respected and productive citizens of their time, never abandoning their cultural/spiritual ways.

*(It is important to acknowledge and remain cognizant of the fact, Keawe'iwi-Kekahuna both were born and raised in the ancient ways of my ancestors).*

In western-thinking societies, as I have personally observed and experienced through my travels and studies, the aboriginal people of an unknown land (as was the case with Hawaii Nei in 1778) these foreigners first encountered were untainted with the ills we now experience in today's time. However, the arriving foreigners in their arrogant and racist nature colonized our islands and especially the thinking of our people, a whole race of people that did well for themselves for thousands of years.

Note: Throughout their lifetime (1795-1883) Keawe'iwi-Kekahuna DID NOT stop believing or living the ancient ways. They *included* into their lives some of the foreign ways that came in the trade winds.

I am here today, as are my brothers and sisters, my aunts and uncles, the many cousins living throughout the islands and abroad that are lineal descendants of Keawe'iwi-Kekahuna because my tupunas did not abandon their ancient ways.

Though the odds and percentage of success were not good for Na Kanaka Maoli, then and now, they lived and fought an honorable battle, a battle to exist and survive the rising tide of the foreigners. Yes, my tupunas' died many years ago, but my family and I today are a living testament to our survival and existence.

### *Spiritual Genocide – Theft of Identity*

When one hears the word Genocide, one thinks of the holocaust by Hitler in World War II, the atrocities of the Balkans in the early 1990's by then called *Ethnic Cleansing*, the slaughter in Rawanda in the mid 1990's. YES! These are acts of Genocide. Genocide carried out by guns & bullets, gas chambers, rape, machetes, all horrible crimes, crimes against all of humanity.

Though we Kanaka Maoli have not suffered the "Physical Violence" as the Jewish people in WWII, or those in the Balkans or Rawanda have, we nonetheless are victims of genocide.

When the missionaries came in 1820, they came with the intent to convert a whole race of people who believed and lived differently than they did. It was about control and domination of the soul. Robbing us of our true identity, or so they tired.

What began with the arrivals of the Missionaries on the beaches of Kawaihae in 1820 was nothing less than the beginning of *spiritual genocide* of the aboriginal people of these islands, Na Kanaka Maoli. A practice beginning centuries ago, most noted is the arrival of one of western societies most celebrated explorers to the Americas, Christopher Columbus.

The word "convert" euphemistically, not mystically hides the horrific, but true facts of what was done to our tupunas. Spiritual Genocide!

The adverse affects which began on the beaches of Kawaihae, spreading throughout the islands reaching the shores of Hanakao'o and Puu Keka'a can be seen today in the unrelenting quest to develop more and more buildings. From Keaweiwi-Kekahuna through seven generations my family has suffered the subsequent raiding by corporations of our soul.

### *We too are the environment; mind, body and soul*

The environment we live in constantly affects us. Everything one puts into the environment, such as a 12 story building affects us. For me and many in our community another building will further erode what little confidence we have that our culture and spiritual way of life can survive.

Another essential, yet commonly overlooked fact that is a part of the "environment" is us people. As living, breathing biological creatures of this planet (another essential, if not



the most essential part of the "environment") what affects us through the mind, body and soul is not trivial, unrelated or irrelevant to Hyatt's desire to build another 12-story building. On the contrary, the many minds, body's and souls of Na Kanaka Maoli is very relevant and relative to our well being.

There is a balance in our universe and all of our lives. In a broader perspective, the human being is undeniably an element of the universe. And though most people simplify explaining and understanding the wonders we experience daily, with the "tangible" that can be measured and studied by our five physical senses, *what we humans feel, contemplate, sense are discounted as intangible, non-existent, a non-environment.*

The mind (psychological), body (emotional) and soul (spiritual) in every person upon this planet is essentially part of this delicate balance, a balance which must be maintained. I believe to achieve this balance the psychological, emotional and spiritual concerns of the community must be seriously weighed in equally and without prejudice or bias.

Our physical survival is at great risk. I am fearful with what has happened (i.e. over development, blatant disregard for the health and well being of Na Kanaka Maoli) to the impacted area in this DEIS. Granting an SMA Permit for the Hyatt will only exasperate a devastating and detrimental impact the community is already dealing with.

We are dying.....in a slow and subtle way.....surly we are dying.

#### **Desecration of a sacred land by foreigners to exploit for profit**

As horrific and unconscionable as it sounds, what was allowed to take place at pu`u keka`a (black Rock) in 1963 when the Sheraton Hotel was first built *is* a desecration to our sacred land. It happened because foreign individuals of a corporation had numerous burials removed so they could build the Sheraton Maui Hotel; a hotel, like the many built between Hanakao`o and Honokohau Valley that has profited well from the desecration and subsequent exploitation of my tupunas and our culture, an exploitation which continues today.

Before I go any further, allow me to honor with respect and ha`aha`a my tupunas whose remains were dug up and carted off to be buried where they were not in the way of foreign corporate greed;

- Abbie (Waiiau) Kimokeo-buried 1927, moved to Makawao Veterans Cemetery
- Nani Wailana Kimokeo-buried 1930, moved to Makawao Veterans Cemetery
- Palenape Imihana Kimokeo-buried 1936, moved to Makawao Veterans Cemetery
- Cecilia (Kekahuna) Morris-buried 1936, moved to Waiehu Hawaiian Cemetery

Note: Palenape and Abbie Kimokeo are the parents of my mother, Emma Kaiu Kimokeo. Nani Wailana Kimokeo is the eldest daughter of Palenape and Abbie

Waiau. Cecilia Morris is the younger sister of my great grandfather, Timoteo Kekahuna; the father of Palenape Imihana Kimokeo.

A sad fact to take note and will be further looked into is that many burials that were dug up in 1964 were put into plastic bags and for 11 years left in an abandoned sugar mill (Pu`ukuli). I myself saw the many bags in the summer of 1974.

Prior to this summer, my mother had explained that the family's of those buried at Pu`u Keka`a had been contacted by a local mortuary (Bulgo's, I believe is the mortuary she mentioned) contracted by the corporation building the Sheraton Hotel for removal and reburial. My mother told then that family's of many of the deceased were either not contacted or located. She did mention that the remains were nonetheless removed for construction of the hotel.

Note: In the fall of 2005, I was having a conversation with an elder who mentioned that in the early 70's he had seen many plastic bags with remains in the same abandoned sugar mill. To protect his identity, I will not mention his name here. However, he is willing to verify all that I have said regarding this matter upon request.

The question, "What became of those remains?" is one I will pursue. They deserve to rest in peace....as do the many tupunas still buried at Pu`u Keka`a.

*Another desecration, The Attempted sale of Iwi Po`o (human skull) on EBay*

As many in the community are aware of, an *Iwi Po`o* (Human Skull) stolen from the Whalers Village while under construction over 30 years ago, had been posted for sale on the internet a few years ago, violating federal (Native American Grave Protection & Reparation Act-NAGPRA) laws, whereupon the responsible person was subsequently arrested and convicted.

The return of the *Iwi Po`o* for re-internment is still pending. The matter is in the hands of the State Historic Preservation Department (SHPD) of the Department of Land and Natural Resources (DLNR), State of Hawaii.

Testimony at the Maui Burial Council's meeting earlier in the year; the management of Whalers Village was strongly encouraged to act with respect, sensitivity and fairness in returning the remains to its original place of burial.

Our tupunas *iwi po`o* was stolen with such deplorable disregard from the area between, Hanakao`o and Pu`u Keka`a, the impact area of the Hyatt's DEIS,

### Cultural Practices and Beliefs

The Kimokeo Ohana, beginning with Keaweiwi-Kekahuna lived and worked the lands. From Moku`ula to Pu`u Keka`a, Honokowai, to Ukumehame, Kohoma/Kanaha to Pu`u Kukui spanning 185 years (1819-2006) and seven generations.

Hyatt implies many of our beliefs are no longer part of the practice and beliefs of descendants living and residing in the impacted area today. Yet throughout their existence at 200 Nohea Kai Drive, numerous activities have taken place, activities which were of traditional and customary practices. Most recently;

- Blessing Ceremony, Pu`u Keka`a, June 21, 1997 (Na Kupuna O Maui)
- March from Moku`ula to Pu`u Keka`a, 2000 (Keeaumoku Kapu & Nakoa's, Kyle Nakanalua & Na Koa's, Na Kupuna O Maui)

#### *The beginning of a journey.....*

Growing up in Lahaina, I would walk regularly along the beaches of Wahikuli and Honokao`o to Pu`u Keka`a. Though baptized (8-9 months old) as a Catholic by my parents, much of my learning and understanding of life and spirituality came (continues to come) from honua (planet Earth) and the universe we live in.

The many nights and early mornings beneath a billion stars, the mountains and valleys of lands near and far, and the heart and souls of people I encountered throughout the world who took the time to share their lives, all this is ke akua's church, our church I deeply, sincerely and passionately love, my church which I live in and serve in every living moment of my existence.

I remember at age 10, walking in the rain along the shores of Ka`anapali before the Hyatt, Marriot, Ka`anapali Ali`i, Westin, Whalers Village and Sheraton were built. I remember well how it felt that day. There was a feeling of soothing peace flowing through my body as I walked along the beach. No buildings, no noise other than the sound of the sea and the rain on the earth. I didn't understand then, not until later in my life that I was in god's church. I was in his place of worship.

On some occasions with a few friends I grew up with, I discovered the presence of my tupunas` and ke akua. On many occasions, (three this past year alone), I would sit on the cliffs of Pu`u Keka`a. Though I am not dressed in ancient attire, or speak olelo Hawaii as well as my tupunas` does not mean for a moment that I am not practicing my customary beliefs and spirituality, I oli my prayers to ke akua and the souls of my tupunas.

Today, I look at the many buildings along the shores of Ka`anapali and it saddens me greatly. I grieve for my children who will never see and know the beauty of their ancestral lands as I have. I have seen the desecration committed against the land and against my tupunas` (Sheraton Hotel, 1963) at Pu`u Keka`a.

I have committed many years ago to take my children by the hand and walk them in the foot steps of my tupunas` and in my foot steps. From Moku`ula to Pu`u Keka`a, I will teach them their mo`okuauhau and Ka Ohana na mo`olelo o Keaweiki-Kekahuna. From the eastern shores and valleys of East Molokai (1795) to Pu`u Keka`a, to the kalo lo`i of Ukumehame (2006), to Pu`u pa`u pa`u above the rising tide of the foreigners, I will teach my children.

I will stand and fight with my spirituality to protect our lands and I will teach my children to stand and fight with their hearts and soul. Just as my tupunas` stood and fought over a hundred years ago.

I will teach all my children that they are Kanaka Maoli for I am Kanaka Maoli. I have always been Kanaka Maoli. I will always be Kanaka Maoli....of this sacred land...of this great church of ke akua.

*Pu`u Kukui (December 15, 2004)*

While returning to Lahaina one early morning, with many of the stars brightly shining in the night sky, I experienced a deeply moving sight. To the east, igniting to illuminate the consciousness of our being, Venus, the morning star rested on the peak of Pu`u Kukui.

I was held captive for a long moment. I asked myself, "is this what our tupunas` witnessed for thousands of years?"

If I was witnessing this now, they surely would have witnessed this many thousands times more. Surely they must have!

As I neared Ka`anapali, I quickly decided to verify a hunch, as though the brightness of Pu`u Kukui triggered some long dormant DNA within me. Upon reaching Pu`u Keka`a, I discovered the alignment of Pu`u Keka`a, with the morning star this particular morning shining brightly atop Pu`u Kukui, was in a PERFECTLY STRAIGHT ALIGNMENT. The illumination of Venus did not misalign even a fraction either way from exact center.

From any other location throughout Lahaina, at that very place and time the illumination of Venus, Pu`u Kukui would have appeared like any other star in the night sky, randomly scattered against the tapestry of the heavens.

Is this what our Kahunas` of ancient times witnessed? Is this how the summit of Mauna Ka Halewai was named Pu`u Kukui? The Candle Lit Mountain. Or perhaps there is a kaona Pu`u Kukui with the true meaning that we have yet to discover. The science of our ancient tupunas` has not been destroyed with the rising tide of the foreigners. On the contrary, it lives in every one of us kanaka Maoli.....it is in our DNA!

*The Peoples Lands.....Long after the Mahele*

On Page 10 & 11 of Appendix H (Archaeological Inventory Survey Report) and page 13 Appendix I (Cultural Impact Assessment), subheading; The Great Mahele, both reports summarize the transition of land ownership/management from traditional native practice to a western, yet foreign form.

When one looks to the past, especially to a pivotal point with such sweeping affects to the populace such as The Great Mahele, and to the souls who were directly involved with the authority to make decisions; we tend to overlook the obvious and assert "our opinions" which were cultivated and ingrained by western thinking and rational, a foreign element in a land and people in cultural distress.

"The Great Mahele", when those words are spoken today most think of Kamehameha III (Kauikeouli) giving up his alodio rights to much of the lands and sharing the land with his people. Yes. But what really happened and most of us don't realize this, is the he created the very first *written* "Title" to the lands.

I believe Kamehameha III (Kauikeouli) attempts and intention was to bring the ancient way of land tenure, Kanaka Maoli, NOT A FOREIGN SYSTEM forward into its very "first written form."

The title and laws written then basically conveyed the rights and succession of land from the Mo'i (Kamehameha III) to the Chiefs, to the Makaaina'na (commoners), back to the Mo'i. If there were no heirs, the land would go back to the people by way of the government, THE HAWAIIAN KINGDON!

#### *Land Title*

In the case of the Hyatt Regency Maui, it claims to be the owner of the lands whereupon they are seeking to develop their proposed 12-story timeshare.

- |                 |               |
|-----------------|---------------|
| 1. TMK 44013004 | 10.809 acres  |
| 2. TMK 44013005 | 7.354 acres.  |
| 3. TMK 44013008 | 18.405 acres. |

Total acres	36.568 acres
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On pages 11 of Appendix H (Archaeological Inventory Survey Report), 13 of Appendix I (Cultural Impact Assessment Report) Hyatt notes, "The entire *ahupua`a* of Hanakao`o (LCA 7715) was awarded to Lot Kamehameha (Kamehameha V)."

Note: These are lands whereupon the very *first* "written Title" was lawful awarded by the Hawaiian Kingdom. In other words, Kamehameha V. was the very first Lawful Owner of TMK 44013004, 44013005, and 44013008.

Hyatt also cites "Ka'anapali is the name of an ancient *kalana* that was obliterated by the Hawaiian Legislature in 1859 by combining its lands in a new Lahaina District (Clark 1989:60-61)."

Indices of 1881

On page 100 of the Index of Claims Awarded by the Land Commission of 1881 the following Royal Patent/Land Commission Award is registered:

RP	Helu	Na Inoa	Kahi E Waiho	Ka Nui O Ka Ili	Aoao	Bk
	3425B	Alu,	Hanakao`o	92 p.;2 ap.	95	9
3581	11086	Kaheekai, J.	do	3 e, 43 p.; 4 ap.	54	9
2567	7715	Kamehameha, L	do	5 e., 37p., Ahp.	316	10
3535	502	Pupuka	do	1 e., 2 p.	107	10

Legend: RP – Royal Patent  
 LCA – Land Commission Award  
 Na Inoa – Name  
 Kahi E Waiho – Place  
 Ka Nui O Ka Ili – Lot size  
 Aoao – Page number  
 BK – Book number  
 e – Eka (Acre)  
 p – Peroka (Perch, Rod or Pole)  
 Ahp – Ahupua`a  
 Do – dido

As you will note (attached copy of page 100, 1881 Indices) as well, there are three (2 above, 1 below) *kuleana* awards in the Ahupua`a of Hanakao`o. Contrary (Page 11, Appendix H, Cultural Impact Assessment) to what is reported by SCS in their Cultural Impact Assessment "The entire Ahupua`a of Hanakao`o (LCA 7715) was awarded to Lot Kamehameha (Kamehameha V). Ka'anapali is an ancient kalana that was obliterated by the Hawaiian Legislature in 1859 by combining its lands in a new Lahaina District (Clark 1989:60-61). There were no LCAs in the vicinity of the present project."

Note: In the 1881 Indices, as recorded (Ka Nui O Ka Ili) prior to 1859, 5 e., 37p., Ahp. Clearly records a Kuleana award (Royal Patent 2567) within the Ahupua`a of Hanakao`o.

Again, for the Hyatt to conclude that there are no adverse affects based on the CIA conducted and submitted by Scientific Consultants Services is clearly suspicious of a possible fraudulent nature or simply poor workmanship on the part of SCS.

For the record! We must ask the questions and demand answers.

1. Does Hyatt have "Clear Title" to these lands?

- (TMK 44013004, 44013005, and 44013008)
2. Demand Hyatt show proof no Kuleana lands are within the impacted area?
  3. Demand Hyatt show a complete Chain of Title from Kamehameha, Lot (Kamehameha V) to Hyatt's claim of ownership of TMK 44013004, 44013005, and 44013008.

Failing or refusing to answer these critically important questions leaves no doubt that ownership of TMK 44013004, 44013005, and 44013008 (LCA 7715) is clouded, and by State Law, no development on said lands can lawfully take place.

***UNTIED STATES PUBLIC LAW 103-150 (The Apology Bill)***

There are several very important and critical material facts which must be taken into account for the numerous discrepancies I have brought to light in the Hyatt's DEIS.

These facts will not only explain the rationale and illegitimacy of Hyatt's claim to be the owner of lands TMK 44013004, 44013005, and 44013008 respectively, it will illuminate a perversion of justice that has been carried out against the culture, traditions and spirituality of Na Kanaka Maoli, lawful citizens and *nationals* of a foreign government.

The United States first recognized in the 1826 Treaty between Admiral Catsby Jones (US) and Kamehameha III, then again with another signed treaty (November 28, 1842), subsequently followed by the international community (England/France) with signed treaties respectively, and again on November 23, 1993 in United States Public Law 103-150 signed by then US President William Jefferson Clinton

When all *material facts* from 1826 to US Public Law 103-150 are weighed in, the inescapable facts are overwhelming. The one fact that seems to be ignored, unnoticed or denied outright is Lawful Jurisdiction of the Hawaiian Government of Queen Liliu'okalani and her citizenry did not lawfully transfer to the Provisional Government, the so-called Republic of Hawaii or subsequently to the United States Government.

In other words, *Legal Passage* of jurisdiction of the Hawaiian Kingdom did not take place on January 17, 1893 or thereafter.

All lands of the Hawaiian Islands were/are part of the national wealth of an Independent State recognized by the world community. Lands like those of Kamehameha V (Lot, Kamehameha) Hyatt claims (TMK 44013004, 44013005, and 44013008) to own.

Again, can Hyatt show as the so-called owner of these lands "Clear Title" from the award of Hanakao'o (LCA 7715) Ahupua'a to Kamehameha V?

**Formal Complaint:**

To: Michael Foley, Planning Director.  
County of Maui, Department of Planning  
250 South High Street  
Wailuku, HI 96793

I, Foster Ampong, hereby formally make a complaint to County Planning Director, Michael Foley, based on the facts presented in my testimony that Hyatt's application for a Special Management Area Permit be denied.

The facts I have brought to light proves beyond any doubt Hyatt's Draft Environmental Impact Statement (DEIS) is severely lacking in the gathering and presentation of material facts, making the conclusions Hyatt has committed to in this DEIS erroneous.

To ignore and/or fail to hold Hyatt accountable for the impact this very DEIS alone, has had/will further have on myself and the community at large is no less than an exasperation of the adversities we, the residents of Maui are embattled in.

Relevant to this DEIS, the mandate of an Environmental Impact Statement lawfully poses the question, "Will building another 12-story building have an adverse affect on the community?"

The answer based on facts, without a doubt is YES!

I pose a question to Hyatt and all government officials with the fiduciary responsibilities to the citizenry, "Will Hyatt experience any adverse affects if building their 12-story timeshare facility is denied?"

NO! They will not experience adverse affects.

(I can be reached through Patty Nishiyama, Na Kupuna O Maui).

Foster Ampong  
PO Box 13018  
Lahaina, HI 96761  
(808) 661-3603  
(808) 283-6345  
Email: puukukui\_mkh@yahoo.com

End  
(See attached references)



# UNITED STATES PUBLIC LAW 103-150

## 103d Congress Joint Resolution 19

Nov. 23, 1993

**To acknowledge the 100th anniversary of the January 17, 1893 overthrow of the Kingdom of Hawaii, and to offer an apology to Native Hawaiians on behalf of the United States for the overthrow of the Kingdom of Hawaii.**

*Whereas*, prior to the arrival of the first Europeans in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient, subsistent social system based on communal land tenure with a sophisticated language, culture, and religion;

*Whereas*, a unified monarchical government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawaii;

*Whereas*, from 1826 until 1893, the United States recognized the independence of the Kingdom of Hawaii, extended full and complete diplomatic recognition to the Hawaiian Government, and entered into treaties and conventions with the Hawaiian monarchs to govern commerce and navigation in 1826, 1842, 1849, 1875, and 1887;

*Whereas*, the Congregational Church (now known as the United Church of Christ), through its American Board of Commissioners for Foreign Missions, sponsored and sent more than 100 missionaries to the Kingdom of Hawaii between 1820 and 1850;

*Whereas*, on January 14, 1893, John L. Stevens (hereafter referred to in this Resolution as the "United States Minister"), the United States Minister assigned to the sovereign and independent Kingdom of Hawaii conspired with a small group of non-Hawaiian residents of the Kingdom of Hawaii, including citizens of the United States, to overthrow the indigenous and lawful Government of Hawaii;

*Whereas*, in pursuance of the conspiracy to overthrow the Government of Hawaii, the United States Minister and the naval representatives of the United States caused armed naval forces of the United States to invade the sovereign Hawaiian nation on January 16, 1893, and to position themselves near the Hawaiian Government buildings and the Iolani Palace to intimidate Queen Liliuokalani and her Government;

*Whereas*, on the afternoon of January 17, 1893, a Committee of Safety that represented the American and European sugar planters, descendants of missionaries, and financiers deposed the Hawaiian monarchy and proclaimed the establishment of a Provisional Government;

*Whereas*, the United States Minister thereupon extended diplomatic recognition to the Provisional Government that was formed by the conspirators without the consent of the Native Hawaiian people or the lawful Government of Hawaii and in violation of treaties between the two nations and of international law;

*Whereas*, soon thereafter, when informed of the risk of bloodshed with resistance, Queen Liliuokalani issued the following statement yielding her authority to the United States Government rather than to the Provisional Government:

"I Liliuokalani, by the Grace of God and under the Constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the Constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a Provisional Government of and for this Kingdom.

"That I yield to the superior force of the United States of America whose Minister Plenipotentiary, His Excellency John L. Stevens, has caused United States troops to be landed at Honolulu and declared that he would support the Provisional Government.

"Now to avoid any collision of armed forces, and perhaps the loss of life, I do this under protest and impelled by said force yield my authority until such time as the Government of the United States shall, upon facts being presented to it, undo the action of its representatives and reinstate me in the authority which I claim as the Constitutional Sovereign of the Hawaiian Islands."

Done at Honolulu this 17th day of January, A.D. 1893.;

*Whereas*, without the active support and intervention by the United States diplomatic and military representatives, the insurrection against the Government of Queen Liliuokalani would have failed for lack of popular support and insufficient arms;

*Whereas*, on February 1, 1893, the United States Minister raised the American flag and proclaimed Hawaii to be a protectorate of the United States;

*Whereas*, the report of a Presidentially established investigation conducted by former Congressman James Blount into the events surrounding the insurrection and overthrow of January 17, 1893, concluded that the United States diplomatic and military representatives had abused their authority and were responsible for the change in government;

*Whereas*, as a result of this investigation, the United States Minister to Hawaii was recalled from his diplomatic post and the military commander of the United States armed forces stationed in Hawaii was disciplined and forced to resign his commission;

*Whereas*, in a message to Congress on December 18, 1893, President Grover Cleveland reported fully and accurately on the illegal acts of the conspirators, described such acts as an "act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress", and acknowledged that by such acts the government of a peaceful and friendly people was overthrown;

*Whereas*, President Cleveland further concluded that a "substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people requires we should endeavor to repair" and called for the restoration of the Hawaiian monarchy;

*Whereas*, the Provisional Government protested President Cleveland's call for the restoration of the monarchy and continued to hold state power and pursue annexation to the United States;

*Whereas*, the Provisional Government successfully lobbied the Committee on Foreign Relations of the Senate (hereafter referred to in this Resolution as the "Committee") to conduct a new investigation into the events surrounding the overthrow of the monarchy;

*Whereas*, the Committee and its chairman, Senator John Morgan, conducted hearings in Washington, D.C., from December 27, 1893, through February 26,

1894, in which members of the Provisional Government justified and condoned the actions of the United States Minister and recommended annexation of Hawaii;

*Whereas*, although the Provisional Government was able to obscure the role of the United States in the illegal overthrow of the Hawaiian monarchy, it was unable to rally the support from two-thirds of the Senate needed to ratify a treaty of annexation;

*Whereas*, on July 4, 1894, the Provisional Government declared itself to be the Republic of Hawaii;

*Whereas*, on January 24, 1895, while imprisoned in Iolani Palace, Queen Liliuokalani was forced by representatives of the Republic of Hawaii to officially abdicate her throne;

*Whereas*, in the 1896 United States Presidential election, William McKinley replaced Grover Cleveland;

*Whereas*, on July 7, 1898, as a consequence of the Spanish-American War, President McKinley signed the Newlands Joint Resolution that provided for the annexation of Hawaii;

*Whereas*, through the Newlands Resolution, the self-declared Republic of Hawaii ceded sovereignty over the Hawaiian Islands to the United States;

*Whereas*, the Republic of Hawaii also ceded 1,800,000 acres of crown, government and public lands of the Kingdom of Hawaii, without the consent of or compensation to the Native Hawaiian people of Hawaii or their sovereign government;

*Whereas*, the Congress, through the Newlands Resolution, ratified the cession, annexed Hawaii as part of the United States, and vested title to the lands in Hawaii in the United States;

*Whereas*, the Newlands Resolution also specified that treaties existing between Hawaii and foreign nations were to immediately cease and be replaced by United States treaties with such nations;

*Whereas*, the Newlands Resolution effected the transaction between the Republic of Hawaii and the United States Government;

*Whereas*, the indigenous Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States, either through their monarchy or through a plebiscite or referendum;

*Whereas*, on April 30, 1900, President McKinley signed the Organic Act that provided a government for the territory of Hawaii and defined the political structure and powers of the newly established Territorial Government and its relationship to the United States;

*Whereas*, on August 21, 1959, Hawaii became the 50th State of the United States;

*Whereas*, the health and well-being of the Native Hawaiian people is intrinsically tied to their deep feelings and attachment to the land;

*Whereas*, the long-range economic and social changes in Hawaii over the nineteenth and early twentieth centuries have been devastating to the population and to the health and well-being of the Hawaiian people;

*Whereas*, the Native Hawaiian people are determined to preserve, develop and transmit to future generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions;

*Whereas*, in order to promote racial harmony and cultural understanding, the Legislature of the State of Hawaii has determined that the year 1993, should serve Hawaii as a year of special reflection on the rights and dignities of the Native Hawaiians in the Hawaiian and the American societies;

*Whereas*, the Eighteenth General Synod of the United Church of Christ in recognition of the denomination's historical complicity in the illegal overthrow of the Kingdom of Hawaii in 1893 directed the Office of the President of the United Church of Christ to offer a public apology to the Native Hawaiian people and to initiate the process of reconciliation between the United Church of Christ and the Native Hawaiians; and

*Whereas*, it is proper and timely for the Congress on the occasion of the impending one hundredth anniversary of the event, to acknowledge the historic significance of the illegal overthrow of the Kingdom of Hawaii, to express its deep regret to the Native Hawaiian people, and to support the reconciliation

efforts of the State of Hawaii and the United Church of Christ with Native Hawaiians;

Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

**SECTION 1. ACKNOWLEDGMENT AND APOLOGY.**

The Congress -

(1) on the occasion of the 100th anniversary of the illegal overthrow of the Kingdom of Hawaii on January 17, 1893, acknowledges the historical significance of this event which resulted in the suppression of the inherent sovereignty of the Native Hawaiian people;

(2) recognizes and commends efforts of reconciliation initiated by the State of Hawaii and the United Church of Christ with Native Hawaiians;

(3) apologizes to Native Hawaiians on behalf of the people of the United States for the overthrow of the Kingdom of Hawaii on January 17, 1893 with the participation of agents and citizens of the United States, and the deprivation of the rights of Native Hawaiians to self-determination;

(4) expresses its commitment to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii, in order to provide a proper foundation for reconciliation between the United States and the Native Hawaiian people; and

(5) urges the President of the United States to also acknowledge the ramifications of the overthrow of the Kingdom of Hawaii and to support reconciliation efforts between the United States and the Native Hawaiian people.

**SEC. 2. DEFINITIONS.**

As used in this Joint Resolution, the term "Native Hawaiians" means any individual who is a descendent of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

**SEC. 3. DISCLAIMER.**

Nothing in this Joint Resolution is intended to serve as a settlement of any claims against the United States.

Approved November 23, 1993



November 14, 2006

Foster Ampong  
PO Box 13018  
Lahaina, Hawaii 96761

**SUBJECT:** Hyatt Regency Maui Addition – Draft Environmental Impact Statement Comment Letter  
TMK (2) 4-4-013: 003, 004, 005 and 008  
EIS 2006/0002; SM1 2006/001

Dear Mr. Ampong,

Thank you for your letter of September 30, 2006, providing comments on the Draft Environmental Impact Statement (EIS) for the proposed Hyatt Regency Maui Addition. In response to your comments, we note the following:

**Cultural Impact Assessment**—As part of the preparation of the cultural impact assessment, Scientific Consultant Services, Inc., requested consultation pertaining the traditional and customary rights on the property from the Oahu office of the Office of Hawaiian Affairs, Ms. Thelma Shimokawa of the Maui Office of that same agency, the Cultural Resources Planner of the Maui Planning Department, the Central Maui Civic Club, and others. In addition, an interview was conducted with someone of long-standing association with the property and archival research was conducted and documented.

As you note, the Ka'aniapali Resort has been extensively developed over the decades and the proposed project area has been a parking lot for over twenty years. Based upon its history and feedback from individuals, we believe that it is reasonable to assume that no traditional or customary rights are practiced on-site in any way that would be impacted by the proposed project. It is important to distinguish between the cultural practices of the greater Lahaina region and the actual project area, which is a parking lot for the Hyatt Regency Maui Hotel. Those practices which note in your letter, such as a blessing ceremony at Pu'u Keka'a would be unaffected by the conversion of the Hyatt Regency parking lot into a timeshare building.

And, as noted in the Draft EIS, the Hyatt Regency Maui Hotel is providing convenient, automobile parking and pedestrian access to the shoreline for the public.

**Adverse Impacts to Community**—We note that the Draft EIS contains an extensive discussion of the physical, socio-economic, and infrastructural impacts resulting from the proposed project.

The applicant is aware of the traffic situation in West Maui and the need for private initiative to provide traffic mitigation measures. The applicant has committed to a variety of measures, not only to mitigate traffic impacts resulting from the proposed development, but to lessen the total traffic generated by the Hyatt properties. These measures include increased mass transportation services for both guests and employees, establishing programs to encourage the use of shuttle services for the guests from the airport to the resort properties, and contributions to a traffic impact fund to be administered by the County of Maui.

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Mr. Foster Ampong  
November 14, 2006  
Page 2 of 2

Potable water-source in the project area is provided by Aqua Source Company. Aqua Source has confirmed that they will serve the new timeshare with potable water.

The Draft EIS included a Socio-Economic Impact Assessment as Appendix J. There is no information to indicate that the development of a timeshare property would increase the island-wide cost of living or property taxes.

**Archaeological Assessment**—The archaeological assessment was submitted to the Historic Preservation Division of the State Department of Land and Natural Resources (SHPD). The report was reviewed and approved by SHPD. An archaeological monitoring plan was then prepared for the project. This monitoring plan was also reviewed and approved by SHPD. Both approval letters will be included in the Final EIS. Should any cultural or historical deposits be discovered during ground-altering activities, all work in the area will cease and the proper authorities contacted.

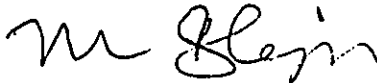
**The Environment**— The Ka'anapali Resort destination area was established in 1962. One of the purposes behind the establishment of a destination area was to establish a specific area in which development of mid-rise (12-story), hotel structures would be appropriate. Development within the Resort, in turn, would discourage the placement of such structures in other areas, keeping the remainder of West Maui's shoreline free from this type of mid-rise development. Maui County zoning restrictions and the West Maui Community Plan support this strategy in full by, again, encouraging large-scale, mid-rise hotel development within the Ka'anapali resort in general and the Hyatt property in particular, while disallowing it elsewhere.

On the other hand, no county zoning or community plan designates the project area for "Open Space" uses. Certain viewplanes in the project vicinity, which are to be protected, have been identified. The Draft EIS discusses this in Section III.A.8, "Visual Resources", Section IV.C, "West Maui Community Plan", and in Section IV.E.3, "Scenic and Open Space Resources". As noted, the project will not significantly impact any identified, public viewplanes or visual resources.

We feel it is appropriate to propose a project which conforms to state land use laws, county zoning, and the West Maui community plan, in addition to the underlying planning philosophy of the Ka'anapali Resort.

Thank you again for providing us with your comments. Please feel free to call me at (808) 242-1955 should you have any questions.

Respectfully submitted,



Matthew M. Slepín, Planner

cc: Gerard Haberman, Host Hotels and Resorts, Inc.  
Chip Doyle, Group Pacific, Inc.  
Jeff Hunt, Maui Department of Planning  
Project File